



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, May 12, 2014

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 2:01 p.m.

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

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

ABSENT: Council Member Mike Carrigan.

Staff Present: Dan Marran, Andy Hummel, Kim Laber, Todd Saxberg, George Graham, Tracy Domingues, Tony Pehle, Chris Syverson, Brian Allen, Tom Garrison, Jeff Cronk, Michael Drinkwater, Bill Luetsch, Adam Mayberry, Jim Rundle, Tim Thompson, Jim Herman, Neil Krutz, Armando Ornelas, John Martini, Ron Korman, Karen Melby, Donna DiCarlo.

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

Mayor Martini requested a moment of silence to honor long-time friend of Sparks, Karmen Ferris, who passed away. Ms. Ferris served on several city committees, including the Sparks Citizens Advisory Committee.

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

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

Comments from the Public (Time: 2:03 p.m.)

- Ron King spoke in support of the City of Sparks becoming a quiet zone for railway traffic; the National Transportation Safety Board's warning regarding the safety of rail and motor tankers when carrying certain products through the area; and in support of the agenda item to relocate Last Chance Joe.
- Nevada 150 Events and Community Relations Manager Scott Carey informed Council that the current Nevada Magazine features an article about the history of Sparks.
- Ron Magee spoke about the difficulty for large trucks to negotiate the roundabouts at the Sparks Marina crosswalks; the bus stop and drop-off zones at the senior center.

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.

Mayor Martini requested items 6.10 and 6.11 be heard after item 6.2 to accommodate the travel schedule of the Carrara Nevada lobbyists.

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

3. Recommendation to Approve Minutes of the regular Sparks City Council Meeting for April 28, 2014 (FOR POSSIBLE ACTION) (Time: 2:14 p.m.)

3.1 Consideration and possible approval of the minutes of the regular Sparks City Council Meeting for April 28, 2014.

A motion was made by Council Member Ratti, seconded by Council Member Schmitt, to approve the minutes of the Regular Meeting of April 28, 2014, as outlined by staff. Council Members Ratti, Lawson, Smith, Schmitt, YES. Council Member Carrigan, ABSENT. Passed unanimously with those present.

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

4.1 Presentation on the Annual Kids Free Fishing Day by the Sparks Rotary (Time: 2:14 p.m.)

Don Welch, Ryan Gilbrech, and Randy Rascati from the Sparks Rotary Club presented event highlights and a video for the upcoming Kids Free Fishing Day on June 14, 2014. Council Member Ed Lawson made an invitation to come to the Sparks Marina on Friday, June 13 when the Rotary Club will host another event, Fishing Day for special needs kids.

4.2 Presentation on the 2013 Golden Eagle Regional Park Annual Report (Time: 2:19 p.m.)

Recreation Supervisor Tony Pehle provided the 2013 annual report for Golden Eagle Regional Park (GERP.)

Council Member Ron Schmidt noted the marketing advantages GERP draws for the region and said he would like to see the baggage claim video at Reno-Tahoe International Airport feature GERP.

Council Member Julia Ratti thanked Mr. Pehle for the report and asked him to elaborate on a recent conference decision. Mr. Pehle is the volunteer State Commissioner for the NV Amateur Softball Association. He said the annual ASA/USA event is coming to Sparks this year for approximately 3,000 room nights in November.

Mayor Martini said he could never anticipate the draw and huge success Golden Eagle Regional Park has become.

4.3 Proclamation: "Kids to Parks Day" (Time: 2:28 p.m.)

Mayor Martini proclaimed May 17, 2014, as KIDS TO PARKS DAY and encouraged the residents of Sparks to make the time to take their children to neighborhood, state, or national parks. Sparks Parks and Recreation Director Tracy Domingues accepted the proclamation.

5. Consent Items (Time: 2:31 p.m.)

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

5.1 Report of Claims and Bills approved for payment and appropriation transfers for the period April 10, 2014 through April 23, 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.

5.2 Consideration and possible action on a two-year time extension for presenting a successive final map for the Miramonte Planned Development (FOR POSSIBLE ACTION)

An agenda item from Senior Planner Tim Thompson recommending Council approve a two-year extension of time to Corona, LLC for presenting a successive final map associated with the Miramonte Planned Development, per NRS 278.360. Approval would extend the validity of the final map to April 17, 2016.

5.3 Consideration and possible action on a two-year time extension for presenting a successive final map for Pioneer Meadows Village 6 (FOR POSSIBLE ACTION)

An agenda item from Senior Planner Tim Thompson recommending Council approve a two-year extension of time to Lennar Homes for presenting a successive final map associated with Pioneer Meadows Village 6, per NRS 278.360. Approval would extend the validity of the final map to June 11, 2016.

5.4 Consideration and possible approval of an Interlocal Cooperative Agreement (ICA) with the Regional Transportation Commission (RTC) of Washoe County for the Signal Timing 4 Project (FOR POSSIBLE ACTION)

An agenda item from Transportation Manager Jon Ericson recommending Council approve an agreement to allow staff to assist the RTC in implementing new signal timing into the City of Sparks' central traffic system on a reimbursement basis. Funding for this project is 95% reimbursable from NDOT utilizing Congestion Mitigation Air Quality funds.

5.5 Consideration and possible approval of an application for the Gaming License for Rainbow Market #10, located at 1390 Disc Drive, Sparks, NV; submitted by Mr. Lenard Ray Loper (FOR POSSIBLE ACTION)

An agenda item from Deputy Police Chief Tom Miller recommending Council approve a gaming license for Rainbow Market. Mr. Loper has been the owner of the market since 1986. The license is for seven multi-denominational free-standing slot machines and will provide revenue of \$840.00 annually.

6. General Business

6.1 Consideration, discussion and possible approval of appointment to the Regional Planning Governing Board for a three-year term (FOR POSSIBLE ACTION) (Time: 2:32 p.m.)

An agenda item from City Manager Steve Driscoll recommending Council approve the reappointment of Council Member Mike Carrigan to the Regional Planning Governing Board. Council Member Carrigan's appointment expires on June 30, 2014. Although his term with the Sparks City Council will expire in November 2014, Mr. Carrigan expressed a willingness to serve on the Regional Planning Governing Board for the remainder of his City Council term.

A motion was made by Council Member Schmitt, seconded by Council Member Smith, to confirm the reappointment of Council Member Carrigan to the Regional Planning Governing Board for a three-year term of June 30, 2014 to June 30, 2017. Council Members Ratti, Lawson, Smith, Schmitt, YES. Council Member Carrigan, ABSENT. Passed unanimously with those present.

6.2 Discussion and possible approval of a contract with Carrara Nevada, LLC for state lobbying services in the amount of \$61,500, not to exceed \$69,500 (FOR POSSIBLE ACTION) (Time: 2:33 p.m.)

An agenda item from Community Relations Manager Adam Mayberry recommending Council once again utilize Carrara Nevada as the City's legislative lobbyist to assist the city in its legislative presence from July 2014 through June 2015. Under this contract, Carrara will engage in the day-to-day operations of state legislative activities while still providing strategic guidance to the city.

Carrara proposes a monthly retainer fee schedule consisting of \$2,750 from July 2014 through December 2014. Once the session is underway beginning in January 2015 through June 2015, the cost will increase to \$7,500 monthly. The total contract cost is \$61,500 from July 2014 through June 2015, representing an increase of \$6,000 (**\$8,000?**) from the last contract with Carrara (July 2012 – June 2013). The increase is due primarily to additional bill tracking needs for the city and increased operating costs for Carrara Nevada, which devotes a total of four staff people to meet the needs and expectations of the Council and the Manager's office. In addition, Carrara Nevada is proposing an optional clause that applies to lobbying services during the legislative session. This contractual provision would need to be agreed upon by both parties and involves proactively pushing legislation which is not immediately identified in the lead up to the legislative session. Funds have been budgeted for this expense.

Council Member Ratti commented that last year's strategy worked well and that she supports the allocation for the extra funds, should those funds be needed.

A motion was made by Council Member Ratti, seconded by Council Member Schmitt, to approve the contract with Carrara Nevada, LLC for state legislative and lobbying services in the amount of \$61,500, not to exceed \$69,500. Council Members Ratti, Lawson, Smith, Schmitt, YES. Council Member Carrigan, ABSENT. Passed unanimously with those present.

Mayor Martini commented that Carrera Nevada has proven to have the best process the city has worked with and that he supports their efforts and the funding request.

6.3 Consideration and possible award of the 2014 Curb Gutter, Sidewalk and Pavement Replacement – Unit 1, Bid No. 13/14-017, PWP-WA-2014-101 to Q&D Construction, Inc., in the amount of \$469,436.00. (FOR POSSIBLE ACTION) (Time: 2:47 p.m.)

An agenda item from Acting Capital Projects Manager Brian Cason recommending Council award a bid to replace the existing curb, gutter, sidewalk, and paving on Russell Way from Rock Blvd. to 9th Street, and 17th Street from Prospect Way to Greenbrae Drive, as part of the CIP Project Master Plan for curb, gutter, and sidewalk replacement. Funds have been budgeted and are available for this project. Public comment from Ron King is attached.

A motion was made by Council Member Ratti, seconded by Council Member Lawson, to award the 2014 Curb Gutter, Sidewalk and Pavement Replacement – Unit 1, Bid No. 13/14-017, to Q&D Construction, Inc., in the amount of \$469,436.00. Council Members Ratti, Lawson, Smith, Schmitt, YES. Council Member Carrigan, ABSENT. Passed unanimously with those present.

6.4 Consideration and possible award of a construction contract to Houston Smith Construction in the amount of \$59,200 for relocation of Last Chance Joe to the west side of the C Street Parking Garage. (FOR POSSIBLE ACTION) (Time: 2:49 p.m.)

An agenda item from Deputy City Manager for Community Services Neil Krutz recommending Council consider awarding a contract to relocate the statue known as “Last Chance Joe.” The new owners of John Asquaga’s Nugget plan to remodel the exterior building façade fronting Victorian Avenue and demolish the Last Chance Joe “feature” that currently resides there. The new owners have indicated they have no interest in keeping Last Chance Joe but have offered to allow the feature to be removed and relocated as long as it is done very quickly and at no expense to the Nugget. City staff put together an informal bid package for the relocation to city property along the west side of the C Street Parking Garage and solicited bids in April 2014. Bids were opened on April 17, 2014. The low bid of \$59,200 was provided by Houston Smith Construction. One additional bid of \$97,435 was provided by Lepori Construction. Staff has researched potential funding sources for this work and have identified options as outlined in the staff report.

Deputy City Manager for Community Services Neil Krutz said additional information received this date indicated that next year’s HVAC project is under-funded at approximately \$1M and cost savings should not be expected from that project to fund Last Chance Joe’s relocation.

Council Member Ratti thanked staff and Mr. Krutz for laying out the pros and cons for this project. She said opportunities for such projects don’t often come with advance notice, but that she had received word from Mr. Gear at the Nugget that the Nugget’s renovation will not begin until after the rib cook-off. Ms. Ratti said the fundraising proposals have been given very little time to come to fruition and that she believes it is important to preserve Sparks’ unique community treasure even through the budget is challenging.

Mayor Martini opened the item for public comment.

- Mr. Ron King supports attempts to raise funds to move Last Chance Joe. (See Item No. 2, Comments from the Public.)
- President of the Board of Directors for Sparks Heritage Foundation and Museum

- Mr. Dick Dreiling... President of the Board of Sparks Heritage Foundation and Museum said Last Chance Joe is one of a kind and must be protected and not lost.
- Events and Community Relations Manager for Nevada 150 Scott Carey said on behalf of Nevada's Susquentineal Commission they support the relocation project as a legacy project for the Susquentineal Project. The Commission believes the project should be supported. Mayor Martini said he will place The Commission's letter in support of moving Last Chance Joe into the record.
- Dr. Richard Simmonds, Member of the Board of Trustees of the Sparks Heritage Foundation and Museum said he believes the icon item should be preserved and suggested it be saved and possibly storing the 3-piece item until funds could be raised to relocate the icon.
- Will Durham preserves Nevada's signage and supports Last Chance Joe and the positive press potential and Americana art preservation in Nevada.

Council Member Ratti invited feedback to do the right thing and believes that although \$60,000 is a lot of money, it is appropriate that we preserve our past, even though the times are challenging.

Council Member Lawson expressed concern about the fragility of Last Chance Joe and asked if there are assurances that the sign would not be further damaged during dismantling and/or transport. Acting Capital Projects Manager Brian Cason said the bid included that Last Chance Joe would be delivered in good shape.

Council Member Smith said he would not support this project as presented, with funding coming from the general fund.

Council Member Schmitt said he could not support the project because Last Chance Joe is not a tourist attraction and Sparks is not known for the figure. He said Last Chance Joe has not been considered important to developers and to tourism. Mr. Schmitt said that with a projected \$700K shortfall for next year's budget, he could not support a \$60,000 expenditure for Last Chance Joe.

Mayor Martini said that although Last Chance Joe does not bring tourists, it has a special place in his heart as a figure that has been here for a long time and supports keeping the figure.

Council Member Ratti said she sees Last Chance Joe as an historic preservation strategy.

A motion was made by Council Member Ratti, seconded by Council Member Lawson, to award a construction contract to Houston Smith Construction in the amount of \$59,200. Council Members Ratti, Lawson, YES. Council Members Smith, Schmitt, NO. Council Member Carrigan, ABSENT. Motion failed.

Council Member Ratti made a motion to approve a city match to community efforts to save "Last Chance Joe" as part of a Nevada Sesquicentennial Legacy Project. City Attorney Adams requested the item be re-agendized to allow for discussion and options to save "Last Chance Joe" as this item is specific to approval of a construction contract. Council Member Ratti requested staff put the item on the next Council meeting agenda.

Council Member Smith said if placed on a future agenda, he would support funding to dismantle LCJ and place the statue in a Sparks yard until funding is received to raise the statue.

Council Member Lawson said \$30,000 or whatever the difference is, could be matched by the city.

Deputy City Manager for Community Relations Neil Krutz said a discussion will be made with the contractor, and possibly go out for additional bids, if the council elects to only dismantle Last Chance Joe and move the figure to a storage yard at this time.

Council Member Smith said he is concerned that Last Chance Joe may be damaged or destroyed in the dismantling process.

Council Member Schmitt asked if a structural engineer has indicated that the figure can be moved and installed. Mr. Cason said the shell is the concern.

6.5 PCN140008 - Consideration of and possible action to approve a final planned development handbook (Kiley Ranch North Phase 6), on a site approximately 115.2 acres in size in NUD (New Urban District) zoning district located on the northeast corner of Kiley Parkway and Henry Orr Parkway, Sparks, NV (FOR POSSIBLE ACTION) (Time: 3:33 p.m.)

An agenda item from Senior Planner Karen Melby recommending Council grant final approval on Phase 6 of the Kiley Ranch North Planned Development. This phase consists of 115.2 acres and planned to be residential development ranging in density from four (4) dwelling units per acre to 17.9 dwelling units per acre. The tentative handbook for Kiley Ranch North Planned Development covers the entire 834.5 acres planned development. The proposed Kiley Ranch North Phase 6 Handbook covers 115.2 acres on the northeast corner of Kiley Parkway and Henry Orr Parkway. This is the sixth phase to be reviewed for the Kiley Ranch Planned Development. This final handbook is for a section of Kiley Ranch North that has not had final review previously. The City Council reviewed and approved on April 28, 2014 a rezoning which includes this area for rezoning to NUD. The Planning Commission reviewed the Phase 6 Kiley Ranch North Planned Development on April 17, 2014 and recommends the City Council approve this phase. There is no financial impact to the general fund.

Council Member Schmitt asked if it would possible for Council to be apprised of new ownership issues in various parcels of Kiley Ranch.

A motion was made by Council Member Schmitt, seconded by Council Member Lawson, to approve PCN14008 as the final draft is in substantial compliance with the City Council's action on the Tentative Approval of Kiley Ranch North Planned Development Handbook 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.

6.6 Presentation, discussion and potential approval of Resolution No. 3256 regarding the implementation of IBM recommendation #1: Ratifying the Goal of Regional Cooperation regarding Improving Economic Development Outcomes and the Proposed Smarter Region Governance Model to achieve

that Goal; Change the Mindset, a New Process for Regional Collaboration on Economic Development. (FOR POSSIBLE ACTION) (Time: 3:37 p.m.)

An agenda item from City Manager Steve Driscoll to approve Resolution No. 3256 that was presented at the April 24, 2014 Smarter Region Summit where Sparks did not have a quorum. IBM Reno Smarter Cities Challenge Member Lori Feller presented the resolution to ratify the goal of regional cooperation regarding improving economic development outcomes and the new Smarter Region governance model to achieve that goal. There is no financial impact.

City Manager Steve Driscoll said all entities represented by a quorum at the meeting supported the Smarter Region project to look at governance and provide direction moving forward.

Council Member Smith asked if we are adding layers of government. Mr. Driscoll said as a region we haven't always gotten along and governance has been an issue as to who is responsible for what. Thus, governance pieces have to work together to present a one-face on five (5) major goals.

Council Member Smith asked how the shared federal framework fits into the project. Mr. Driscoll said it is not incompatible.

Council Member Smith asked if there were any costs related to this initiative. Mr. Driscoll said none are defined at this time; that Council time and staff time will be utilized.

Council Member Smith said he is concerned that although there are no chargea now, that IBM will develop a way to gain revenues from this plan. Mr. Driscoll said Sparks is not an IBM shop; IBM may at some time propose technology to further this project that could have an economic impact on Sparks.

Council Member Lawson said he supports the Smarter Region project and that Sparks needs to be involved. He said Sparks has great schools, parks and roads and people will come to live with us in Sparks. Mr. Lawson said he is confident the "new blood" really does want to work together. He said there is no talk of mergers; Sparks will retain its autonomy and that this is an important regional effort.

Mayor Martini said agreement puts in writing what we're trying to do; that it memorializes and puts it to the public that we are working hard to work together as a region.

Council Member Schmitt asked if there is any component in the educational tax structure. City Manager Steve Driscoll said there is a general concern for tax structure, and that may need to be addressed in future. Mr. Schmitt said business and legislature are concerned how taxes work in Nevada. He suggested a significant tax campaign on what it may mean to the region and the state. Mr. Driscoll said that as the policy makers of that matrix, staff will support the Council and others in this endeavor and how it affects tax policies in the region.

Council Member Lawson said that bottom line, this is just an agreement that we will cooperate with everyone else and make regional planning the central hub for information, which is a fair and perfect identity because there is no slant for one entity or the other. It's for regional identity. He said there is no change of tax structure; it's for regional planning and to make our region

more friendly to any potential business coming to the area – basically one-stop shopping, making our region more desirable and easier to provide information.

Council Member Ratti said that most of what's in the agreement is symbolic; that it's important to use data to make smart decisions and for us all to be cheerleaders for our region.

A motion was made by Council Member Lawson, seconded by Council Member Ratti, to approve Resolution No. 3256 ratifying the goal of regional cooperation regarding improving economic development outcomes and the new Smarter Region governance model to achieve that goal. Council Members Ratti, Lawson, Smith, Schmitt, YES. Council Member Carrigan, ABSENT. Passed unanimously with those present.

6.7 Presentation, discussion and potential approval of Resolution No. 3257 regarding the implementation of IBM recommendation #2: Ratifying the Economic Development Authority of Western Nevada being the "One Strong Voice" for Economic Development; the designation of one entity to present the Region's economic development face to the outside world. (FOR POSSIBLE ACTION) (Time: 3:58 p.m.)

An agenda item from City Manager Steve Driscoll to approve Resolution No. 3257 that was presented at the April 24, 2014 Smarter Region Summit where Sparks did not have a quorum. EDawn Chairman Steve Anderson recommended Council approve the resolution to ratify the Economic Development Authority of Western Nevada as "One Strong Voice" for regional economic development. There is no financial impact.

Mr. Driscoll said we would support EDawn as the one voice, especially considering the I-80 quarter and the valley.

Council Member Schmitt asked if there are any financial implications in this item. Mr. Driscoll said there are not.

A motion was made by Council Member Lawson, seconded by Council Member Ratti to approve Resolution No. 3257 ratifying that the Economic Development Authority of Western Nevada will be the region's "One Strong Voice." Council Members Ratti, Lawson, Smith, Schmitt, YES. Council Member Carrigan, ABSENT. Passed unanimously with those present.

6.8 Consideration, discussion and possible approval of Resolution No. 3258, directing the Washoe County Health District to establish and maintain a Regional Emergency Medical Services Oversight Program to provide for oversight of all Emergency Medical Services provided by the City of Sparks, the City of Reno, the County of Washoe and the Regional Emergency Medical Services Authority (REMSA); and providing other matters properly relating thereto (FOR POSSIBLE ACTION) (Time: 3:58 p.m.)

An agenda item from City Manager Steve Driscoll, noting that at the February 10, 2014 Concurrent Meeting the Council approved the full development of an updated Franchise Agreement between the Washoe County District Board of Health and the Regional Emergency Medical Services Authority as proposed by the Emergency Medical Services Working Group and directed by the local government entities' legal staff to coordinate/prepare final legal agreements to match the Principles of Agreement for the Regional Emergency Medical Services

Authority Franchise Agreement and the amended Inter-Local Agreement concerning the Washoe County Health Department. Although the attached Resolution directing the Washoe County Health District to establish and maintain a Regional Emergency Medical Services Oversight Program was part of the presentation and was discussed at the concurrent meeting, the motion made and passed by the elected officials did not include or specify the approval of this resolution.

City Manager Steve Driscoll said this item authorizes staff to complete the franchise and interlocal agreements.

A motion was made by Council Member Ratti, seconded by Council Member Smith, to adopt Resolution No. 3258. Council Members Ratti, Lawson, Smith, Schmitt, YES. Council Member Carrigan, ABSENT. Passed unanimously with those present.

6.9 Consideration and possible direction to initiate amendments to Title 9 Section 9.34.083 and Title 5 Section 5.08.020 regarding the vendor permitting process and other sections as necessary (FOR POSSIBLE ACTION) (Time: 4:00 p.m.)

An agenda item from Special Events Supervisor Francine Burge and presented by Parks and Recreation Director Tracy Domingues recommending Council direct staff to prepare and bring forward amendments to Title 9 Section 9.34.083 and Title 5 Section 5.08.020 regarding the vendor permitting process and other sections as necessary. In order to collect fees from vendors in the most efficient and reasonable manner for the City of Sparks and each event producer, staff requests that it be given direction to add to Section 9.34.083 language that creates a temporary vendor license for special events. This license would only be in effect during the specific special event and only for those events occurring on public property. Additionally, staff requests that as part of this amendment that it be directed to amend Section 5.08.020 of the business license code in order to create an exemption to the business license requirement. These permits will allow the vendors to do business as part of a special event and allow the city to efficiently and reasonably collect a fee from the vendors through the Parks and Recreation Department.

Parks and Recreation Director Tracy Domingues said staff recommends changes that will allow the vendor permitting process to go through the Parks and Recreation Department, providing the city approximately \$18,000 that is not currently being collected. Ms. Domingues said the producers are aware of this proposal and have posed no objections.

Council Member Smith said he supports this item and asked if the item will include all vendors. Ms. Domingues said this has to do with vendors at the parks only.

Council Member Ratti said Sparks has the strictest rules of anyone in the state in the non-special events arena. She said the problem is not the rules in place, but rather the enforcement of the rules.

A motion was made by Council Member Smith, seconded by Council Member Lawson, to direct staff to prepare and bring forward amendments to Title 9 Section 9.34.083 and Title 5 Section 5.08.020 regarding the vendor permitting process and other sections as necessary. Council Members Ratti, Lawson, Smith, Schmitt, YES. Council Member Carrigan, ABSENT. Passed unanimously with those present.

6.10 Discussion and possible action on a concept for the City of Sparks bill draft request for the 78th Session of the Nevada Legislature (FOR POSSIBLE ACTION) (Time: 2:40 p.m.)

An agenda item from Community Relations Manager Adam Mayberry recommending Council discuss any concepts or opportunities for the city's one bill draft request (BDR). Council requested information on the Bill Draft recommended by the Sparks Charter Committee and Council Member Ratti suggested the Council support the Charter Committee's request. Mr. Mayberry said the deadline to submit the BDR is September 1, 2014 and he will provide Council with the recommendation of the Charter Committee. No action was taken.

6.11 Discussion and possible approval of the City's 2015 State Legislative Platform (FOR POSSIBLE ACTION) (Time: 2:44 p.m.)

An agenda item from Community Relations Manager Adam Mayberry recommending Council discuss and possibly revise and/or approve the current state legislative platform and policies.

Mr. Mayberry confirmed Council Member Lawson's question and comment that last year it was decided the Legislative Committee could make a decision on the spot and then come back to Council and wanted to ensure that would be the policy going into the future because he said that worked out well. Council member Ratti said the policy included those items which were not covered in the platform and those that could not be brought to the Council because of time constraints to place on future agenda for Council action.

A motion was made by Council Member Ratti, seconded by Council Member Lawson, to adopt the State Legislative Platform for the 2015 session as presented. Council Members Ratti, Lawson, Smith, Schmitt, YES. Council Member Carrigan, ABSENT. Passed unanimously with those present.

6.12 Consideration and possible approval of Bill No. 2672, creating a 2014 Consolidated Tax Revenue Refunding Bond Ordinance of the City Council of Sparks, Nevada, authorizing the reissuance by the City of its Consolidated Tax Revenue Refunding Bonds, Series 2007; reducing the interest rate of the refunding bond previously issued in 2007; and providing for its adoption as if an emergency exists (FOR POSSIBLE ACTION) (Time: 4.06 p.m.)

An agenda item from Financial Services Director Jeff Cronk recommending Council approve a Consolidated Tax Refunding Bond that will lower the interest rate from 4.09% to 3.09% and generate debt service savings estimated to equal \$583,997 over the life of the bonds until maturity in 2026 for an average annual savings of approximately \$48,666.

Financial Services Director Jeff Cronk said because of the sensitivity of the issue, staff seeks approval of this item on a 4/5 vote.

In answer to a question from Council Member Schmitt, Mr. Cronk said there will be no change in the maturity date, but rather just continue to hold it at a lower interest rate. He said the city will save \$583K over 12 years.

A motion was made by Council Member Schmitt, seconded by Council Member Smith, to approve Bill No. 2672 creating a 2014 Consolidated Tax Revenue Refunding Bond Ordinance

authorizing the reissuance by the City of its 2007 Consolidated Tax Revenue Refunding Bonds". Council Members Ratti, Lawson, Smith, Schmitt, YES. Council Member Carrigan, ABSENT. Passed unanimously with those present.

6.12 FIRST READING. CA-4-14, Bill No. 2673, An ordinance amending Title 20 of the Sparks Municipal Code to provide zoning authorization (Section 20.41.080) for the establishment of medical marijuana dispensaries and other matters properly related thereto. (Time: 4.15 p.m.)

An agenda item from Senior Planner Karen Melby. This is a FIRST READING only. City Council will instruct the City Clerk to read the bill by Title on May 12, 2014 and thereby publish Second Reading and Public Hearing of this bill for adoption on Tuesday, May 27, 2014.

City Clerk Teresa Gardner read the First Reading. Public hearing and second reading of the bill will be on Tuesday, May 27, 2014.

Chris Barrett of Barrett Resources spoke in support of the administrative review rather than the special use permit.

Council Member Schmitt asked for clarification of zoning issues. Senior Planner Karen Melby said dispensaries would be allowed in the C2 General Commercial District, the TLD mixed use commercial district and in restricted areas in the industrial district. Dispensaries will require a special use permit.

Mr. Schmitt asked if a dispensary can be in the same building as a growing facility. Ms. Melby confirmed that it can.

Mayor Martini asked if there is a process for the neighbors to be notified this is coming to their neighborhood. Ms. Melby said there is no public notice in the administrative review process. Deputy City Manager for Community Relations Neil Krutz said we would need to create a new type of entitlement review that would be an administrative review plus public noticing, if that is the Council's direction.

Council Member Ratti said that more than just notification, special use permits provide the City Council discretion over whether a business is an appropriate use for that neighborhood, particularly for dispensaries. She said she supports the opportunity to take public input from affected neighbors and that the Council needs to have the discretion to decide whether that is still an appropriate use in that neighborhood. She said she does not support that added discretion to the other three categories because those other three categories are trying to be as discreet as possible and not let people know that's what's moving into the neighborhood and that makes sense for a lot of reasons. Ms. Ratti said the dispensaries are a completely different category; they will have the most traffic, with people walking in with a lot of cash and out with a lot of product. She said it is appropriate that neighbors have the opportunity to share what they're thinking with the Council and have the opportunity for those discussions to actually affect an outcome. Ms. Ratti clarified that she is in favor of keeping the special use permit process as part of the dispensary only application process.

Council Member Smith asked to confirm if the grow facility is in an industrial center, it won't require a special use permit. Ms. Melby confirmed that as correct; they would get administrative

review. Mr. Smith asked if once a dispensary is added in the same building, is a special use permit now required? Ms. Melby said it would now be required for the dispensary.

Council Member Smith asked if all these zones lie in the industrial zone. Ms. Melby said the cultivation, production and testing is only in the industrial area. Ms. Melby said a dispensary can be placed in a general commercial district, which is not usually in a residential, and also in restricted areas, which are three intersections within an industrial area. Mr. Smith asked if then the other warehouses in the area would be notified that there is buying and selling of marijuana. Miss Melby answered that only the dispensary would be notified.

Neil Krutz said the dispensary locations are contemplated to go in the general commercial zoning, which could be in close proximity to many other types of uses. The public hearing date is May 27th and staff looks for council's direction on that day.

Council Member Schmitt asked if a particular area of Sparks can be designated for these activities. Mr. Krutz said yes; making choices on how to use and regulate the land in Sparks is at Council's discretion, but he believes the Council will hear from staff and in particular the police department on why they don't think that's a good idea. Mr. Schmitt said he does not believe it is fair to make every other business require a special use permit, but not a business in the realm of this group and that the city should require these businesses to be located in one particular area of town.

Police Chief Brian Allen said staff has worked tirelessly over these questions. He said that as a police chief, he would not want to see a dispensary buried deep within the industrial area of our city. He said when evening comes the city's resources are usually drawn from the industrial area back into the core of the city where the police deal with an influx of issues. Chief Allen said his department believes that with the administrative review process we can maintain the safety and security of the cultivation centers, the lab testing procedures and the production centers, but where the element of the dispensary is concerned, that is an entirely other issue. Chief Allen said that locating a dispensary out of the industrial area will actually a benefit for the police department.

Council Member Ratti said special use permits for dispensaries have different impacts and she does not see this as an issue of fairness. She said specialties with a variety of impacts including volleyball, churches, cheer leading facilities and more reside within the industrial area. Ms. Ratti said the city no longer has a pure industrial district.

Council Member Lawson said there are only two permits to be issued and questioned if the zoning is correct, why would a special use permit be required. He said he doesn't think the Council could turn down a permit because they're within 1200 feet of a church. He said he doesn't see where a special use permit is a big concern as only two will be issued. Mr. Lawson said he expects the businesses will not change hands often and that the city will have a long relationship with the dispensaries.

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

- 7.1 Public hearing, consideration and possible approval of the FY 2014/15 Community Development Block Grant (CDBG) and HOME Consortium Annual Action Plan (FOR POSSIBLE ACTION) (Time: 4.22 p.m.)**

An agenda item from Housing Specialist George Graham recommending Council approve for submittal to the U.S. Department of Housing and Urban Development the City's Program Year 5, FY 2014/15 Annual Action Plan (AAP) for Community Development Block Grant (CDBG) and HOME Consortium activities.

Public Hearing – no comments

A motion was made by Council Member Schmitt, seconded by Council Member Smith, to approve the proposed project funding allocations and to submit the Program Year 5, Fiscal Year 2014/15 Annual Action Plan to the U.S. Department of Housing and Urban Development. Council Members Ratti, Lawson, Smith, Schmitt, YES. Council Member Carrigan, ABSENT. Passed unanimously with those present.

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

9. Closed Door Sessions - None

10. Comments

10.1 Comments from the Public (Time: 4:25 p.m.) - None

10.2 Comments from City Council and City Manager (Time: 4:25 p.m.)

City Manager Steve Driscoll announced that terms expire on 6/30/14 for the Civil Service Commission. The city seeks two (2) members, with 3-year terms each. Mr. Driscoll announced openings on the Parks and Recreation Commission, three (3) members, each with 3-year terms. Persons interested in serving on any of these committees may obtain an application from the Sparks City clerk's office, or on line at the city's web site at www.cityofsparks.us. Applications will be accepted until close of business on May 30, 2014.

11. Adjournment (Time: 4:26 p.m.)

Council was adjourned at 4:26 p.m.

GENO R. MARTINI, Mayor

ATTEST:

Teresa Gardner, City Clerk

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Attachments

Carey comment

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