



MAYOR
Ron Smith

CITY COUNCIL
Donald Abbott, Ward I
Ed Lawson, Ward II
Paul Anderson, Ward III
Charlene Bybee, Ward IV
Kristopher Dahir, Ward V

ACTING CITY ATTORNEY
Alyson McCormick

CITY MANAGER
Steve Driscoll

REGULAR CITY COUNCIL MEETING MINUTES

2:00 P.M., Monday, March 11, 2019

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

1. Call to Order

The regular meeting of the Sparks City Council was called to order by Mayor Ron Smith at 2:00 p.m.

2. Roll Call

Mayor Ron Smith, Council Members Donald Abbott, Ed Lawson, Paul Anderson, City Manager Steve Driscoll, Acting City Attorney Alyson McCormick, and Acting City Clerk Lisa Hunderman, PRESENT. Council Members Kristopher Dahir and Charlene Bybee were present via teleconference.

3. Opening Ceremonies

3.1 Invocation Speaker

The invocation was provided by Pastor Pete Vossler with Crosswinds Assembly of God.

3.2 Pledge of Allegiance

The Pledge of Allegiance was led by City Manager Steve Driscoll.

4. Public Comment

Ernesto Renteria, resident at 373 Abbay Way, and Diana Balsley provided public comment regarding a neighbor they feel may be using their garage as a mechanical shop, making use of the area increasingly congested for residents. Both Mr. Renteria and Ms. Balsley state they have addressed concerns over the past year and a half to the City but have not made any progress. Mayor Smith referred both Renteria and Balsley to the City Manager's office for follow up.

Resident Bill Wagner provided public comment praising City Manager Driscoll for his service to the City of Sparks. He presented Mr. Driscoll with a gavel.

5. Agenda

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. City Manager Driscoll requested removal of agenda item 7.4 as the Regional Transportation Commission requested to present at a later date.

Motion: I move to approve the agenda as presented with removal of item 7.4.
Moved by: Council Member Abbott
Seconded by: Council Member Anderson
Yes: Council Members Abbott, Lawson, Anderson, Bybee, Dahir
No: None
Abstain: None
Vote: Motion passed unanimously, 5-0.

6. Minutes

6.1 Consideration and possible approval of the minutes of the Sparks City Council and Budget Workshop meetings for February 25, 2019.

Motion: I move to approve the minutes of the Sparks City Council and Budget Workshop meetings for February 25, 2019.
Moved by: Council Member Anderson
Seconded by: Council Member Abbott
Yes: Council Members Abbott, Lawson, Anderson, Bybee, Dahir
No: None
Abstain: None
Vote: Motion passed unanimously, 5-0.

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

7.1 Commendation: Tyler Green

Mayor Smith commended Sparks High School student Tyler Green for being the first Sparks HS student in more than 17 years to earn the title of 3A Nevada State Champion in the 160-lb weight class. The commendation was read by Council Member Abbott. Tyler thanked this family, coaches, and friends.

7.2 Proclamation: Nevada Moves Week March 18 – 22

Mayor Smith proclaimed March 18-22 as Nevada Moves Week and encouraged citizens across the City of Sparks to walk, bike, or participate in an athletic event with their children, while celebrating the benefits of increased safety and health, this week and throughout the year. The Proclamation was read by Mayor Smith and presented to Washoe County School Police Officer M.J. Cloud. Council Member Dahir praised the program and efforts of all involved. Officer Cloud encouraged physical activity by walking or biking to school, which will contribute to both physical health and environmental improvements.

7.3 Presentation: City of Sparks Strategic Plan update from Economic Development Authority of Western Nevada

A presentation from EDAWN President Mike Kazmierski regarding the City of Sparks Strategic Plan update. Mr. Kazmierski discussed: workforce attraction, development, and retention; entrepreneurial and technological attraction; economic projections for the next 3-5 years; the 4th industrial revolution; and community

development. Goals include: focus on bringing higher-paying jobs to the area; building the region's tech talent pool; enhancing the ecosystem and increase capital; advocate for infrastructure updates needed to accommodate growth such as affordable housing, transportation, wastewater treatment, and flood control; and support of community efforts to improve downtown, trails, arts and culture, and address homelessness.

Mayor Smith commented on projections that have come true from the last 5 years and stated the importance of continued efforts moving forward with anticipated projections. Council Member Lawson thanked Mr. Kazmierski for his hard work.

7.4 Presentation: RTC Commission's Microtransit Pilot Program

This item was removed from the agenda, to be presented at a later date.

7.5 Announcement of Boards & Commissions Vacancy/Civil Service Commission.

City Manager Driscoll announced vacancies for the following boards and commissions: Civil Service Commission to fill one (1) partial term ending June 30, 2021. Applicants may not serve on this commission if they are: currently a City of Sparks employee; a member of the City Council; an appointed member of any other board, commission, or committee of the City; or is related within the third degree of consanguinity or affinity to a person who is an employee of the City. Applications can be submitted on the city website at www.cityofsparks.us or with the City Clerk's Office. Applications will be accepted until close of business March 15, 2019 or until there are enough applicants to fill these vacancies.

7.6 Announcement of Boards & Commissions Vacancy/Sparks Building Board of Appeals.

City Manager Driscoll announced vacancies for the following boards and commissions: Sparks Building Board of Appeals. To serve on this board, two (2) members should have architectural experience and/or a builder or superintendent of building construction experience; one (1) member should have structural and/or civil engineering experience; one (1) member should have mechanical engineering experience and/or be a mechanical or plumbing contractor; and one (1) member should be an electrical engineer and/or an electrical contractor. Applications can be submitted on the city website www.cityofsparks.us or with the City Clerk's Office. Applications will be accepted until March 15, 2019.

8. Consent Items (FOR POSSIBLE ACTION)

Motion: Move to approve consent items 8.1 through 8.6 as submitted.
Moved by: Council Member Lawson
Seconded by: Council Member Abbott
Yes: Council Members Abbott, Lawson, Anderson, Bybee, Dahir
No: None
Abstain: None
Vote: Motion passed unanimously, 5-0.

- 8.1 Consideration and possible acceptance of the report of the claims and bills approved for payment and appropriation transfers for the period of February 7, 2019 through February 20, 2019. (FOR POSSIBLE ACTION)**
An agenda item from Financial Services Director Jeff Cronk recommending the City Council approve the report of claims and bills approved for payment and appropriation transfers as presented in the staff report.
- 8.2 Consideration, discussion and possible approval of a Final Map for Kiley Ranch North Village 9 Unit C1 Subdivision. (FOR POSSIBLE ACTION)**
An agenda item from Community Services Director John Martini and City Engineer Jon Ericson recommending Council approve a Final Map for Kiley Ranch North Village 9 Unit C1 Subdivision. The final map will create 46 residential lots on 5.69 acres. The final map and civil improvement drawings have been reviewed by the Community Services Department and have been found to be acceptable. The final subdivision map and improvement drawings have been checked and found to be technically correct, conforming to local ordinances and state law. The appropriate plan checking and inspection fees have been paid. A performance bond has been filed with the City Clerk to guarantee the construction of the public improvements.
- 8.3 Consideration, discussion and possible approval of a Final Map for Sierra Shadows Subdivision. (FOR POSSIBLE ACTION)**
An agenda item from Community Services Director John Martini and City Engineer Jon Ericson recommending Council approve a Final Map for Sierra Shadows Subdivision. The final map will create 15 residential lots on 3.36 acres, located east of Wingfield Springs Road between the Wingfield Springs Subdivision and the Cimarron Subdivision. The final map and civil improvement drawings have been reviewed by the Community Services Department and have been found to be acceptable. The final subdivision map and improvement drawings have been checked and found to be technically correct, conforming to local ordinances and state law. The appropriate plan checking and inspection fees have been paid. A performance bond has been filed with the City Clerk to guarantee the construction of the public improvements.
- 8.4 Consideration, discussion and possible approval of an Outdoor Dining and Encroachment Permit (AC-5554) to Engine 8 Urban Winery located at 1260 Avenue of the Oaks, Suite 140-160, Sparks, NV. (FOR POSSIBLE ACTION)**
An agenda item from Engine 8 Urban Winery Owner Wendy Rawson and Assistant Community Services Director Armando Ornelas recommending approval of an outdoor dining and encroachment permit (AC-5554) over approximately 1,592 square feet of public right-of-way directly in front of Avenue of the Oaks. The agreement includes review and approval by the City Council, an annual rent payment consistent with the City's fiscal year, requirement of a Certificate of Insurance and Workman's Compensation at the time of the annual permit application and general conditions for the protection and upkeep of the encroachment area. The term for the agreement is for (3) three months and will need to be renewed on or prior to June 30, 2019 for fiscal year 2020. The agreement has been reviewed by City staff and found acceptable and consistent with SMC

5.77.100. The annual license fee, paid by the owner, will be \$1,834.88 for fiscal year 18/19.

8.5 Consideration, discussion, and possible approval of Change Order #1 to an approved contract with Q&D Construction (AC-5319) for the 2019 Preventative Maintenance Patch Project in the amount of \$59,550.04. (FOR POSSIBLE ACTION)

An agenda item from Community Services Director John Martini and Transportation Manager Amber Sosa recommending Council approve Change Order #1 to the approved contract with Q&D Construction (AC-5319) for the 2019 Preventative Maintenance Patch Project in the amount of \$59,550.04. This change order will add approximately 10,686 square feet of patching in the same neighborhoods already identified for patching and preventative maintenance activities. The financial impact will be \$59,550.04 from the Road Fund.

8.6 Consideration of and possible action on a request for a two-year extension until May 3, 2021, for presenting a successive final map for Village 10 in the Pioneer Meadows Planned Development, Sparks, Nevada - PCN160043. (FOR POSSIBLE ACTION)

An agenda item from Lennar Homes and Development Services Manager Karen Melby recommending Council approve a two-year extension for presentation of a successful final map for Pioneer Meadows Planned Development Village 10. NRS 278.360 allows the City Council to grant the extension. This request is within the required timeframe to record a successive map for Village 10. If granted, the extension will be effective May 3, 2019 - May 3, 2021.

9. General Business

9.1 Consideration, discussion and possible approval of reimbursement to the City of Reno for the City of Sparks share of their contract with KG Walters Construction Co., Inc. for the Spent Backwash and Primary Clarifier 1B Rehabilitation Project at TMWRF in an amount not to exceed \$271,570.09. (FOR POSSIBLE ACTION)

An agenda item from Community Services Director John Martini, presented by TMWRF Plant Manager Michael Drinkwater, recommending Council approve reimbursement to the City of Reno for the Spent Backwash and Primary Clarifier 1B Rehabilitation Project. In accordance with the TMWRF Interlocal Agreement, City of Reno staff will administer the contract and will be reimbursed for a portion of the costs by the City of Sparks through the Sparks – Reno cost sharing agreement. The City of Reno and the City of Sparks share the cost for this project based upon their ownership of TMWRF, which is 68.63% for Reno and 31.37% for Sparks. Based on the ownership percentages, Sparks' share is up to \$271,570.09. This project is in the approved TMWRF Capital Improvement Plan for FY 19. The financial impact is \$271,570.09 from the Sanitary Sewer Operations Fund.

Motion: I move to approve the reimbursement to the City of Reno for the City of Sparks share of their contract with KG Walters Construction Co., Inc. for the Spent Backwash and Primary Clarifier

1B Rehabilitation Project at TMWRF in an amount not to exceed \$271,570.09.

Moved by: Council Member Anderson
Seconded by: Council Member Abbott
Yes: Council Members Abbott, Lawson, Anderson, Bybee, Dahir
No: None
Abstain: None
Vote: Motion passed unanimously, 5-0.

9.2 Consideration, discussion, and possible approval of the 2019 Street Rehabilitation – Unit 2, Bid No. 18/19-016, PWP-WA-2019-089 contract (AC-5555) to Sierra Nevada Construction in the amount of \$1,733,007.00. (FOR POSSIBLE ACTION)

An agenda item from Community Services Director John Martini, presented by Transportation Manager Amber Sosa, recommending Council approve the 2019 Street Rehabilitation – Unit 2, Bid No. 18/19-016, PWP-WA-2019-089 contract (AC-5555) to Sierra Nevada Construction in the amount of \$1,733,007.00. Sierra Nevada Construction was the low bidder among three (3) qualifying bids. This project will have a financial impact of \$1,733,007.00 from four funds in five CIP projects. The project involves removing and replacing deteriorating curb gutter, sidewalk, and driveway approaches along with constructing new pedestrian ramps and reconstructing roadway with new asphalt.

Motion: I move to approve the 2019 Street Rehabilitation – Unit 2, Bid No. 18/19-016, PWP-WA-2019-089 contract (AC-5555) to Sierra Nevada Construction in the amount of \$1,733,007.00.

Moved by: Council Member Anderson
Seconded by: Council Member Lawson
Yes: Council Members Abbott, Lawson, Anderson, Bybee, Dahir
No: None
Abstain: None
Vote: Motion passed unanimously, 5-0.

9.3 Consideration, discussion and possible approval of funding allocation of \$230,300 for FY 19 (\$33,500) and FY 20 (\$196,800) as recommended by the Tourism and Marketing Committee for 2019 special events. (FOR POSSIBLE ACTION)

An agenda item from Parks & Recreation Director Tracy Domingues, presented by Special Events Supervisor Francine Burge, recommending Council approve a funding allocation of \$230,300 for FY 19 (\$33,500) and FY 20 (\$196,800) as recommended by the Tourism and Marketing Committee for 2019 special events.

Motion: I move to approve the funding allocation of \$230,300 for FY 19 and FY 20 as recommended by the Tourism and Marketing Committee for 2019 special events.

Moved by: Council Member Lawson
Seconded by: Council Member Abbott
Yes: Council Members Abbott, Lawson, Anderson, Bybee, Dahir

No: None
Abstain: None
Vote: Motion passed unanimously, 5-0.

9.4 Consideration, discussion and possible direction to the City Manager to initiate changes to Title 20 of the Sparks Municipal Code to permit recreational vehicle sales events to exceed 72 hours in duration. (FOR POSSIBLE ACTION)

An agenda item from Mayor Ron Smith, presented by Assistant Planner Jonathan Cummins, seeking direction from Council regarding whether to prepare and propose changes to Sparks Municipal Code Title 20 to permit RV shows to, through the temporary permit process, exceed 72 hours in duration. This code amendment would provide City Staff a more suitable tool to regulate this specific use. Currently, events may not exceed 72 hours in duration and may not be conducted on the same site more often than once every 96 hours. This timeframe is typically not long enough for setup and takedown of a recreational vehicle sales event.

Motion: I move to direct the City Manager to initiate changes to Title 20 of the Sparks Municipal Code to permit recreational vehicle sales events to exceed 72 hours in duration.

Moved by: Council Member Lawson

Seconded by: Council Member Anderson

Yes: Council Members Abbott, Lawson, Anderson, Bybee, Dahir

No: None

Abstain: None

Vote: Motion passed unanimously, 5-0.

9.5 Consideration of and possible action on a request to amend Condition of Approval #14 of the Miramonte Tentative Map for a site approximately 831 acres in size generally located east of Los Altos Parkway between Belmar Drive and Vista Heights Drive, Sparks, Nevada in the NUD (New Urban District – Miramonte Planned Development) zoning district (PCN04051/TM17-0005). (FOR POSSIBLE ACTION)

An agenda item from Ryder NV Management, LLC, presented by Planner Dani Wray, recommending approval to amend Condition of Approval #14 of the Miramonte Tentative Map. The original approval in 2005 required the widening of Los Altos Parkway from Belmar Drive to Vista Boulevard from two (2) to four (4) lanes. This amendment would require extending the westbound turn lane pocket at the Los Altos Pkwy and Vista Blvd intersection to 400ft.

Council questioned if the amendment would include widening the area still and Ms. Wray clarified it would only lengthen the westbound turn lane. Council also asked if any public opposition had been voiced at planning meetings, how many vehicles are anticipated to fit into the 400ft lane, and if the light would ultimately need retiming to accommodate traffic volume. Ms. Wray confirmed no opposition had been expressed. Transportation Manager Amber Sosa estimated approximately 20 vehicles would fit in the 400ft lane, and she confirmed once the improvements are

complete the transportation team would continue to work with RTC to address any timing issues for the light and corridor.

Motion: I move, based on the information and findings set forth in the staff report, to amend Condition of Approval #14 of the Miramonte Tentative Map for a site approximately 831 acres in size generally located east of Los Altos Parkway between Belmar Drive and Vista Heights Drive, Sparks, Nevada in the NUD (New Urban District – Miramonte Planned Development) zoning district.

Moved by: Council Member Anderson

Seconded by: Council Member Abbott

Yes: Council Members Abbott, Lawson, Anderson, Bybee, Dahir

No: None

Abstain: None

Vote: Motion passed unanimously, 5-0.

9.6 Consideration, discussion, and possible approval of Resolution No. R-3345 in support of the Nevada Department of Transportation’s Spaghetti Bowl Project. (FOR POSSIBLE ACTION)

An agenda item from Transportation Manager Amber Sosa, presented by Senior Project Manager Nick Johnson with NDOT, recommending support of Resolution No. R-3345 as outlined by staff. NDOT and the Federal Highway Administration propose to reconstruct Interstate 80, Interstate 580, and U.S. Highway 395 in Reno and Sparks. The anticipated 5-phase project will include: I-80 freeway capacity improvements from the Sierra St., Virginia St., and Center St. interchange to the East McCarran Blvd interchange; I-580/US 395 freeway capacity improvements from Parr Blvd to Kietzke Ln.; reconstruction and widening of ramps on freeway interchanges to improve safety and operations; interchange improvements at various local road interchanges to include Virginia St., Wells Ave., Fourth St., Kietzke Ln., Rock Blvd., Pyramid Way, E. McCarran Blvd., Clear Acre Ln., N. McCarran Blvd., Oddie Blvd., Second St., Mill St., Plumb Ln., Moana Ln, and S. Virginia St.; realignment of 9th St. with 10th St/G St.; and retention of the inbound direct access ramp from southbound I-80 to the Reno-Tahoe International Airport. In addition, future traffic projections will be analyzed, and infrastructure needs will be identified to take the Reno-Sparks area through the year 2040.

Council thanked NDOT and RTIA for their collaborative efforts with the City of Sparks, and their dedication to roadway improvements.

Motion: I move to approve Resolution No R-3345 supporting the Nevada Department of Transportation’s Spaghetti Bowl Project as outlined by staff.

Moved by: Council Member Anderson

Seconded by: Council Member Abbott

Yes: Council Members Abbott, Lawson, Anderson, Bybee, Dahir

No: None

Abstain: None

Vote: Motion passed unanimously, 5-0.

9.7 Consideration, Discussion, and Possible Decision regarding a Settlement Offer in the amount of \$500,000.00 for a Personal Injury Claim. (FOR POSSIBLE ACTION)

An agenda item from Assistant City Attorney Alyson McCormick requesting direction from Council whether to approve or reject a settlement offer in the amount of \$500,000 for a personal injury claim. In May 2017, Matthew Wright was involved in a motor vehicle collision with a City of Sparks vehicle driven by a City of Sparks employee. Through the Risk Management Committee, the City settled Mr. Wright's insurer's claim for property damage in the amount of \$5,698.57 in August 2017. The property damage settlement did not include damages for personal injury, the extent of which was not yet known at the time. As of October 30, 2018, Mr. Wright had incurred medical costs in the amount of \$55,913.19, which he alleges were necessary due to the collision. Mr. Wright further alleges that he has continued to seek additional medical treatment. Mr. Wright submitted a claim form to the City of Sparks through counsel seeking settlement of his personal injury claim for a minimum of \$500,000.

The City Attorney's Office recommends rejection of Mr. Wright's settlement offer to pursue further negotiations or possible formal litigation of Mr. Wright's claim.

Motion: I move, based on the advice of the City Attorney's Office, to reject Matthew Wright's settlement offer of \$500,000.00 to pursue further negotiations or formal litigation of Mr. Wright's claim.

Moved by: Council Member Lawson

Seconded by: Council Member Anderson

Yes: Council Members Abbott, Lawson, Anderson, Bybee, Dahir

No: None

Abstain: None

Vote: Motion passed unanimously, 5-0.

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

None

11. Planning and Zoning Public Hearings and Action Items

11.1 Consideration of and possible action on a request for approval of the Phase 9 Final Development Handbook for Kiley Ranch North on a site approximately 29.5 acres in size generally located at the northeast corner of Wingfield Hills Road and Kiley Parkway, Sparks, Nevada, in the NUD (New Urban District – Kiley Ranch North) zoning district. (PCN18-0072). (FOR POSSIBLE ACTION)

An agenda item from Rising Tides, LLC, presented by Development Services Manager Karen Melby, recommending Council approve the Kiley Ranch North Phase 9 Final Development Handbook. The Planning Commission reviewed the Handbook February 7, 2019 and recommended Council approval. Kiley Ranch North is being reviewed and approved in phases as final handbooks are submitted

for each respective phase. To date, eight final handbooks have been approved and recorded for the Kiley Ranch North Planned Development.

Motion: I move to approve the Phase 9 Final Development Handbook for Kiley Ranch North on a site approximately 29.5 acres in size generally located at the northeast corner of Wingfield Hills Road and Kiley Parkway, Sparks, Nevada, in the NUD (New Urban District – Kiley Ranch North) zoning district. (PCN18-0072).

Moved by: Council Member Dahir

Seconded by: Council Member Lawson

Yes: Council Members Abbott, Lawson, Anderson, Bybee, Dahir

No: None

Abstain: None

Vote: Motion passed unanimously, 5-0.

12. Comments

12.1 Comments from the Public

None

12.2 Comments from the Mayor, City Council and City Manager

Council Member Dahir provided comment that his current trip to Washington D.C. with Council Member Bybee to meet with the Congressional delegation has been very informative and there has been a lot of infrastructure-based discussion.

Mayor and Council congratulated City Manager Driscoll on his retirement and thanked him for his dedication and service to the City of Sparks. Mayor Smith commended Mr. Driscoll's leadership skills and integrity.

Mr. Driscoll commended the management team and City staff for their hard work throughout his tenure, and he thanked staff for their continued dedication to the City's success.

13. Adjournment

Council was adjourned at 3:07 p.m.

RONALD E. SMITH, Mayor

ATTEST:

LISA HUNDERMAN, Acting City Clerk

>>>LK