



MAYOR  
*Geno Martini*

CITY COUNCIL  
*Donald Abbott, Ward I*  
*Ed Lawson, Ward II*  
*Ron Smith, Ward III*  
*Charlene Bybee, Ward IV*  
*Kristopher Dahir, Ward V*

CITY ATTORNEY  
*Chet Adams*

CITY MANAGER  
*Steve Driscoll*

**REGULAR CITY COUNCIL MEETING MINUTES**  
**2:00 P.M., Monday, October 9, 2017 2017**  
**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 Pro Tempore Ron Smith at 2:00 p.m.

**2. Roll Call** (Time: 2:00 p.m.)

Council Members Donald Abbott, Ed Lawson, Ron Smith, Charlene Bybee, Kristopher Dahir, City Manager Steve Driscoll, Chief Assistant City Attorney Shirle Eiting and City Clerk Teresa Gardner, PRESENT.

ABSENT: Mayor Geno Martini.

**3. Opening Ceremonies**

**3.1 Invocation Speaker** (Time: 2:00 p.m.)

The invocation was provided by Council Member Kristopher Dahir. Mr. Dahir asked for a moment of silence for those that lost their lives in Las Vegas.

**3.2 Pledge of Allegiance** (Time: 2:01 p.m.)

The Pledge of Allegiance was led by Assistant City Manager Neil Krutz.

**4. Public Comment** (Time: 2:02 p.m.)

A woman spoke anonymously about court clerks not filing documents and about the Sparks v Sparks case; showing various documents on the overhead projector. Kathleen Shupp spoke in opposition of a school being built on the Wildcreek Golf Course and the infrastructure already in place being used by the school. Kim Ciesynski gave an update on 39 North Downtown events in Sparks and various collaborations between 39 North Downtown and local corporations. Lisa Jansen spoke in support of the proposed Ordinance for inflatables; how it will help with the North Pole event and using inflatables on city property. Ms. Jansen thanked the city and the Parks and Recreation Department for their support. Bill Wagner spoke in opposition of PCN17-0032 and the current and future traffic problem in the area of Los Altos Parkway. Darlene Hesse and Kim Tracy spoke in support of saving Wildcreek Golf Course as a golf course or at least a green space; Ms. Tracy believes there are many other places the school can be built.

**5. Agenda** (Time: 2:23 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 Lawson, seconded by Council Member Dahir, to approve the agenda as submitted. Council Members Abbott, Lawson, Smith, Bybee, Dahir, YES. Passed unanimously.

**6. Minutes (Time: 2:23 p.m.)**

**6.1 Consideration and possible approval of the minutes of the regular Sparks City Council meeting of September 25, 2017. (FOR POSSIBLE ACTION)**

A motion was made by Council Member Lawson, seconded by Council Member Bybee, to approve the minutes of the regular Sparks City Council meeting on September 25, 2017. Council Members Abbott, Lawson, Smith, Bybee, Dahir, YES. Passed unanimously.

**7. Announcements, Presentations, Recognition Items and Items of Special Interest (Time: 2:24 p.m.)**

**7.1 Proclamation: Bicentenary of the Birth of Baha'u'llah (Time: 2:24 p.m.)**

Mayor Martini proclaimed Sunday, October 22, 2017 as the bicentenary of the birth of Baha` U Llah and urged everyone to promote within themselves attributes that will help promote the recognition of the oneness of humanity and peace; to embrace diversity; and to work for unity in the Sparks community, our country and in the world. The Proclamation was read by Mayor Pro Tempore Smith and presented to Fedora McPherson, Andreini Husbands-McPherson, Andreina McPherson-Shelton and Roxanne McPherson.

The members from the local spiritual assembly of the Baha'is presented the Council with invitations to their celebration event for the 200<sup>th</sup> birthday of Baha'u'llah and sang a song for the Council and audience.

**7.2 Proclamation: Good Neighbor Day (Time: 2:35 p.m.)**

Mayor Martini proclaimed October 18, 2017 as Good Neighbor Day. Sparks Florist will give away 1500 dozen roses for free on the condition that everyone keeps one rose for themselves and gives the other eleven roses away to neighbors, co-workers, and strangers as a gesture of neighborly goodwill. Mayor Martini encouraged all citizens to participate. The Proclamation was read by Mayor Pro Tempore Smith and presented to Suzanne Shepherd of Sparks Florist.

**7.3 Presentation: EDAWN Entrepreneurial Development (Time: 2:38 p.m.)**

Sr. Vice President of Entrepreneurial Development Doug Erwin gave a presentation on Economic Development Authority of Western Nevada's (EDAWN) entrepreneurial development five point strategy and initiatives; highlighting programs supported by EDAWN and companies they have helped.

**8. Consent Items (FOR POSSIBLE ACTION) (Time: 2:49 p.m.)**

A motion was made by Council Member Lawson, seconded by Council Member Abbott, to approve consent items 8.1 through 8.4 as submitted. Council Members Abbott, Lawson, Smith, Bybee, Dahir, YES. Passed unanimously.

**8.1 Report of Claims and Bills approved for payment and appropriation transfers for the period September 7, 2017 through September 20, 2017. (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 to purchase three vehicles from Champion Chevrolet in the amount of \$119,474.39. (FOR POSSIBLE ACTION)**

An agenda item from Public Works Manager Ron Korman recommending Council approve the purchase. The purchased vehicles will replace three vehicles; two vehicles for the Police Department and one for Parks Maintenance Department. These vehicles have reached and exceeded their life cycle. Funding is from the motor vehicle maintenance fund; there is no impact to the general fund.

**8.3 Consideration and possible approval of an application for a Gaming License for Jett Gaming LLC db at Safeway #4626, located at 2808 Vista Boulevard, Sparks, NV 89434, submitted by Mr. Forrest William Bietz. (FOR POSSIBLE ACTION)**

An agenda item from Police Chief Brian Allen on behalf of Mr. Forrest William Bietz recommending Council approve Mr. Bietz's application for a gaming license 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/CJIS that do not reflect any disqualifying arrests/convictions. There is an estimated increase of \$210 per quarter to the general fund.

**8.4 Consideration and possible approval of an application for a Gaming License for Jett Gaming LLC db at Safeway #2656, located at 2858 Vista Boulevard, Sparks, NV 89434, submitted by Mr. Forrest William Bietz. (FOR POSSIBLE ACTION)**

An agenda item from Police Chief Brian Allen on behalf of Mr. Forrest William Bietz recommending Council approve Mr. Bietz's application for a gaming license 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/CJIS that do not reflect any disqualifying arrests/convictions. There is an estimated increase of \$450 per quarter to the general fund.

**9. General Business**

**9.1 Consideration and possible approval to purchase one fire pumper from Graham Fire Apparatus/Rosenbauer in the amount of \$622,285. (FOR POSSIBLE ACTION) (Time: 2:49 p.m.)**

An agenda item from Public Works Manager Ron Korman recommending Council approve the purchase of one fire pumper #3126. This vehicle will replace one of four existing fire pumpers. The existing pumpers are American LaFrance trucks and have not been mechanically reliable. The manufacturer has gone out of business, and replacement parts are increasingly getting hard to acquire. The new pumper will not arrive until October 2018. Equipment services requested authority to choose which of the four existing pumpers would be replaced based on unit operational

readiness during the next year. Funding is from the motor vehicle fund; there is no impact to the general fund.

Council Member Lawson commended Public Works, stating the City of Sparks pays cash for vehicles since the city made a change in 2011 to quit leasing vehicles.

A motion was made by Council Member Dahir, seconded by Council Member Lawson, to approve the purchase of one fire pumper from Graham Fire Apparatus/Rosenbauer in the amount of \$622,285. Council Members Abbott, Lawson, Smith, Bybee, Dahir, YES. Passed unanimously.

**9.2 Consideration, discussion and possible approval of the Phase 8 Final Development Handbook for Kiley Ranch North on a site approximately 34 acres in size in the NUD (New Urban District – Kiley Ranch North) zoning district generally located east of David Allen Parkway, north of Windmill Farms Parkway and west of Kiley Parkway, Sparks, NV. (PCN17-0038/PD-0003) (FOR POSSIBLE ACTION) (Time: 2:51 p.m.)**

An agenda item from Development Services Manager Karen Melby recommending Council approve the handbook. The Kiley Ranch North Phase 8 Final Development Handbook covers 33.87 acres located north of Windmill Farms Parkway, east of David Allen Parkway and west of Kiley Parkway. The handbook establishes development standards for the business park, multi-family, single family and open space uses. It also applies an overlay designation of school (elementary and middle) over Villages 17 and 18. There is no impact to the general fund.

Council Member Dahir stated the developer said he was pleased with the customer service they received while working with staff.

A motion was made by Council Member Dahir, seconded by Council Member Bybee, to approve the Kiley Ranch North Phase 8 Planned Development Handbook as it is in substantial compliance with the Tentative Kiley Ranch North Planned Development Handbook based on the facts supporting these findings as set forth in the staff report. Council Members Abbott, Lawson, Smith, Bybee, Dahir, YES. Passed unanimously.

**9.3 Consideration and possible approval of Amendment No. 1 to the Parking Agreement AC-5307 and SRA-AC-315) between the Sparks Redevelopment Agency, the City of Sparks and Syufy Enterprises that extends terms of the agreement and grants Syufy the right to construct an entrance in the western exterior wall of the parking structure. (FOR POSSIBLE ACTION) (Time: 2:56 p.m.)**

An agenda item from Assistant Community Services Director Armando Ornelas recommending Council approve the amendment. The City Council and Redevelopment Agency approved the Parking Agreement on October 10, 2016. Per its terms, the city agreed to continue providing free parking for the movie theater, owned by Syufy Enterprises, in the adjacent, city-owned Victorian Square parking structure if the theater is renovated and reopens prior to December 31, 2017. Syufy requested a nine-month extension from December 31, 2017 to September 30, 2018 to provide Syufy and Galaxy Theatres, Syufy's new tenant for the theater, additional time to fully renovate the property. In addition, Syufy and Galaxy have requested approval from the city to install a direct entrance between the theater and the parking structure to facilitate access for their patrons. There is no impact to the general fund.



A motion was made by Council Member Abbott, seconded by Council Member Bybee, to approve Amendment No. 1 to the Parking Agreement between the Sparks Redevelopment Agency, the City of Sparks and Syufy Enterprises. Council Members Abbott, Lawson, Smith, Bybee, Dahir, YES. Passed unanimously.

**9.4 Consideration and possible approval of Amendment No. 1 to the Financial Incentive Agreement (AC-5343) between the City of Sparks and Syufy Enterprises that extends the completion date of the project, modifies the payment schedule and reduces the number of required auditoriums. (FOR POSSIBLE ACTION) (Time: 2:58 p.m.)**

An agenda item from Assistant Community Services Director Armando Ornelas recommending Council approve the amendment. The City Council approved the agreement on February 27, 2017. Per its terms, if Syufy and Galaxy collectively invest at least \$6,100,000 to renovate and re-open the theater with fourteen auditoriums, the City will contribute \$1,500,000 from lodging taxes, as follows: i) \$1,000,000 upon the opening of all 14 auditoriums of the theater to the general public; and, ii) provided the theater remains open to the public, \$100,000 per year for five years. The Financial Incentive Agreement currently requires that the renovated theater open to the public prior to December 31, 2017, or it expires. Syufy requested a nine-month extension from December 31, 2017 to September 30, 2018 to provide Galaxy Theatres, Syufy's new tenant for the theater, additional time to fully renovate the property. In addition, Syufy and Galaxy requested approval from the city to install a direct entrance between the movie theater and the City's adjacent parking structure to facilitate access for its tenants and customers. This change may reduce the number of auditoriums in the facility from fourteen to thirteen, as one auditorium may be used partly or wholly to accommodate the alternate entrance. Syufy requested the Financial Incentive Agreement be amended to reduce the minimum number of required auditoriums to thirteen. There is no impact to the general fund.

A motion was made by Council Member Abbott, seconded by Council Member Bybee, to approve Amendment No. 1 to the Financial Incentive Agreement with Syufy Enterprises. Council Members Abbott, Lawson, Smith, Bybee, Dahir, YES. Passed unanimously.

**9.5 Consideration and possible approval of Memorandum of Understanding (AC-5414) between the Washoe County Sheriff's Office and the City of Sparks to provide full-time inmate labor to augment Public Works Maintenance in an amount not to exceed \$62,855.52 for fiscal year 2018. (FOR POSSIBLE ACTION) (Time: 2:58 p.m.)**

An agenda item from Public Works Manager Ron Korman recommending Council approve the Memorandum of Understanding (MOU). This item was reintroduced because changes were made by Washoe County after the Sparks City Council approved the item at the May 22<sup>nd</sup> Council meeting.

The City of Sparks Public Works Maintenance Division has utilized inmate labor provided by the Washoe County Sheriff's Office on a part-time, seasonal basis to augment maintenance activities for weed control in the city's medians, roadside areas, and city parks. Over the last year, public works maintenance staff have been in discussion with the Washoe County Sheriff's Office to provide a full-time inmate labor crew to augment maintenance activities throughout the year. Per the MOU, inmate labor will be provided to the City of Sparks on a full-time basis; the City of Sparks will reimburse the Washoe County Sheriff's Office the cost of an Inmate Work Program

Leader (Sheriff's Office employee) on a full-time basis. The MOU provides the terms and costs associated with securing a full-time inmate labor crew from the Washoe County Sheriff's Office for Fiscal Year (FY) 2018 and provides for annual renewal after that. There is an impact of an amount not to exceed \$62,855.52 to the general fund for FY 2018.

A motion was made by Council Member Bybee, seconded by Council Member Dahir, to approve the Memorandum of Understanding between the Washoe County Sheriff's Office and the City of Sparks to provide full-time inmate labor to augment public works maintenance in an amount not to exceed \$62,855.52 for fiscal year 2018. Council Members Abbott, Lawson, Smith, Bybee, Dahir, YES. Passed unanimously.

**9.6 FIRST READING of Bill No. 2726, an Ordinance amending Chapter 9.34 of the Sparks Municipal Code to prohibit inflatables during special events without a permit, and other matters properly related thereto. (Time: 3:01 p.m.)**

City Clerk Teresa Gardner read the Bill by title. The second reading and public hearing will be held at the regular meeting on Monday, October 23, 2017.

**9.7 FIRST READING of Bill No. 2727, an Ordinance amending Chapter 12.24 of the Sparks Municipal Code to provide principal park rules, and other matters properly related thereto. (Time: 3:02 p.m.)**

City Clerk Teresa Gardner read the Bill by title. The second reading and public hearing will be held at the regular meeting on Monday, October 23, 2017.

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

**10.1 None**

**11. Planning and Zoning Public Hearings and Action Items**

**11.1 None**

**12. Comments**

**12.1 Comments from the Public (Time: 3:03 p.m.)**

None.

**12.2 Comments from City Council and City Manager (Time: 3:03 p.m.)**

City Manager Driscoll announced one vacancy for the Civil Service Commission for a partial term ending June, 30, 2019 and one vacancy due to a resignation for the Sparks Planning Commission for a partial term ending December 31, 2020. Applications will be accepted until the close of business on Friday, October 13, 2017. Mr. Driscoll also announced Washoe County will have an opening on their Animal Control Board as of December 7, 2017. Washoe County is looking for an applicant that owns or has previously owned exotic animals. Interested parties can apply online at the Washoe County website.

Council Member Dahir said he attended the evening in blues event fundraiser for family members of fallen officers and thanked the Police Chief for the event.

Council Member Bybee encouraged people to attend the Pumpkin Palooza on October 22<sup>nd</sup>. Ms. Bybee encouraged city staff to get their pumpkins ready to race and challenged the Council to join the race.

Mayor Pro Tempore Smith mentioned the Las Vegas shooting event and that the City Clerk from Henderson was shot in the leg. Mr. Smith thanked the Police Chief for the great job they do at city events.

Council Member Lawson thanked the Police Chief for how well prepared the city's police are for protecting the citizens at public events.

Council Member Dahir invited the public to attend the Veterans Memorial dinner being held at the Peppermill on November 2<sup>nd</sup>. Information on the Veterans Memorial and the dinner can be found at [nevadaveteransmemorial.org](http://nevadaveteransmemorial.org).

**13. Adjournment**

Council was adjourned at 3:09 p.m.

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GENO R. MARTINI, Mayor

ATTEST:

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Teresa Gardner, City Clerk

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