



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 MINUTES

2:00 P.M., Monday, September 24, 2012

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

1. **Call to Order** (Time: 2:03 p.m.)

The regular meeting of the Sparks City Council was called to order by Mayor Geno Martini at 2:02 p.m.

2. **Roll Call** (Time: 2:03 p.m.)

Mayor Geno Martini, Council Members Julia Ratti, Ed Lawson, Ron Smith, Mike Carrigan, Ron Schmitt, City Manager Shaun Carey, City Attorney Chet Adams and City Clerk Linda Patterson, PRESENT.

ABSENT: None

Staff Present: Steve Keefer, Andy Flock, Bob King, Eric Milette, Chris Syverson, Kim Laber, Steve Driscoll, Tracy Domingues, Chris Cobb, Adam Mayberry, Sherri Flynn, Tim Thompson, Neil Krutz, Jeff Cronk, John Martini, George Graham, Donna Di Carlo, Rich Brown, Andy Hummel, Tony Pehle, Armando Ornelas.

Invocation Speaker (Time: 2:04 p.m.)

Pastor Kyle Bateson, Living Stones Church

Pledge of Allegiance (Time: 2:05 p.m.)

The Pledge of Allegiance was led by Council Member Schmitt

Comments from the Public (Time: 2:06 p.m.)

None

Approval of the Agenda (Time: 2:06 p.m.)

Consideration of taking items out of sequence, deleting items and adding items which require action upon a finding that an emergency exists.

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

3. **Recommendation to Approve Minutes of September 10, 2012** (Time: 2:06 p.m.)

3.1 **Consideration and possible approval of the minutes of the regular Sparks City Council Meeting for September 10, 2012**

A motion was made by Council Member Lawson, seconded by Council Member Ratti, to approve the minutes of the Regular Meeting of September 10, 2012 as outlined by staff. Council Members Ratti, Lawson, Smith, Carrigan, Schmitt, YES. Passed unanimously.

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

4.1 Proclamation "Family Day, A Day to Eat Dinner With Your Children"
(Time: 2:06 p.m.)

Mayor Martini read a proclamation declaring September 24, 2012 as "Family Day – A Day to Eat Dinner with your Children" and urged all citizens to recognize and participate in its observance.

4.2 Proclamation "Fire Prevention Week" (Time: 2:08 p.m.)

Mayor Martini read a proclamation declaring October 7-13, 2012 as "Fire Prevention Week" and urged everyone to protect their homes and families by heeding the potentially life-saving messages of Fire Prevention Week 2012 and to support the many activities and efforts of the City of Sparks' fire and emergency services. Chief Flock and Fire Marshal King accepted the proclamation. Fire Marshal King discussed the "having two ways out" coincides with the smoke alarm community program made possible by grants. In addition, the 23rd annual pancake breakfast will be on October 6 from 8 – noon at Fire Station #1 and the community is encouraged to attend.

4.3 Proclamation: "Official Day of Recognition for all Firefighters who have Died in the Line of Duty" (Time: 2:11 p.m.)

Mayor Martini read a proclamation calling upon all citizens of the City of Sparks and upon all patriotic, civic, and educational organizations to observe the day of October 7, 2012, in recognition of the patriotic service and dedicated efforts of our fire and emergency services personnel by lowering American flags on all buildings to half-staff. Chief Flock and Fire Marshal King accepted the proclamation. Chief Flock thanked the Mayor and Council for their recognition of firefighters who lost their lives.

4.4 Presentation on the BLAST Program (Business License/Web Update) (Time: 2:14 p.m.)

A presentation made by Employee and Customer Relations Manager Chris Syverson included the following information:

BLAST (Business License Accountability Support Team)

GOAL Collecting delinquent fees for city services and permits provided to commercial businesses/vendors.

BLAST BENEFITS

Protect Sparks' businesses from unfair competition by unlicensed businesses

Protect Sparks' citizens from Fire/environmental dangers of uninspected/unlicensed businesses

BLAST PROBLEM

691 Business License Accounts were delinquent or status was unknown (closed, etc.)

BLAST RESULTS

From the initial 691:

232 were renewed

276 were retired

183 pending
\$65,358 in fees were collected

BLAST NOW

Since the big 'push' to collect licenses, more have become delinquent, causing a renewed effort to stay up on this process. One way to stay current is the new Business License On Line Lookup Tool

BLAST into the Future

Press Release
Ordinance Revisions
Multi Jurisdictional Computer Processes
Online Renewal
Up-front Fee Collection
.....Just to name a few

Sr. Systems Developer Rich Brown demonstrated the on-line tool to look at the business licenses in the City of Sparks and that allows customers to contact customer service if they cannot find a business or to file a complaint.

Council Member Schmitt thanked staff for the ingenuity to improve this process and asked how we check for businesses operating without a license. Ms. Syverson responded we have several ways that information comes to our team; however, we are lacking a rigorous enforcement team. A press conference will be held on October 1 to launch this tool to the community and the Attorney's office is addressing Ordinance revisions to allow for better enforcement. In addition, Steve Driscoll continues to work with the multi-jurisdictional computer processes and we are looking at business renewals and upfront fee collections. Ms. Syverson announced that Customer Service can now take any type of payments over the phone.

4.5 Presentation by Lorraine Scherer, Vice Chair of the Sparks Citizens Advisory Committee on the proposed Sparks Business Appreciation Program (Time: 2:25 p.m.)

The idea of the Sparks Business Appreciation Day is to recognize businesses that have contributed to the growth and stability of Sparks. Showing appreciation for existing businesses may help encourage new business growth within the city. The nominations would be made by the public at large, which may bring a deeper awareness of what Sparks has to offer. If the Council supports the idea, the Sparks Citizens Advisory Committee will facilitate publicity, design survey questions, and develop criteria. Council Member Lawson thought it was a great idea and suggested the committee involve the Chamber. Mayor Martini agreed recognition for our businesses would be great. Council Member Schmitt suggested the committee formalize their plan and bring it back to the Council.

5. Consent Items (Time: 2:28 p.m.)

Items 5.2 and 5.3 were pulled for separate discussion and vote. A motion was made by Council Member Schmitt, seconded by Council Member Ratti, to approve Consent Items 5.1, and 5.4 through 5.6 as submitted. Council Members Ratti, Lawson, Smith, Carrigan, Schmitt, YES. Passed unanimously.

5.1 Report of Claims and Bills approved for payment and appropriation transfers for the period August 23, 2012 through September 5, 2012. (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 approval of renewing the city's membership with The Chamber NV for fiscal year 2012-2013. (FOR POSSIBLE ACTION)
(Time: 2:29 p.m.)

An agenda item from City Manager Shaun Carey recommending approval to renew the City's membership with The Chamber NV for fiscal year 2012-13. The City of Sparks has been a member of the Sparks Chamber since 1990-91 (except for the last 2 years).

Council Member Smith requested information from Mr. Len Stevens, Executive Director of the Chamber regarding sponsorship tiers and the inclusion of membership fees. Mr. Stevens said membership fees are never included in the sponsorship. City Manager Carey stated that additional membership fees were not paid to the Chamber when the city contributed at the \$10,000 level. Mr. Stevens stated this year's \$5,000 sponsorship was as a Star Spangled Sparks sponsor. Mr. Stevens apologized for the miscommunication.

Council Member Schmitt agreed there was a miscommunication and said two years ago there were discussions regarding sponsorships/membership fees. Last year the membership dues were included in the sponsorship. This year Council Member Schmitt believed the \$5,000 was for a corporate sponsorship and not the Star Spangled Sparks, as that did not fall into the revenue stream. Council Member Schmitt apologized for not ensuring the funds were allocated appropriately and took responsibility for the error. Council Member Ratti expressed support for maintaining a relationship with the Chamber.

A motion was made by Council Member Ratti, seconded by Council Member Carrigan, to approve the membership with the Chamber for fiscal year 2012-13. Council Members Ratti, Lawson, Smith, Carrigan, Schmitt, YES. Passed unanimously.

5.3 Consideration and possible award of Bid #12/13-004, PWP #WA-2012-382, Victorian Square Events Plaza-Phase 3A Project, to Reno Tahoe Construction, Inc., in the total amount of \$321,841.27. (FOR POSSIBLE ACTION) (Time: 2:36 p.m.)

An agenda item from Capital Projects Manager Chris Cobb recommending this bid be awarded to Reno Tahoe Construction, Inc., in the total amount of \$321,841.27 for the first phase of a two part project that will enhance the functionality of the Victorian Square Events Plaza. There is no impact to the general fund.

Council Member Carrigan asked if there were plans to discuss Redevelopment District 1 and 2 in a future workshop. City Manager Carey said there will be a Council Retreat on November 5, 2012 and one topic is Economic Development as it relates to city-held land but not necessarily to discuss capital affairs. Capital Project Manager Chris Cobb said this property is located in the center of the plaza area which affects the ability to program the space for special events. It would not affect any parcel lines. This project does include installation of appropriate plumbing and electrical capacity should the Council or Redevelopment Agency decide to proceed with an

ice skating rink in the future. The bricks purchased by citizens will be extracted and held to be designed into the final phase. Council Member Smith confirmed the November workshop is to discuss available land and this item deals with improvements to the center.

Council Member Ratti said she supports Phase 3A which is necessary to move the electrical and she supports installation of the plumbing and electrical capacity while the area is exposed. Council Member Ratti said she wants to further discuss Phase 3B with the above ground improvements.

A motion was made by Council Member Smith, seconded by Council Member Schmitt, to award Bid #12/13-004, PWP #WA-2012-382, Victorian Square Events Plaza Phase 3A Project, to Reno Tahoe Construction, Inc., in the total amount of \$321,841.27. Council Members Ratti, Lawson, Smith, Schmitt, YES. Council Member Carrigan, NAY. Passed by majority.

5.4 Consideration and possible approval to purchase a Panoramio 150 Mainline Inspection System and appurtenances in the amount of \$304,036.50. (FOR POSSIBLE ACTION)

An agenda item from Utility Manager Andrew Hummel recommending approval to purchase a camera and software for sewer line inspections through the Houston-Galveston Area Council (HGAC) list. The associated vehicle was approved for purchase at the September 10, 2012 City Council meeting. Purchase of camera system and software was budgeted in the 2012/13 CIP. This inspection system will replace the City's existing CCTV system, and will increase productivity and inspection quality. There is no general fund impact.

5.5 Consideration and possible ratification of an equipment rental from Aggreko, LLC in the amount of \$225,000.00 supplying a 2400 volt, 500 amp generator and transformer to Truckee Meadows Water Reclamation Facility (TMWRF) for 8 weeks. (FOR POSSIBLE ACTION)

An agenda item from Acting Plant Manager Kim Laber recommending City Council ratify the rental of a generator and transformer. Electrical improvements are currently being performed at TMWRF. During the course of these upgrades additional equipment was determined to be faulty and unsafe to use. A 2400 volt, 3000 amp breaker and buss were found to be defective and continued use could jeopardize the facility and personnel. The loss of this equipment has reduced TMWRF to one source of incoming power which does not meet the requirements of our permit and puts the plant at risk. A power loss in excess of 8 -10 hours would most likely result permit violations and discharges from manholes. Staff has determined that the best solution to resolve this loss of redundancy is to rent the necessary generation equipment in the event that TMWRF loses its remaining power source so that the plant can continue to operate. The 2400 volt generation unit is required to run the 2400 volt blowers for the aeration tanks. There is no impact to the general fund.

5.6 Consideration and possible approval of an interlocal agreement with the City of Reno pertaining to the use of grant funds associated with commercial vehicle enforcement. (FOR POSSIBLE ACTION)

An agenda item from Police Chief Steve Keefer recommending approval of an interlocal agreement with the City of Reno pertaining to the use of grant funds associated with commercial vehicle enforcement. The Sparks Police Department with the Reno Police Department has been offered a commercial vehicle enforcement grant from the Federal Motor Carrier Safety

Administration. The Reno Police Department is acting as the fiscal agent, and this interlocal agreement dictates the terms of the fiscal relationship between the two agencies with regard to this matter. There is no impact to the general fund.

6. General Business

6.1 Consideration and possible acceptance of a Local Emergency Planning Committee (LEPC) grant in the amount of \$5,940.00 to purchase a dry chemical extinguishing system for the fire department. (FOR POSSIBLE ACTION) (Time: 3:21 p.m.)

An agenda item from Fire Captain Eric Millette recommending acceptance of the \$5,940.00 LEPC grant for a specialized fire extinguish.

A motion was made by Council Member Schmitt, seconded by Council Member Smith, to accept the LEPC grant in the amount of \$5,940 to purchase a dry chemical extinguishing system for the fire department. Council Members Ratti, Lawson, Smith, Carrigan, Schmitt, YES. Passed unanimously.

6.2 Review, consideration and possible approval of a two month extension of the Exclusive Negotiating Agreement between the City of Sparks, the Redevelopment Agency of the City of Sparks and 1864 Real Estate Development LLC for the redevelopment of 916 and 918 Victorian Avenue. (FOR POSSIBLE ACTION) (Time: 3:23 p.m.)

An agenda item from 1864 Real Estate Development, presented by City Planner Armando Ornelas, recommending the City Council and Redevelopment Agency approve the proposed two month extension of the Exclusive Negotiating Agreement to prepare a proposal to redevelop the two parcels at 916 and 918 Victorian Avenue owned by the Redevelopment Agency for a restaurant and bar use. The property has been reappraised and the value has decreased from the May 2011 appraisal of \$200,000 to \$90,000. The appraiser is not ascribing any value to the buildings on the site. There is no impact to the general fund.

A motion was made by Council Member Lawson seconded by Council Member Ratti, to approve a two month extension of the Exclusive Negotiating Agreement between the City of Sparks, the Redevelopment Agency of the City of Sparks and 1864 Real Estate Development LLC for the redevelopment of 916 and 918 Victorian Avenue. Council Members Ratti, Lawson, Smith, Carrigan, Schmitt, YES. Passed unanimously.

6.3 Review, consideration and possible approval of an Exclusive Negotiating Agreement between the City of Sparks, the Redevelopment Agency of the City of Sparks and AED Investments, LLC for the redevelopment of a 10.2 acre parcel owned by the Redevelopment Agency located on Marina Gateway Drive between East Prater Way and Lincoln Way and having Assessor's Parcel Number 037-020-50 (FOR POSSIBLE ACTION) (Time: 3:26p.m.)

An agenda item from AED Investments, LLC, presented by City Planner Armando Ornelas, recommending approval of the ENA. The Redevelopment Agency acquired the property located on Marina Gateway Drive between East Prater Way and Lincoln Way in 2004 (the "Property"). The Agency acquired the Property with the intention of potentially locating a new city hall facility there and/or for a redevelopment purpose. AED Investments, LLC, a real estate

development firm led by Bill Erwin and Robert Aitchison, has requested an exclusive opportunity to prepare a proposal to redevelop the Property for facilities which provide specialized services to the elderly and other complementary uses and, if the proposal is approved by the Agency, to acquire and redevelop the Property. The proposed project would include several specialized residential medical facilities for the elderly that would potentially be approximately 100,000 to 120,000 square feet, have a development cost between \$51M-\$62M and create 150 to 300 permanent jobs.

The proposed Exclusive Negotiating Agreement (ENA) would grant AED Investments, LLC six months to prepare and submit for City and Agency consideration a development proposal for the Property. The ENA's proposed terms obligate the City and Agency to negotiate exclusively with the AED Investments regarding the possible transfer, disposition or use of the Property for the term of the ENA. The ENA does not, however, grant AED Investments the right to acquire the Property. There is no current impact to the general fund.

Council Member Schmitt noted that the developer submitted a late letter of interest. Mr. Ornelas explained that the letter was from a commercial broker on behalf of Silver Wing Development, headquartered in Walnut Creek, CA. Council Member Carrigan asked about land value and prevailing wage. An appraisal will need to be done on the land and there is a SAD payment with approximately a \$600,000 balance.

A motion was made by Council Member Smith, seconded by Council Member Schmitt, to approve the Exclusive Negotiating Agreement between the City of Sparks, the Redevelopment Agency of the City of Sparks and AED Investments, LLC for the redevelopment of the Agency's 10.2 acre Marina Gateway Drive property. Council Members Ratti, Lawson, Smith, Carrigan, Schmitt, YES. Passed unanimously.

6.4 Consideration and possible award of the Reed High School Baseball Field Improvements Informal Quote to Oakcrest Landscaping, in the amount of \$22,754.46. (FOR POSSIBLE ACTION) (Time: 2:41 p.m.)

An agenda item Capital Projects Manager Chris Cobb recommending the City Council award the Reed High School Baseball Field Improvements to Oakcrest Landscaping. This project will entail modifications to the warning track along the dugout fence line, installation of decomposed granite, new turf, and modifications of the irrigation system. There is no general fund impact at this time.

Council Member Smith noted that all of the Reed High home baseball games for next spring have been changed to away games until the field can be repaired. Mr Frank Biddart said the Dugout Club, a parent group, has raised over \$12,000 for the infield and they are looking for additional funds to complete the project. Washoe County School District has also contributed \$2,900 from insurance funds. The City of Sparks was asked to help repair the skirt area which includes decomposed granite warning track along the 1st and 3rd base lines, redoing the grass area between the foul line and the warning track, including a modification of the irrigation system.

It was noted that this field is very old and worn out and it is also used by the football team. The current school administration and parents are committed to improving the field.

Public Comment was presented by Mr. Robert Bates on behalf of the Sparks Youth Foundation to speak against the \$22,000 for Reed High. Mr. Bates believes the funds are to be used for the beautification of the community parks and this ball field is an isolated park utilized by a very limited number of people. He stated the Youth Foundation contributed \$13,000 to rebuild the backstop at Reed High School and donated money towards the lights but the school does not allow youth organizations, including Babe Ruth and SYFL, to use the fields. Fields on the north end of Shadow Mountain are used by the community and youth sports and they are also in need of repair. Mr. Bates said the money should be used on ball fields used by the entire community.

Council Member Ratti asked if this was a Joint Use facility. Parks and Recreation Director Tracy Domingues said the city has a joint use agreement with WCSD for jointly developed facilities and the baseball field would become a jointly developed facility if this funding was awarded. Ms. Ratti asked if youth sports would then be allowed to use the facility. Ms. Domingues said she would need to check the joint use agreement from 2000. Mr. Bates said the agreement says youth sports can use the Reed High ball fields as long as they have permission from the school but that administration changes often change their permissions. Mr. Bates also noted the youth foundation often contributes to the maintenance of other city ball fields, including the installation of lights. It was confirmed that the city is not using these fields for any of their programs.

Public Comment was presented from Athletic Director of Reed High School Ron Coombs who said he has not been contacted by the youth foundation requesting to use the fields and he has been there for 4 years. Mr. Coombs said the field is available to youth sports and would be used by all potential baseball players zoned for Reed High School. He said no one is prohibited from using the field, unless it is an issue of safety or facility wear and tear.

Council Member Ratti asked if the fields were repaired and there was no safety issue would there be capacity to allow youth sports to have access to the fields and Mr. Coombs responded he could not guarantee access but if the fields were available they would allow youth sports to use them.

Ms. Mary Vasco, Reed High School Principal, provided public comment and said the new fence was installed with school police grant money and the gates are never locked on the weekends as the school is a public use facility. The fence is not to keep the kids in; it is to keep intruders out. All Washoe County High Schools will eventually be fenced. Ms. Vasco said she has been at Reed for 12 years and will take responsibility for the SYFL not being allowed on the fields because of the condition of the fields.

City Manager Carey said the superintendent will be making a presentation to the Council regarding the financial shortfall for making repairs to their schools. Council Member Schmitt is concerned with double taxation with regard to contributing this money to Reed High School. He requested if this money is awarded, the school come back and share their plan on how they are going to maintain the field in the future.

Council Member Ratti recognized that the school district doesn't have funds for on-going costs of education nor capital improvement. She said if this money is awarded, it only solves one small problem and does not address the huge funding stream problem. Ms. Ratti suggested they

address the Legislature for a solution. She can only support this if there is a joint use agreement to the Sparks Youth Foundation to have access to the field.

Council Member Carrigan noted the city has helped other schools in Sparks. Mayor Geno Martini said the City of Sparks has been frugal with their funds and are able to help now but are not going to be able to help forever. He said he is in favour of this because it is the right thing to do.

A motion was made by Council Member Smith, seconded by Council Member Schmitt, to award the Reed High School Baseball Field Improvements Informal Quote to Oakcrest Landscaping, in the amount of \$22,754.46, with the stipulation that a Joint Use Agreement be put into place to include Sparks Youth Foundation usage of the field. Council Members Ratti, Lawson, Smith, Carrigan, Schmitt, YES. Passed unanimously.

6.5 Approve the City of Sparks' membership in the Western Nevada Development District (WNDD) and appoint one member of the City Council or the Mayor, and an alternate, as the designated representatives for the City. (FOR POSSIBLE ACTION) (Time: 3:34 p.m.)

An agenda item from City Manager Shaun Carey recommending the Council approve the City of Sparks' membership in the Western Nevada Development District (WNDD) and appoint one member of the Council, and an alternate, as the designated representatives for the City. Sparks has been invited to join the Western Nevada Development District (WNDD). AB449 launched an aggressive economic development program. A ReCharge Coalition was formed in Northern Nevada to find solutions to streamline and attract jobs. The regional strategic plan authored by EDAWN and accepted by the State of Nevada includes seeking collaborate ways to access Federal funds. Currently Washoe County is not a part of a Certified Economic Development District which is necessary to be eligible for Department of Commerce funding. Western Nevada Development District is certified and would give this region an opportunity to access additional funding. Joining this group also is an opportunity for a member of this Council to work with 8 other counties to build a more regional voice. If this item is approved, there is an opportunity to also appoint a member of the community to serve on this committee. This agenda item would authorize membership and payment of the future billings and appoint an elected member of the City Council to serve on the Board of Directors. Financial impact would be \$4,512 and incidental costs of membership. Council Member Carrigan believes this is a worthwhile effort and suggested Ed Lawson be appointed.

A motion was made by Council Member Ratti, seconded by Council Member Carrigan, to approve the City of Sparks' membership and authorize payment of the prorated billing of \$4,512 and incidental costs of membership in the Western Nevada Development District (WNDD), and further move to appoint Ed Lawson as the elected representative of the city and Ron Schmitt as the alternate for the board. Council Members Ratti, Lawson, Smith, Carrigan, Schmitt, YES. Passed unanimously.

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

7.1 Public hearing and possible approval of the Consolidated Plan Annual Performance and Evaluation Report (CAPER) for Program Year 2011-12

for the City of Sparks to the U.S. Department of Housing and Urban Development (HUD). (FOR POSSIBLE ACTION) Time: (3:39 p.m.)

An agenda item from City Planner Armando Ornelas recommending the City Council approve submission of the CAPER for Program Year 2011-12 to the U.S. Department of Housing and Urban Development. Each year, the City of Sparks must prepare and submit a CAPER to the U.S. Department of Housing and Urban Development (HUD). Submission of the CAPER is a condition of receiving federal Community Development Block Grant (CDBG) and HOME program funding (Sparks receives the latter as a member of the Washoe County HOME Consortium). The City of Sparks must conduct a 15-day public comment period, hold at least one public hearing and submit this report to HUD by September 30. There is no impact to the general fund.

No public comments were received.

A motion was made by Council Member Ratti, seconded by Council Member Carrigan, to approve submittal of the Consolidated Annual Performance and Evaluation Report for Program Year 2011-12 for the City of Sparks to HUD. Council Members Ratti, Lawson, Smith, Carrigan, Schmitt, YES. Passed unanimously.

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

9. Comments

9.1 Comments from City Council and City Manager - None

9.2 Comments from the Public - None

10. Adjournment

Council was adjourned at 3:42 p.m.