

REGULAR CITY COUNCIL MEETING MINUTES
2:00 P.M., Monday, February 28, 2011
City Council Chambers, Legislative Building, 745 Fourth Street, Sparks, Nevada

1. *Call to Order (Time: 2:02:27 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: 2:02:38 p.m.)

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

Staff Present: Brian Allen, Andy Flock, Teresa Gardner, Steve Driscoll, Chere Jigour, Steve Davidek, Armando Ornelas, Andre Stigall, Neil Krutz, Joe Grogan, Pete Etchart, Chris Syverson, Jim Rundle, Adam Mayberry.

Invocation Speaker: (Time: 2:02:54 p.m.)

The invocation was given by Bishop Clay Jorgensen from the Church of Jesus Christ of Latter Day Saints.

Pledge of Allegiance (Time: 2:04:37 p.m.)

The Pledge of Allegiance was led by Acting City Attorney Shirle Eiting.

***Comments from the Public** (Time: 2:05:26 p.m.)

None.

Approval of the Agenda (Time: 2:05:33 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 Smith, seconded by Council Member Schmitt, to approve the agenda as posted. Council Members Ratti, Lawson, Smith, Carrigan, Schmitt, YES. Motion carried.

3. Recommendation to Approve Minutes of:

Regular Meeting of February 14, 2011 (Time: 2:06:21 p.m.)

A motion was made by Council Member Smith, seconded by Council Member Carrigan, to approve the minutes of the Regular Meeting of February 14, 2011. Council Members Ratti, Lawson, Smith, Carrigan, Schmitt, YES. Motion carried.

4. Announcements, Presentations, Recognition Items and Items of Special Interest:

Mayor Martini read a letter from the young cowgirls and cowboys and their parents thanking the City for allowing them to compete at the Joe A. Gandolfo Rodeo Arena. The group would like to help maintain the facility and asked the City for permission to do so.

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Mayor Martini noted that the City was a finalist for a Cashman Good Government Award for our efforts to ensure that the citizens of Sparks have a clear understanding of how their tax dollars are spent by putting together an annual report for the citizens.

4.1 Presentation on Reno Tahoe International Airport issues (Time: 2:08:03 p.m.)

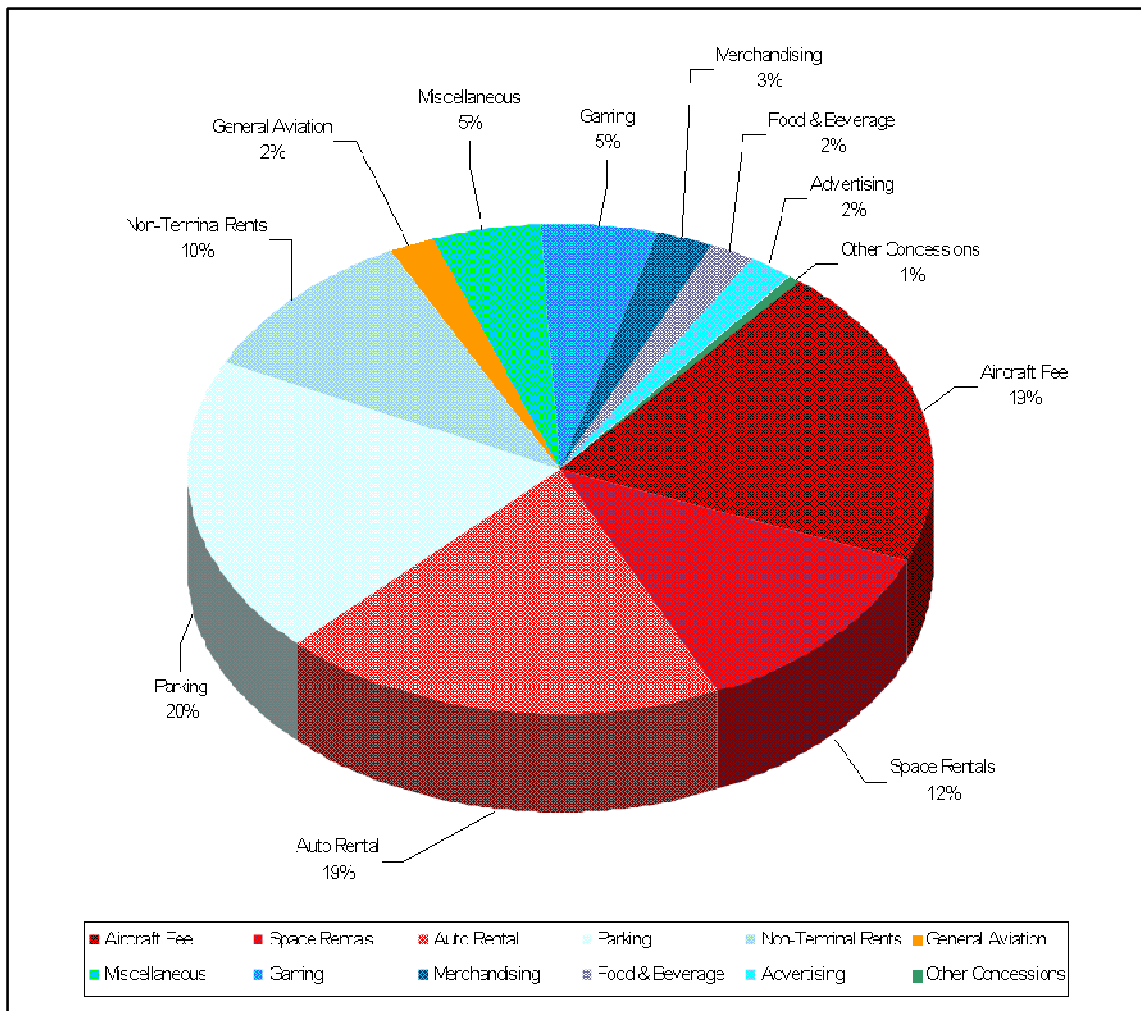
Mr. Bill Eck and Mr. Joe Mayer, Sparks' appointees to the Airport Board of Directors, introduced the Chief Financial Officer for the Reno Tahoe International Airport, Mr. Rick Gorman. Mr. Gorman gave a report on the Airport Authority finances as outlined below:

Sparks City Council - Airport Financial Overview - February 28, 2011

- Operating Sources and Uses
 - Operating Revenue
 - Airline Revenues
 - Landing Fees
 - Terminal Building Rentals
 - Non Airline Revenues
 - Public Parking
 - Building and Ground Rent
 - Concessions (Rental Car/Terminal)
 - Non-Operating Revenue
 - Interest Income
 - Aviation Fuel Tax
 - Airport revenues can be used for aeronautical and airport purposes only
 - Airport Operating Expenses
 - Salaries and Benefits
 - Utilities/ Communication
 - Purchase of Services/ Maintenance
 - Supplies/ Material
 - Other Airport Expenditures
 - Debt Service
 - Equipment/ Vehicle Purchases
- Capital Improvement - Sources and Uses
 - Passenger Facility Charges (PFC)
 - RTAA impose a PFC of \$4.50 for each enplaned passenger of an air carrier
 - FAA approval required
 - Airline consultation – agree or disagree
 - Preserve or enhance capacity, safety or security of the air transportation
 - Mitigate noise and reduce other environmental impacts
 - Enhanced competition among air carriers
 - PFC funding is not available for off-airport uses or day to day operations – solely for airport capital improvements
 - FAA AIP Grants
 - Funded through aviation user fees
 - Entitlement Funding – Sliding Scale
 - Reduction of 75% for airport that have a \$4.50 PFC
 - Discretionary
 - Projects generally limited to safety, security, capacity, and environmental/noise mitigation
 - Generally limited to airfield and noise mitigation
- No Local Taxes support the Airport

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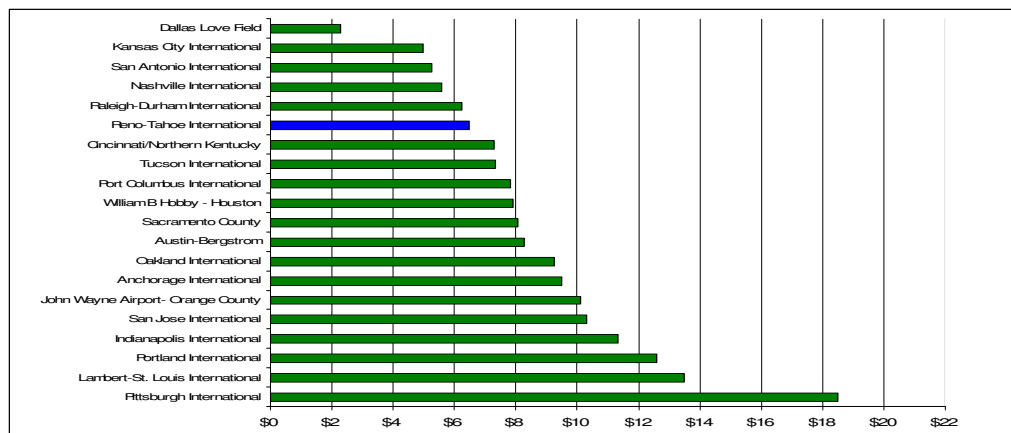
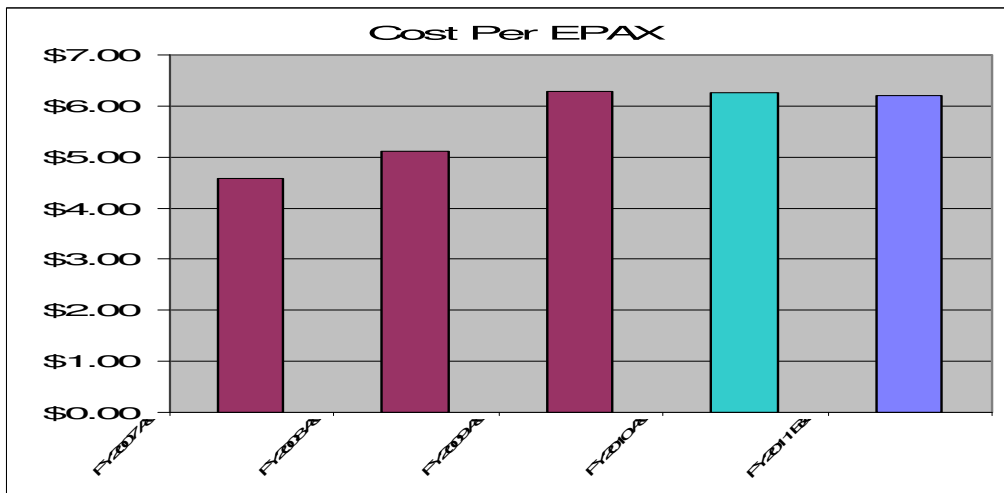
- Financial Stakeholders
 - Federal Grants (generated by Aviation User Fees)
 - Federal Aviation Administration (FAA)
 - Transportation Security Administration (TSA)
 - Federal Law
 - Tax-Exempt Financing, Passenger Facility Charges
 - State Law (Enabling Legislation)
 - Budgeting, Financing, Audit, and Purchasing
 - Bond Resolutions
 - Bond Holders/ Trust Funds and Funding Requirements
 - Tenant Contracts – Airline Partnership
 - Revenue Sources and Terms Defined
 - Airline Rate Setting Formula – Cost Recovery
 - Airline Project Approval
 - Profit Sharing (50% Airline/ 50% Authority)
 - RTAA Board
- Operating Revenue by Source



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FY 2009-10 Operating Revenues	
Aircraft Fee	\$ 8,862,691
Space Rentals	\$ 5,307,871
Auto Rental	\$ 8,729,117
Parking	\$ 8,738,391
Non-Terminal Rents	\$ 4,550,366
General Aviation	\$ 922,603
Miscellaneous	\$ 2,104,157
Gaming	\$ 2,229,927
Merchandising	\$ 1,118,152
Food & Beverage	\$ 887,177
Advertising	\$ 841,150
Other Concessions	\$ 239,758
Total	\$ 44,531,360

- The Authority derives 70% of its operating revenues from non-airline sources
- Airline Cost Per Enplanement
 - FY 2009-10 Cost Per Enplanement of \$6.26
 - Industry Median of \$7.34 (Moody's FY 2009)

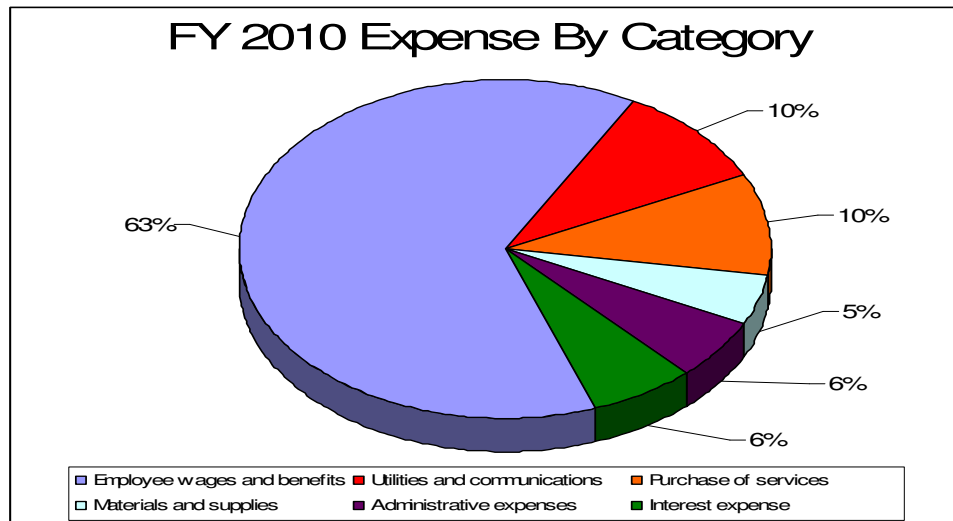


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- Total Expenses by Category - (excluding depreciation)

	2010	2009	% Change
Employee Wages and Benefits	\$ 21,148,848	\$ 21,868,506	-3%
Utilities and Communications	3,234,216	2,978,879	9%
Purchase of Services	3,218,502	3,037,358	6%
Materials and Supplies	1,611,574	1,424,020	13%
Administrative Expenses	1,922,140	1,911,933	1%
Total Operating Expenses	31,135,280	31,220,696	0%
Interest Expense	2,146,371	2,417,329	-11%
Total Expenses	<u>\$ 33,281,651</u>	<u>\$ 33,638,025</u>	-1%

- FY 2009-10 illustrates the Authority's proactive cost containment efforts
- FY 2009-10 results reflect a 3% decrease in Employee Wages and Benefits expenses



- General Aviation Overview - A Broad Category
 - Small piston aircraft
 - Helicopters
 - Blimps
 - Turbo-Props
 - Jets
- **Fixed Base Operator Overview**
 - *A Fixed Base Operator is a firm who provides aeronautical services i.e. aviation fuel and aircraft maintenance and repair services.*
 - *Prior to July 1, 2010, the Reno-Tahoe International Airport had three Fixed Base Operators on the field.*
 - *Jet West*
 - *Sierra Air Center*
 - *Atlantic Aviation*
- **Fixed Base Operator Timeline**
 - Jet West
 - 40-year lease ended on June 30, 2010.

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- Renewal negotiations unsuccessful.
- Sierra Air Center
 - 25-year lease ended on June 30, 2010.
 - Renewal negotiations unsuccessful.
- Atlantic Aviation
 - Lease expires 2017.
- *Effective July 1, 2010, the Airport Authority takes ownership of Jet West and Sierra Air Center.*
 - First steps include:
 - Reduce rent by 20% - 40% for all tenants and hold firm for two years.
 - Evaluate significantly deferred maintenance including pavement, hangar and environmental issues.
 - Offer opportunity to Jet West tenants to relocate to eastside of airfield.
 - Offer Jet West tenants first right of refusal on proposed new hangars at Stead.
 - *No tenant was asked to leave the airport. All tenants are being accommodated at the location of their choice.*
- **New Fixed Based Operator**
 - *Airport Authority policy is to provide two competitive Fixed Base Operators on the field.*
 - Public Request for Proposal process:
 - Formal Request for Proposal process advertised nationwide.
 - Local tenants, builders, and developers encouraged to submit a proposal with their own terms even if those terms did not meet the requirements of the Request.
 - Million Air provided the only final Proposal.
 - As of February 25, 2011:
 - Contract terms include a \$20 million investment.
 - Million Air temporarily providing FBO services out of former Jet West site.
 - Airport Authority has invested \$60,000 in improvements.
 - Million Air hired United Construction to provide \$300,000 in improvements to former Sierra Air Center site.
 - Million Air to operate out of former Sierra Air Center site for two years while building new facilities.
- **Opportunities for Additional General Aviation Development**
 - As planned for over 20 years, general aviation facilities are being gradually transitioned to the eastside of the airfield.
 - Safety.
 - Security.
 - Aircraft performance.
 - Existing general aviation facilities on the eastside include Dassault, Atlantic Aviation, fueling facilities, and the former Sierra Air Center site.
 - Over 80 acres of vacant land available for general aviation development as market demands new or expanded facilities / services.
 - There are currently 10 hangar vacancies on the eastside of the airfield.
 - There is no waiting list for t-hangars or box hangars.
- Economic Development
 - Corporate Aviation Developments
 - **Dassault Falcon**
 - Local tax revenues \$478,000
 - State tax revenues \$273,000
 - **Million Air FBO**
 - Local tax revenues \$2,292,538
 - State tax revenues \$947,866
 - **Western Jet Aviation**

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- Local tax revenues \$267,319
- State tax revenues \$89,289
- **\$89 million economic impact over 5 years.**
- **60 jobs created.**
- **Airport Renewal Program - Upcoming Projects**
 - *Terminal Refurbishment*
 - *Taxiway C Expansion*
 - *Reno-Stead Airport EOC/Terminal*
 - *Snow Removal Equipment Building*
 - *Checkpoint of the Future*
- **350 construction jobs created through the upcoming projects.**

He then responded to questions and concerns from Council. Council requested that the appointed representatives for Sparks make quarterly reports to the Council on airport activities.

5. Consent Items: (Time: 2:40:47 p.m.)

A motion was made by Council Member Ratti, seconded by Council Member Smith, to approve Consent Items 5.1 through 5.8. Council Members Ratti, Lawson, Smith, Carrigan, Schmitt, YES. Motion carried.

5.1 Report of Claims and Bills approved for payment and appropriation transfers for the period January 27, 2011 through February 9, 2011

An agenda item from Finance Director Jeff Cronk recommending approval of the Report of Claims and Bills as outlined.

5.2 Consideration and possible approval to purchase computer equipment for Information Technology from Summit Partners in the amount of \$54,008.34

An agenda item from Operations and Systems Administrator Steve Davidek recommending the Council approve the purchase computer server and disc storage systems as part of this year's technology refresh program. Funds are available in the IT Operations budget for this expense.

5.3 Consideration and possible award of the purchase of computer equipment for the Virtual Municipal Court Computers and Wiring Upgrades Project to Summit Partners, in the amount of \$62, 341.13

An agenda item from Operations and Systems Administrator Steve Davidek recommending the Council authorize the purchase of the computer equipment needed for the Municipal Court desktop virtualization project. Funds have been budgeted in the multi-year Capital Improvement Program for this expense.

5.4 Consideration and possible approval of reimbursement to the City of Reno in the amount of \$57,498.07 for Sparks' share of a bid award to Farr Construction Corporation by the City of Reno for removal and replacement of the interior coating on the Digester #4 cover at the Truckee Meadows Water Reclamation Facility (TMWRF)

An agenda item from Support Services Manager David Bruketta recommending the City Council approve reimbursement to the City of Reno for Sparks' share of a contract for digester repair at

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the Water Reclamation Facility. This project was approved in the FY10 Capital Improvement Plan.

5.5 Consideration and possible approval of a proposal for Pioneer Dam Mitigation Monitoring with JBR Environmental Consultants, Inc. in the amount of \$34,249

An agenda item from Civil Engineer Andrew Hummel recommending approval of a Professional Services Contract for mitigation monitoring at the Pioneer Diversion project site. This monitoring is a requirement and the contract covers an initial four year period of required monitoring. Funds have been budgeted for this contract.

5.6 Consideration and possible acceptance of the STOP Violence Against Women Grant in the amount of \$44,974

An agenda item from Police Chief Steve Keefer recommending the City Council accept a grant to pay for the salary of the Police Department's Victim Advocate. The City provides benefits to this employee as part of the matching funds requirement for this grant. Due to the current budget issues, the Police Department does not have the resources to continue the position of Victim Advocate without the use of external funding sources.

5.7 Consideration and possible award of the Marietta Sewer Rehabilitation Project, Bid No. 10/11-011, PWP-WA-2011-105 to Northern Nevada Excavating, in the amount of \$160,777

An agenda item from Civil Engineer Richard Brookes recommending the City Council approve a construction contract to replace the existing sanitary sewer main and laterals on Marietta Way from Greg Street, south to the Truckee River walking path. This work will be done in conjunction with the RTC reconstruction of Marietta Way and funds have been budgeted for this contract.

5.8 Consideration and possible approval of a construction contract for the I-80/Pyramid Way NE and NW Quadrant Community Match Landscape Project to Spanish Springs Construction in the amount of \$282,444

An agenda item from Transportation Manager Jon Ericson recommending approval of a construction contract for landscape and aesthetic improvements on the north side of Interstate 80 on either side of Pyramid Way at the entrance into downtown Sparks as part of a matching funds grant being administered through the Nevada Department of Transportation.

6. General Business:

6.1 Selection and appointment of elected officials to serve on the Board of Directors of the Truckee River Flood Management Authority (Time: 2:45:28 p.m.)

It was noted the City of Sparks, City of Reno, and Washoe County recently approved an Interlocal agreement forming the Truckee River Flood Management Authority. Per the agreement, we are required to appoint two elected officials to the board of the Authority, as well as any alternates they desire to appoint. One appointee will serve an initial one year term and the other will serve a two-year term. Subsequent terms will be for two years.

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A discussion was held regarding the advantages of making the terms coincide with the election cycle. It was determined that we needed to check the agreement before making any changes to the appointment cycle.

A motion was made by Council Member Carrigan, seconded by Council Member Ratti, to appoint Council Member Smith to a one-year term, Mayor Martini to a two-year term, and Council Member Lawson as the alternate on the Board of Directors for the Truckee River Flood Management Authority. Council Members Ratti, Lawson, Smith, Carrigan, Schmitt, YES. Motion carried.

6.2 Consideration and possible approval of allocating \$37,500 to the Sparks Parks & Recreation Department for Arts in Bloom, Sandcastles are the Stars, and Hometowne Christmas; \$42,500 to John Ascuaga's Nugget for Star Spangled Sparks, the Best in the West Nugget Rib Cook-off, and shuttle bus expenses; \$30,000 to Roadshows, Inc. for the Spring and Fall Rallies; and \$7,500 to the Reno Wheelmen/UNR Cycling Team for the Sparks Bicycle Stage Race paid from the Tourism & Marketing Fund (Time: 2:51:30 p.m.)

Council Member Schmitt stated that the Tourism and Marketing Committee is recommending the above allocations for the upcoming event season and gave a brief summary of the proposed events.

Council Member Carrigan noted for the record that the RSCVA is only spending \$142,000 on their upcoming special events season.

A motion was made by Council Member Ratti, seconded by Council Member Lawson, to approve the allocations as listed for the 2011 Special Events Season. Council Members Ratti, Lawson, Smith, Carrigan, Schmitt, YES. Motion carried.

6.3 Consideration and possible award of the Golden Eagle Regional Park Photovoltaic Project-Phase 2 to Steve C. Hamilton, Inc., in the amount of \$626,107 (Time: 2:55:25 p.m.)

City Engineer Pete Etchart noted that there was an error on the staff report—the agenda item brief was incorrect and belonged to another item. He emphasized that the rest of the report was correct.

Mr. Etchart noted that this is the fifth of the five photovoltaic projects that the City was awarded rebates for through the NV Energy solar generations program in September of 2010. This particular rebate was planned for the Recreation Center Gym and the project was approved on April 12, 2010, contingent upon receiving the rebate. However, staff is recommending that the project be moved to the regional park, based on the long-term viability of the two facilities and the existing electrical infrastructure of the two facilities. This project is actually a combination of three smaller projects—this contract will provide 30kw of lighting for the Little League fields; 30kw of lighting for the Babe Ruth fields; and 40kw of lighting for the multi-use soccer/football fields. Combined with the Phase I project (100kw of lighting for the softball fields) all the athletic field lighting will be provided by photovoltaic power.

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He noted that the parking areas at the ball park are not facing the needed north/south direction, so instead of using covered parking, staff is proposing to construct shade structures in the grass areas.

Mr. Etchart emphasized that no general fund money is being used for these projects. The funding is through the NV Energy rebate program, plus money left over from previous photovoltaic projects.

Council expressed concern that the wiring for the panels would be vulnerable to theft or vandalism and that they would also be vulnerable to being hit by stray balls from the ball fields. Mr. Etchart said that the electrical boxes would be filled with concrete, so that the wiring would not show and that with the exception of the Babe Ruth field, the panels will be facing away from the fields. If it becomes a problem, then we will have to look at some type of netting to prevent the balls from hitting the panels; however, we are placing the panels as far away from the fields as possible.

In response to additional questions, Mr. Etchart stated that he has researched other photovoltaic projects in the state and he has not found another contract that is cheaper per watt than our contract, which was a one year contract with two one-year extensions. The rebates are paid at the end of the project, once the meter is installed, so essentially we pay up front and get reimburse after the project is completed.

A motion was made by Council Member Schmitt, seconded by Council Member Smith, to award the contract for the Golden Eagle Regional Park Photovoltaic Project-Phase 2 to Steve C. Hamilton, Inc., in the amount of \$626,107. Council Members Ratti, Lawson, Smith, Carrigan, Schmitt, YES. Motion carried.

6.4 Adoption of Washoe County Multi-Hazard Mitigation Plan (Time: 3:01:33 p.m.)

Assistant City Manager/Emergency Manager Steve Driscoll stated this is the newest version of the Multi-Hazard Mitigation Plan. FEMA requires that we review and update this plan every five years. This program looks from the smallest jurisdiction up through the state level and the idea is to identify potential hazards and develop mitigation plans to eliminate some of the disaster risks before there is an event.

A motion was made by Council Member Smith, seconded by Council Member Ratti, to adopt the Washoe County Multi-Hazard Mitigation Plan and to give the Sparks Emergency Manager the authority to update the plan as necessary. Council Members Ratti, Lawson, Smith, Carrigan, Schmitt, YES. Motion carried.

6.5 Consideration and possible approval of providing \$32,375 to the Economic Development Authority of Western Nevada to assist the Growth and Recover of Sparks' and the Regional economy (Time: 3:03:26 p.m.)

Community Development Director Neil Krutz noted that this is a request to providing \$32,375 to

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the Economic Development Authority of Western Nevada (EDAWN) to assist in the growth and recovery of Sparks' and the regional economy. This amount represents a 7.5% reduction from the amount of funding approved last year.

Mr. Chuck Alvey, Executive Director of EDawn, gave a brief report on the accomplishments of EDawn over the past year and their goals for the coming year.

A motion was made by Council Member Ratti, seconded by Council Member Smith, to approve the request for \$32,375 for EDawn. Council Members Ratti, Lawson, Smith, Carrigan, Schmitt, YES. Motion carried.

6.6 Possible Motion to Adjourn to a Closed Session to receive information from the City Attorney regarding litigation involving a matter in which the Sparks City Council has supervision and control to settle (NRS 241.015(B)(2)) in RE: *Wink, Robert vs. Jean Hutchinson, City of Sparks, et al* (Time: 3:57:33 p.m.)

A motion was made by Council Member Ratti, seconded by Council Member Carrigan, to adjourn to a close adjourn to a closed door session. Council Members Ratti, Lawson, Smith, Carrigan, Schmitt, YES. Motion carried.

The meeting was adjourned to a closed door session and was reconvened at 4:20 p.m.

6.7 Consideration and possible approval of a settlement in: *Wink, Robert vs. Jean Hutchinson, City of Sparks, et al* (Time: 4:20:11 p.m.*) (*This item was heard out of order.)

City Manager Carey stated that after a closed door meeting, staff is recommending a settlement in this case in an amount not to exceed \$75,000.

A motion was made by Council Member Schmitt, seconded by Council Member Ratti, to approve, based on the advice provided by the City's attorneys, the settlement of all claims for attorney's fees, costs, damages, pre judgment and post judgment interest and any other claim arising from the case of *Wink, Robert v. Jean Hutchinson, City of Sparks, et al*, Second Judicial District Court, Case No. CV09-02764, in amount not to exceed \$75,000. Council Members Ratti, Lawson, Smith, Carrigan, Schmitt, YES. Motion carried.

**7. Public Hearings and Action Items Unrelated to Planning and Zoning:
None**

8. Planning and Zoning Public Hearings and Action Items:

8.1 Public Hearing, 2nd Reading, discussion and possible action of PCN09018, Bill No. 2631, a detachment request by Tahoe Reno Commercial Center, LLC., from the City of Sparks of a parcel approximately 30.23 acres in size in the I (Industrial) zoning district generally located west of the USA Parkway interchange, east of the Patrick interchange, shares the southern property line with the right-of-way of Interstate 80's west bound lanes and is approximately 10.5 miles east of the intersection of Vista Boulevard and

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Interstate 80, Sparks, NV (Time: 3:10:10 p.m.)

Senior Planner Jim Rundle noted that he would be discussing Items 8.1, 8.2, and 8.3 together, but requested that the Council hold separate votes. He then reviewed the history of the annexations, stating that in 2002 the Truckee Meadows Regional Plan incorporated approximately 99 hundred acres of land into the City of Sparks' Sphere of Influence. A significant amount of planning work has been conducted on the area since it came into the City's sphere. The planning included putting retail, employment centers and a considerable amount of residential on the land. Lately it has included data centers and power plants. Designating a significant amount of land for residential in previous master plan proposals created a large demand for services, including public works, police, and fire service. With the latest version of land uses, staff and the property owners eliminated residential in hopes of reducing the demand for services. Two years ago, two properties were annexed into the City of Sparks. At the time of the annexation, the legislature was considering making discontinuous annexation illegal. No development was approved by the City Council, so all that essentially occurred was a change political jurisdiction.

Mr. Rundle displayed maps of the properties for detachment and noted that the most recent land use planning effort was a complete master planning effort. Staff analyzed fiscal impacts to the City for the East Truckee River Canyon. This included analysis of the geography and all of the land included in our Sphere of Influence in this area. The map shows that the developable land in the canyon is minimal and the canyon is also very linear. He noted the areas of the map that potentially could be developed that were not affected by hillside ordinances (only 3,100 acres).

Mr. Rundle noted that the 3,100 acres that could potentially be developed cover approximately 10 miles and that because of this distance, public safety could not be efficiently provided for in the nodes where development might occur. It is anticipated that three fire stations may be necessary in the canyon.

To determine the cost of services, staff underwent a fiscal analysis process which was supported by a consulting firm from California. The fiscal analysis is included in the staff report for item 8.2. It was anticipated that with a certain amount of development occurring in the canyon, the revenue would be around \$2.4 to \$2.5 million dollars. This included a data center and a power plant. Development at this intensity would require services at the minimum level—one fire station; approximately and one police beat; and basic public works infrastructure. This minimum baseline cost is projected at \$4.9 million, and this would put the City in a negative revenue position for providing services to this area if it were developed. He stated the type of development needed to support minimum levels of services is higher in density (more areas of development); however, if the City were to allow additional development, then levels of services needed also increases. Staff has thoroughly analyzed every feasible option for development in the Truckee River Canyon and believes that the most appropriate action at this time is to detach the properties that were annexed into the City of Sparks and sponsor a Regional Plan amendment to take the East Truckee River Canyon out of the City of Sparks' Sphere of Influence.

Mr. Rundle stated the Sparks Planning Commission has reviewed the proposed detachments and is forwarding a recommendation of detachment. Because they are detachments, the Annexation Commission or Regional Planning Commission has also reviewed and approved the detachment

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requests. The Sparks Planning Commission is also recommending the removal of this area from our Sphere of Influence.

Council Member Carrigan stated he felt this was done “backwards” and while he understood the reasons behind the annexations, he felt that we should have required the feasibility studies before the annexations were approved. He asked if there was still a lawsuit pending regarding these annexations. It was noted that the lawsuit would be moot if the detachments were approved.

Council Member Schmitt asked if there has been discussion regarding how development in this area under the County would affect need for services and how the City would be involved. Mr. Rundle stated that there have been discussions and we are working on an agreement on how this would be done. Mr. Schmitt cautioned that if we have to provide public safety services we need to make sure it doesn't cost the City money. Mr. Rundle stated they would have to develop under rural development area standards and the development for the City of Sparks would be urban type standards, which require different types of services to be provided. He stated the Regional Plan would inhibit what could be developed under Washoe County's jurisdiction because it would be rural development. The City of Sparks has adopted levels of service that are going to be different than rural development standards, so ultimately what could be constructed under the City won't be allowed under Washoe County. He said he is fairly sure that the City won't be required to provide services for Washoe County.

Council Member Smith asked how long the canyon has been in the Sparks Sphere of Influence and he also asked for confirmation that until these properties were annexed, we had no responsibilities in the canyon. Mr. Rundle stated about nine years and he confirmed that we had no responsibilities until the annexations. Mr. Smith questioned why we were not just doing the detachments and leaving the area in our sphere of influence. Mr. Rundle stated this was considered, but if someone wants to develop in this area, our Planning Commission might ultimately approve something that would ultimately affect Washoe County's general fund and how they provide service and we did not want to be in that position.

Mayor Martini opened the public hearing and asked if anyone wished to speak regarding this detachment.

Ms. Cynthia Albright of Stantec Consulting, representing the owner, stated that Mr. Robleski has recently signed a 25-year agreement for mining operations, so for the foreseeable future, there will be an industrial use on the property.

There being no further comment, the public hearing was closed.

A motion was made by Council Member Smith, seconded by Council Member Ratti, to approve PCN09018, Bill No. 2631, Ordinance No. 2450, a detachment request by Tahoe Reno Commercial Center, LLC. to detach 30 acres from the City of Sparks based on the facts supporting this proposal as set forth in the staff report. Council Members Ratti, Lawson, Smith, Carrigan, Schmitt, YES. Motion carried.

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8.2 Public Hearing, 2nd Reading, discussion and possible action of PCN09007, Bill No. 2632, a detachment request from Stonefield, Inc., from the City of Sparks for a site approximately 374.46 acres in size in the TC (Tourist Commercial) zoning district generally located in the east Truckee River Canyon north of Interstate 80 and Waltham Way, approximately 6 miles east of the intersection of Vista Boulevard and Interstate 80, Sparks, NV (Time: 3:40:58 p.m.)

The discussion for this item was held in conjunction with items 8.1 and 8.3 and is listed under Item 8.1.

Mayor Martini opened the public hearing and asked if anyone wished to speak regarding the detachments and regional plan amendment.

Ms. Robin Palmer stated that the fiscal analysis clearly shows that development on this property would have a negative impact on the City of Sparks and she supported the detachment request.

Ms. Cynthia Albright of Stantec Consulting, representing the owner, stated that the owners did not expect the fiscal analysis to be negative, but if development would be detrimental to the City of Sparks, then the property owners don't really have a choice. She said they agree that the detachment is the best way to proceed.

There being no further comment, the public hearing was closed.

A motion was made by Council Member Ratti, seconded by Council Member Smith, to approve PCN09007, Bill No. 2632, Ordinance No. 2451, a detachment request from Stonefield, Inc., to detach 375 acres from the City of Sparks based on the facts supporting this proposal as set forth in the staff report. Council Members Ratti, Lawson, Smith, Carrigan, Schmitt, YES. Motion carried.

8.3 Public Hearing, discussion and possible action of City Council sponsorship of an amendment to the 2007 Truckee Meadows Regional Plan to remove the East Truckee River Canyon from the Sparks sphere of influence (Time: 3:44:43 p.m.)

The discussion and public hearing for this item was held in conjunction with items 8.1 and 8.2 and is listed under Item 8.1.

Mayor Martini opened the public hearing and asked if anyone wished to speak regarding this request for a handbook amendment. There being no comment, the public hearing was closed.

A motion was made by Council Member Smith, seconded by Council Member Schmitt, that the City of Sparks sponsor a Regional Plan amendment to remove the East Truckee River Canyon from the Sparks Sphere of Influence. Council Members Ratti, Lawson, Smith, Carrigan, YES. Council Member Schmitt, ABSENT. Motion carried.

8.4 Public Hearing, 2nd Reading, discussion and possible action on CA-3-10, Bill

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No. 2633, an ordinance amending Title 20 of the Sparks Municipal Code updating the Adult Business Chapter by replacing the IC (Industrial Commercial) zoning district reference with the I (Industrial) zoning district and providing other matters properly relating thereto (Time: 3:47:08 p.m.)

Senior Planner Jim Rundle noted that this ordinance does not affect the existing adult business ordinance, except to clean up an item that should have been changed when we rezoned all the property in the industrial area from Industrial Commercial to Industrial.

Mayor Martini opened the public hearing and asked if anyone wished to speak regarding this municipal code amendment. There being no comment, the public hearing was closed.

A motion was made by Council Member Ratti, seconded by Council Member Lawson, to approve CA-3-10, Bill No. 2633, Ordinance No. 2452, updating Chapter 20.51 of the Municipal Code based on the facts supporting this proposal as set forth in the staff report. Council Member Schmitt, ABSENT. Motion carried.

8.5 PCN10026 – Consideration and possible action on a Tentative Map request for a 236-lot single-family residential subdivision on a site approximately 48.73 acres in size in the PD (Planned Development) zoning district, located in Villages 7B and 7C of the Pioneer Meadows Planned Development, generally located south of Rolling Meadows Drive and west of Wingfield Hills Drive, Sparks, NV (CONTINUED FROM 2/14/11) (Time: 3:48:52 p.m.)

Associate Planner Chere' Jigour noted that this item was continued from the February 14, 2011 meeting, at the request of the applicant, Lennar Communities. The intent was for Lennar Communities to come back with further solutions for completing the pond area, as outlined in the staff report for Condition No. 23, listed as follows:

23. Pond Improvements.

Prior to the recordation of the first final map, the Developer shall submit pond improvement plans for the review and reasonable approval by the Administrator. The plans shall include improvements for the completion of the area located along the northeast shore of the pond, north of the Weir barrier and extending northwest along the proposed subdivision boundary to Rolling Meadows Drive ("Phase 1"). These improvements for Phase 1 shall include, but are not limited to: slope stabilization; the construction of a barrier fence between the pond and regional trail; landscaping/revegetation; and construction of the Weir and water aeration system ("Phase 1 Improvements").

Prior to the issuance of the first certificate of occupancy for Village 7B or 7C or within two (2) years from the final approval of this tentative map, whichever occurs earlier, the Developer shall (i) complete the Phase 1 Improvements to the reasonable approval of the Public Works Director and Administrator and (ii) landscape the remainder of the pond shores with a hydroseed containing a mixture of grasses and adequate tacifier to provide slope stabilization.

Prior to the recordation of the final map which includes the 170th single family residential lot ("Third Final Map") or within five (5) years from the final approval of this tentative map, whichever occurs earlier, the Developer shall submit pond improvement plans for review and reasonable approval by the Administrator. These plans shall include improvements for the completion of the remainder of the pond's shoreline. The area is located to the south of the Weir barrier and extends along the southern shore of the pond, continues along the western shore and extending to Rolling Meadows Drive ("Phase 2"). The improvements for Phase 2 shall include, but are not limited to: slope stabilization and the installation of landscaping/revegetation ("Phase 2 Improvements").

Prior to the issuance of the first certificate of occupancy for a lot on the Third Final Map, the Developer shall complete the Phase 2 Improvements to the reasonable approval of the Public Works Director and Administrator.

A letter of credit in the amount of \$750,000 shall be posted for the cost to complete all of the pond improvements described in this condition prior to the recordation of the first final map. The amount of this letter of credit may be reduced following the phased completion of these pond improvements.

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Mayor Martini opened the public hearing and asked if anyone wished to speak regarding this request for the tentative map.

Mr. Gerrit Gordon, from the Law Offices of Lewis and Rocha, representing Lennar, stated that over the last two weeks they have worked hard to craft the condition that took into consideration the Council's concerns. They are in agreement with this condition and they look forward to approval of the tentative map request.

There being no further comment, the public hearing was closed.

A motion was made by Council Member Carrigan, seconded by Council Member Schmitt, to approve the Tentative Map associated with PCN10026, based on the Findings T1 through T12 and the facts supporting these findings as set forth in the staff report, subject to conditions of approval 1-21 and the amended condition #22 attached to this staff report and condition #23, as amended. Council Members Ratti, Lawson, Smith, Carrigan, Schmitt, YES. Motion carried.

8.6 Public Hearing, PCN11001, review and possible action for Tentative and Final Approval of an amendment to the Kiley Ranch South Planned Development Handbook (Aspen Glen Shopping Center) to alter the sign criteria on a site 5.22 acres in size with the PD (Kiley Ranch South Planned Development zoning district generally located on the northwest corner of the intersection of Vista Boulevard and Los Altos Parkway, Sparks, NV (Time: 3:53:03 p.m.)

Senior Planner Tim Thompson stated the amendment to the Kiley Ranch South handbook is specifically related to the commercial standards in the Aspen Glen Shopping Center. In 2009 we processed an amendment similar to this for the Barcelona Crossing related to signage. The Kiley Ranch South handbook did not previously allow for any type of monument signage. There are allocations for building signs as well as the allowance for one freestanding sign, which has already been constructed. The property owners are now interested in adding some monument signage, particularly along the Vista Boulevard frontage. The buildings in that location are below the grade of Vista and they believe that this signage is necessary to let folks know that there are actually businesses in that shopping center. Mr. Thompson noted that the handbook has been changed to allow for the monument signage and actually puts the signage criteria more in line with what would typically be seen in a commercial center. He asked that the findings for this handbook amendment be placed in the record and noted that staff and the Planning Commission are recommending approval of this handbook amendment.

Mayor Martini opened the public hearing and asked if anyone wished to speak regarding this request for a handbook amendment.

Mr. Eric Wilson, with Rubicon Design Group, on behalf of the property owners, stated the added signage will help the shopping center to remain viable.

There being no further comment, the public hearing was closed.

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PLANNED DEVELOPMENT FINDINGS:

- PD1 The plan is consistent with the objective of furthering the public health, safety, morals and general welfare by providing for housing of all types and design.
The Kiley Ranch South Planned Development includes numerous residential and commercial developments. The proposed amendment to the signage and uses standards will not affect housing.
- PD2 The plan is consistent with the objective of furthering the public health, safety, morals and general welfare by providing for necessary commercial and industrial facilities conveniently located to the housing.
The plan is consistent with the above criteria by fulfilling the communities' need for commercial centers in the Spanish Springs area. The Kiley Ranch South Planned Development provides for an array of housing types, commercial, and office development.
- PD3 The plan is consistent with the objective of furthering the public health, safety, morals and general welfare by providing for the more efficient use of land and public or private services.
The plan is consistent with the above criteria by providing a higher intensity of land use in an area that can be considered in-fill due to the availability of existing major infrastructure and the efficient use of that infrastructure without the need to extend major facilities. The proposed amendment to signage standards within the Kiley Ranch South Planned Development will not affect the efficient use of land and public or private services.
- PD4 The plan is consistent with the objective of furthering the public health, safety, morals and general welfare by providing for changes in technology of land development so that resulting economies may be available to those in need of homes.
The Kiley Ranch South Planned Development provides for land development so that resulting economies may be available to those in need of homes and this will not be affected by the proposed amendment.
- PD5 The plan is consistent with the objective of furthering the public health, safety, morals and general welfare by providing for flexibility of substantive regulations over land development so that proposals for land development are disposed of without undue delay.
The plan is consistent with the above criteria by providing for processes that expedite the review of development within project, thereby reducing delays in construction of the project. The Kiley Ranch South Planned Development provides for flexibility of substantive regulations over land development and this will not be affected by the proposed handbook amendment.
- PD6 The plan does not depart from zoning and subdivision regulations otherwise applicable to the property, and these departures are in the public interest for density.
As discussed in sections above, Kiley Ranch South Planned Development is compatible with the surrounding area and consistent with the Master Plan. The plan does not depart from the zoning and subdivision regulations in terms of density.
- PD7 The plan does not depart from zoning and subdivision regulations otherwise applicable to the property, and these departures are in the public interest for bulk.
The Kiley Ranch South Planned Development does not depart from zoning regulations for bulk. The existing and proposed buildings have been scaled appropriately to the adjacent residential uses. The proposed amendment does not alter any design criteria. Therefore the plan does not depart from the zoning and subdivision regulations in terms of bulk.
- PD8 The plan does not depart from zoning and subdivision regulations otherwise applicable to the property, and these departures are in the public interest for use.
The proposed amendment does not depart from zoning and subdivision regulations otherwise applicable to the property. In fact, changing the sign criteria and uses to be more consistent with general commercial development, including those commercial developments in proximity to the project site will help to benefit the public interest.
- PD9 The ratio of residential to nonresidential use in the planned development is:
The Kiley Ranch South Planned Development consists of many subdivisions and housing types as well as commercial, office, and institutional uses. The proposed amendment only encompasses the signs standards for the Aspen Glen shopping center (5 acre commercial site) within the Kiley Ranch South Planned Development Handbook. As such, there will be no change to the overall ratio of residential to nonresidential use with the proposed amendment.
- PD10 Common open space in the planned development exists for what purpose, is located where within the project, and comprises how many acres (or what percentage of the development site taken as a whole).
Landscaped areas are provided adjacent to public right-of-ways, and along shared property lines. There will be no change to the common open space with the proposed amendment. The project is required to provide 25% landscaping/common open space, some of which exists for the use of visitors to the office facilities.
- PD11 The plan does provide for the maintenance and conservation of the common open space by what method.
There will be no change to the maintenance or conservation of common open space with the proposed amendment. The common open space will be maintained by the Property Owners Association, and or a Lighting Landscaping Maintenance District.
- PD12 Given the plan's proposed density and type of residential development, the amount and/or purpose of the common open space is determined to be adequate.
The amount of open space provided in the Kiley Ranch South Planned Development exceeds the requirements for open space. The

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- landscape/open space requirement for the office park development is 25%. There will be no change to the amount of common open space with the proposed amendment.
- PD13 The plan does provide for public services. If the plan provides for public services, then these provisions are adequate. The Kiley Ranch South Planned Development Handbook does provide for adequate public services by the construction of water system, sewer system, and storm drainage system improvements. The proposed amendment will not have any effect on the public services being provided.
- PD14 The plan does provide control over vehicular traffic. The Kiley Ranch South Planned Development does provide control over vehicular traffic with controlled access to Los Altos Parkway from the proposed development. There will be no changes to vehicular traffic with the proposed amendment.
- PD15 The plan does provide for the furtherance of access to light, air, recreation and visual enjoyment. The common areas provided within the Kiley Ranch South Planned Development provide a visual asset and recreational opportunities for residents and visitors. The plan provides for access to light, air, recreation and visual enjoyment by providing a centralized open space along the North Truckee Drain and a regional trail link. There are no changes affecting access to light, air, recreation and visual enjoyment with the proposed amendment.
- PD16 The relationship of the proposed planned development to the neighborhood in which it is proposed to be established is beneficial. The relationship of the Kiley Ranch South Planned Development to the neighborhood in which it was established is beneficial based on the location of the development to Vista Boulevard and Los Altos Parkway within the Spanish Springs area where services are needed. The proposed amendment will not have any effect on this relationship.
- PD17 To the extent the plan proposed development over a number of years, the terms and conditions intended to protect the interests of the public, residents and owners of the planned development in the integrity of the plan are sufficient. The Kiley Ranch South Planned Development Handbook discusses the phasing of development with an intent to protect the interests of the public, residents, and property owners. The integrity of the plan can be maintained to protect the interest of the public, residents and property owners, given the short development time line. The proposed amendment does not affect phasing of any development within the Kiley Ranch South Planned Development.
- PD18 The project, as submitted and conditioned, is consistent with the City of Sparks Master Plan. The project as submitted and conditioned will be consistent with the City of Sparks Master Plan. Subject parcels have been designated as General Commercial. The proposed amendment does not affect the projects consistency with the Master Plan and proposes uses consistent with those found in the General Commercial land use designation.
- PD19 The project is consistent with the surrounding existing land uses. The project is consistent with the surrounding existing land uses with commercial development adjacent to two major roadways (Los Altos Parkway & Vista Boulevard), residential development located across both Los Altos Parkway and Vista Boulevard to the south and east, respectively, and directly adjacent to existing residential to the north and west. The proposed amendments do not affect the projects consistency with the surrounding existing land uses.
- PD20 Public notice was given and a public hearing held per the requirements of the Sparks Municipal Code. Public notice was given per the requirements of the Sparks Municipal Code and the Nevada Revised Statutes. The Planning Commission and City Council meetings function as the public hearing for this item.
- PD21 Modification of the Kiley Ranch South Planned Development furthers the interest for the City and the residents and preserves the integrity of the plan. The development plan is not being changed and the proposed amendments do not alter the integrity of the plan but does continue to promote Commercial development within the City of Sparks. Therefore, the modification furthers the interest for the City and the residents and preserves the integrity of the plan.

A motion was made by Council Member Carrigan, seconded by Council Member Schmitt, to grant Tentative and Final approval of a request for an amendment to the Kiley Ranch South Planned Development Handbook associated with PCN11001, adopting Findings PD1 through PD 21 and the facts supporting those Findings as set forth in the staff report. Because the request includes final approval, the Planning Commission does not recommend that the City Council require a bond at this time as stated in NRS 278A.490. Council Members Ratti, Lawson, Smith, Carrigan, Schmitt, YES. Motion carried.

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9. Comments:

9.1 *From the Council and City Manager (Time: 4:21:19 p.m.)

City Manager Carey announced one vacancy for a two-year term on the Sparks Advisory Committee for the Disabled. Applications must be received by March 11, 2011.

10. *Adjournment (Time: 4:22:32 p.m.)

There being no further business, the meeting was adjourned at 4:22 p.m.

Mayor

City Clerk

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