

**REGULAR CITY COUNCIL MEETING MINUTES**  
**2:00 P.M., Monday, September 26, 2011**  
**City Council Chambers, Legislative Building, 745 Fourth Street, Sparks, Nevada**

**1. Call to Order** (Time: 2:02:10 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: 2:02:16 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, City Attorney Chet Adams, PRESENT.

Staff Present: Steve Keefer, Ron Korman, Andy Flock, John Martini, Chris Cobb, Bob King, Richard Brookes, Andy Hummel, Jenny Lewis, Adam Mayberry, Trish Kuehl, Debbie Hunt, Chris Syverson, Tracy Domingues, Steve Driscoll, Jim Rundle, John Martini, Armando Ornelas, and Donna DiCarlo.

**Invocation Speaker:** (Time: 2:02:44 p.m.)

The invocation was given by Pastor Pete Vossler from Crosswinds Assembly of God church.

**Pledge of Allegiance** (Time: 2:03:34 p.m.)

The Pledge of Allegiance was led by Council Member Mike Carrigan.

**Comments from the Public** (Time: 2:04:09 p.m.)

- Rosalind Gerrard, who lives in one of the Reno Housing Authority complex on Orvada, complained about gang activity in her neighborhood, a problem with dog poop not being picked up, and trash being thrown out in the yard and not being picked up. She also complained that Lowes Hardware is also allowing trash to accumulate in the rear of their building and blow throughout the neighborhood. Council asked that she work with staff to further define the problems and work toward a solution.
- Molly Mulcahy also expressed concern regarding the same problems.

**Approval of the Agenda** (Time: 2:08:35 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 Lawson, seconded by Council Member Smith, to approve the agenda as posted. Council Members Ratti, Lawson, Smith, Carrigan, Schmitt, YES. Motion carried.

**3. Recommendation to Approve Minutes**

**3.1 Consideration and possible approval of the Minutes of the Sparks City Council Meeting of September 12, 2011** (Time: 2:09:12 p.m.)

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A motion was made by Council Member Smith, seconded by Council Member Lawson, to approve the minutes of the Regular Meeting of September 12, 2011. Council Members Ratti, Lawson, Smith, Carrigan, Schmitt, YES. Motion carried.

### **4. Announcements, Presentations, Recognition Items and Items of Special Interest**

#### **4.1 Commendation to the staff and volunteers who assisted during the accident at the Air Races (Time: 2:09:55 p.m.)**

Mayor Martini read a commendation extending thanks and gratitude to the many staff and volunteers who responded to the Reno Air Race emergency at the Stead Airport on September 16, 2011.

#### **4.2 Proclamation - Fire Prevention Week (Time: 2:16:09 p.m.)**

Mayor Martini read a proclamation naming October 9-16, 2011 as Fire Prevention Week, Protect your Family from Fire, in recognition of simple actions we can all take to our homes and families safe from fire year-round. The proclamation was received by Fire Marshal Bob King. Marshal King discussed the success of their residential smoke alarm program and invited the community to attend the 22<sup>nd</sup> Annual Fire Department Pancake Breakfast and Open House on October 8, 2011.

#### **4.3 Proclamation - Official day of recognition for all firefighters who have died in the line of duty (Time: 2:23:54 p.m.)**

Mayor Martini read a proclamation naming October 16, 2011 as the day for the National Fallen Firefighters Memorial Service in recognition of the patriotic service and dedicated efforts our fire and emergency services personnel. The proclamation was received by Fire Chief Andy Flock.

#### **4.4 Presentation to Laura Sheldon-Casson for her continued efforts and tireless commitment to people with disabilities (Time: 2:27:22 p.m.)**

Council Member Ed Lawson presented a plaque to Ms. Sheldon-Casson for her continued efforts and tireless commitment to people with disabilities. He stated she played a vital role as a member and chairperson of the Sparks Advisory Committee for the Disabled from 1999 to 2009 and was instrumental in community development which contributes to a better quality of life for all the people of Sparks. Mr. Lawson said the plaque was being given in recognition of her role in the 2008/2009 Police Department Access Improvement Project.

### **5. Consent Items: (Time: 2:32:12 p.m.)**

A motion was made by Council Member Ratti, seconded by Council Member Smith, to approve Consent Items 5.1 through 5.7. 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 August 25, 2011 through September 7, 2011**

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

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### **5.2 Consideration and possible approval of the purchase of three slide in brine application units from Jordan's Truck and Trailer Equipment in the amount of \$71,292.00**

An agenda item from Fleet and Facilities Manager Ron Korman recommending the City Council approve the purchase three brine application dump trucks for use in applying brine to the road surfaces before a snow event. These units will interface with existing equipment to improve road conditions during the winter.

### **5.3 Consideration and possible approval of purchase of 5-11 Police Duty Uniforms from L.N. Curtis & Sons in the amount of \$33,365.00**

An agenda item from Police Chief Steve Keefer recommending the City Council approve the purchase of 100 sets of patrol uniforms for sworn officers. The purchase includes two long sleeve shirts, two short sleeve shirts and three pairs of pants for each officer. The quote includes hemming, shipping and the sewing on of patches. There will be no impact to the General Fund as drug forfeiture/seizure funds will be utilized for the purchase.

### **5.4 Consideration and possible approval of an application for a Gaming license for Bully's Sports Bar & Grill, Inc. dba Bully's Pyramid #3, located at 2955 N. McCarran Blvd., Sparks, NV, submitted by Ms. Sharling Jo Sonner**

An agenda item from Police Chief Steve Keefer recommending the City Council approve a Gaming License for Bully's Pyramid #3, 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, and upon issuance of a gaming license by Gaming Control Board. The license will provide \$1,800.00 annually for fifteen, multi-denominational, bar-top slot machines.

### **5.5 Consideration and possible approval of an application for a Gaming license for Bully's Sports Bar & Grill, Inc. dba Smokin' @ Pyramid, located at 2955 N. McCarran Blvd., Sparks, NV, submitted by Ms. Sharling Jo Sonner**

An agenda item from Police Chief Steve Keefer recommending the City Council approve a Gaming License for Smokin' @ Pyramid, 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, and upon issuance of a gaming license by Gaming Control Board. The license will provide \$1,440.00 annually for twelve, multi-denominational, bar-top slot machines.

### **5.6 Consideration and possible approval of an application for a Gaming license for Bully's Sports Bar & Grill, Inc. dba Smokin' @ Vista, located at 2828 Vista Blvd., Sparks, NV, submitted by Ms. Sharling Jo Sonner .**

An agenda item from Police Chief Steve Keefer recommending the City Council approve a Gaming License for Smokin' @ Vista, 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, and upon issuance of a gaming license by Gaming Control Board. The license will provide \$1,800.00 annually for fifteen, multi-denominational, bar-top slot machines.

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### **5.7 Consideration and possible approval of an application for a Gaming license for Bully's Sports Bar & Grill, Inc. dba Bully's Vista #5, located at 2898 Vista Blvd., Sparks, NV, submitted by Ms. Sharling Jo Sonner .**

An agenda item from Police Chief Steve Keefer recommending the City Council approve a Gaming License for Bully's Vista #5, 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, and upon issuance of a gaming license by Gaming Control Board. The license will provide \$1,800.00 annually for fifteen, multi-denominational, bar-top slot machines.

## **6. General Business:**

### **6.1 Consideration and possible acceptance of a donation from The E.L. Cord Foundation in the amount of \$15,000.00 for the Sparks Police Reserve Program (Time: 2:33:18 p.m.)**

Police Chief Steve Keefer explained that the Police Department requested funds from the E.L. Cord Foundation to provide start-up costs for equipment and uniform needs for the Sparks Police Department's Reserve Police Office Program. Chief Keefer explained that over the past several years the cuts to staffing at the Sparks Police Department have made maintaining a high level of service difficult. As a result, the Police Department has determined that initiating a Police Reserve Program would be beneficial for the citizens of Sparks and the Police Department. However, the start-up costs for this program are substantial due to equipment and uniform needs. The Police Department requested funds from the E.L. Cord Foundation to assist with these costs. The E.L. Cord Foundation has generously approved a grant of \$15,000.00 for this purpose.

Council asked what the maximum and minimum ages for volunteering for this program. Chief Keefer stated the minimum age is 21 and there is no maximum age.

Ms. Kathy Brandhorst requested to speak regarding this item.

A motion was made by Council Member Carrigan, seconded by Council Member Lawson, to accept a donation from The E.L. Cord Foundation in the amount of \$15,000.00 for the Sparks Police Reserve Program. Council Members Ratti, Lawson, Smith, Carrigan, Schmitt, YES. Motion carried.

### **6.2 Consideration and possible approval of public services grants funded by the City of Sparks through the Washoe County Human Services Consortium (WCHSC) for Fiscal Year 2011-2012, retroactive to July 1, 2011 (Time: 2:38:14 p.m.)**

Senior Administrative Analyst Trish Kuehl noted this was a request to provide \$84,974 to four Washoe County Human Services consortium grantees. She stated these grants have always been funded through CDBG (Community Development Block Grant) funding, but this year the Council approved and agenda item to shift funding from CDBG to the General Fund. Ms. Kuehl gave a breakdown of the funding as follows:

- \$28,426 for dental access for uninsured children through the HAWC Community Health Center
- \$28,246 for the homeless prevention program through Washoe Legal Services

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- \$14,848 for the teen success program through Planned Parenthood Miramonte
- \$13,454 for the Kids to Seniors Corner program through St. Mary's Foundation

Council asked if these were the same agencies as we funded last year with no grant application process conducted for this year. City Planner Armando Ornelas stated that was correct; we simply took the reduced amounts available from the three jurisdictions and did a pro-rata allocation to the previous grantees. It was noted that the grant application process is suspended at this time.

A motion was made by Council Member Ratti, seconded by Council Member Schmitt, to approve public services grants funded by the City of Sparks through the Washoe County Human Services Consortium (WCHSC) for Fiscal Year 2011-2012, retroactive to July 1, 2011. Council Members Ratti, Lawson, Smith, Carrigan, Schmitt, YES. Motion carried.

### **6.3 Consideration and possible approval of Resolution No. 3205, a resolution authorizing certain individuals to make financial commitments to purchase, sell and approve collateral for investment securities on behalf of the City**

(Time: 2:41:12 p.m.)

Accounting Manager Debi Hunt noted that personnel changes and departmental reorganizations have changed personnel and duties and has resulted in an outdated list of those authorized to make investments on behalf of the City. This resolution updates the list with current staff.

A motion was made by Council Member Smith, seconded by Council Member Schmitt, to approve Resolution No. 3205, a resolution authorizing certain individuals to make financial commitments to purchase, sell and approve collateral for investment securities on behalf of the City. Council Members Ratti, Lawson, Smith, Carrigan, Schmitt, YES. Motion carried.

### **6.4 Consideration and possible approval of the Second Amendment to the Truckee River Water Quality Settlement Agreement**

(Time: 2:42:33 p.m.)

Acting Utility Manager Andy Hummel stated this amendment will extend the agreement and additional five years, through 2016. He noted that the original agreement was signed in 1996 for a period of five years and was extended in 2001 for an additional 10 years. The agreement outlined a requirement to spend \$24 million between the Tribe, Reno, Sparks, and Washoe County. We are near the expenditure limit and this extension will allow for the water to be put to beneficial use and to finalize water storage agreements.

A motion was made by Council Member Carrigan, seconded by Council Member Smith, to approve Second Amendment to the Truckee River Water Quality Settlement Agreement. Council Members Ratti, Lawson, Smith, Carrigan, Schmitt, YES. Motion carried.

### **6.5 Consideration and possible approval of the Lyyski Street Sewer and Street Rehabilitation Re-Bid Project, Bid No. 11/12-007, PWP-WA-2011-327 to Peavine Construction, in the amount of \$327,002.90**

(Time: 2:44:28 p.m.)

Capital Projects Manager Chris Cobb noted that all bids on this item were rejected at the last meeting, due to changes in the bidding process made by the State Legislature which were not

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included in the original bid documents. The project was re-designed and re-bid and Peavine Construction was the lowest bidder.

A motion was made by Council Member Ratti, seconded by Council Member Smith, to approve the Lyyski Street Sewer and Street Rehabilitation Re-Bid Project, Bid No. 11/12-007, PWP-WA-2011-327 to Peavine Construction, in the amount of \$327,002.90. Council Members Ratti, Lawson, Smith, Carrigan, Schmitt, YES. Motion carried.

### 7. **Public Hearing and Action Items Unrelated to Planning and Zoning:**

#### 7.1 **Consideration, Second Reading, Public Hearing and possible adoption of Bill No. 2636, an ordinance redistricting the City Council ward boundaries based on the 2010 United States Census (Time: 2:46:56 p.m.)**

Senior Planner Jim Rundle recapped the redistricting process, stating the City Council initially reviewed several concepts for redistricting the ward boundaries for the City of Sparks, based on a population of approximately 91,000. Staff then took one of those concepts and broke it down into three different concepts. Staff then worked with the Council during public hearings to identify which concepts worked best. Staff attempted to incorporate all the comments made and came up with a final proposed ward boundary map, which is included in the staff report. Mr. Rundle stated that based on comments from the first reading two weeks ago, staff attempted to come up with another alternative map. This map could not be included in the staff report, due to agenda item submission deadlines. The map, referred to as 1E, was then handed out to the Council Members and public.

Mr. Rundle said map 1E was based on comments to take the Vintage Hills area out of Ward 5 and put it into Ward 2. By doing this, the ward boundaries had to be adjusted at the intersection of Greenbrae and McCarran and the southeast corner of Baring and Sparks Boulevard was adjusted into Ward 3. He stated concept 1E does meet the 5% population differential requirement as outlined in our ordinance.

Mr. Rundle pointed out the differences between the proposed ward map in the packet and the new map (1E) as follows:

- The Spanish Springs Road area
- The Greenbrae and McCarran intersection
- The Sparks Boulevard and Baring intersection

Mayor Pro tem Smith opened the public hearing and asked if anyone wished to comment on the proposed ordinance.

- Mr. Lonnie Feemster, representing the NAACP, thanked the staff for their outreach efforts to the community in seeking input from the public during the redistricting process.

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

During the discussion of the proposed maps, the following issues were discussed:

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- Voting by ward versus all wards—we currently have voting by ward in the primary election with city-wide voting for all wards in the general election
- The reason the request was made to move Vintage Hills into Ward 5 is because of the continuous traffic issues in the area of Spanish Springs Road, North Truckee Lane and Queens Way—it all flows together and these neighborhoods all affect each other
- The request regarding the intersection of Prater and McCarran was to clean up the inlets and uneven ward lines in this area.
- A couple of houses that belong in the Vistas HOA were not included on map 1E, as requested—a small loop road.
- If these Vistas homes are included in Ward 4, then the map will have to be re-drawn and this will delay approval of the ordinance and we will miss our October 1 deadline
- Why does the City of Sparks have a deadline of October 1 to provide redistricting information to the County Registrar of Voters that is different from the City of Reno deadline of January?
- Council Member Smith stated he preferred map 1C
- A suggestion was made to approve the map contingent upon the homes missed in the Vistas being put into Ward 4—Mr. Rundle expressed concern that the Council needed to approve a final map and he did not feel comfortable submitting a final map that the Council had not actually approved
- A question was posed—what happens if the council approves a contingent map and changes disrupt the 5% ward boundary differential—can the council approve a map that does not meet legal requirements?
- Mr. Rundle was instructed to work out the numbers for the requested change and e-mail the council the results as soon as possible
- Council Member Ratti stated she preferred map 1C
- City Manager Carey confirmed that the area in Ward 4 under question was in the Vistas when it was developed

A motion was made by Council Member Lawson, seconded by Council Member Ratti, to approve Bill No. 2636, the proposed ward boundary map as reflected in the staff report, with the addition of the area of Stoneview Drive to be moved into Ward 4 to stay within the rest of the Vistas Homeowners Association as proposed by Council Member Carrigan. Council Members Ratti, Lawson, Smith, Carrigan, Schmitt, YES. Motion carried.

### **7.2 Public hearing and possible approval of the Consolidated Plan Annual Performance and Evaluation Report (CAPER) to the U.S. Department of Housing and Urban Development (HUD) for Program Year 2010 for the City of Sparks (Time: 3:25:46 p.m.)**

City Planner Armando Ornelas stated the CAPER is the City's annual report to HUD outlining how we have used CDBG funds and, along with Reno and Washoe County, HOME funds over the previous federal fiscal year. The submission of the CAPER is a condition of receiving this federal funding. The City of Sparks must conduct a 15 day public comment period and this was advertised. They must also conduct one public hearing which is taking place today. After which, the report must be submitted to HUD before September 30<sup>th</sup>.

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Mayor Martini opened the public hearing and asked if anyone wished to comment on the CAPER.

Kathy Brandhorst discussed various housing issues.

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

A motion was made by Council Member Smith, seconded by Council Member Carrigan, to approve submittal of the Consolidated Annual Performance and Evaluation Report for Program Year 2010 for the City of Sparks to U.S. Department of Housing and Urban Development. Council Members Ratti, Lawson, Smith, Carrigan, Schmitt, YES. Motion carried.

### **8. Planning and Zoning Public Hearings and Action Items:**

None.

### **9. Comments**

#### **9.1 Comments from City Council and City Manager (Time: 3:29:43 p.m.)**

City Attorney Adams asked the Council for permission to bring an item to the Council regarding issues with D'Andrea Effluent Water Agreement.

Council Member Lawson stated that while staff is working on revising the development fee schedule, they consider reducing the Special Use Permit fee to \$1,200 so that smaller projects can become affordable.

#### **9.2 Comments from the Public (Time: 3:32:55 p.m.)**

Ms. Kathy Brandhorst discussed various issues.

### **10. Adjournment (Time: 3:36:23 p.m.)**

There being no further business, the meeting was adjourned at 3:36 p.m.

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Mayor

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City Clerk

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