

REGULAR CITY COUNCIL MEETING MINUTES
3:00 P.M. Monday, June 8, 2009
City Council Chambers, Legislative Building, 745 Fourth Street, Sparks, Nevada

1. *Call to Order (Time: 3:01:36 p.m.)

The regular meeting of the Sparks City Council was called to order by Mayor Geno Martini at 3:04 p.m.

2. *Roll Call (Time: 3:01:45 p.m.)

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

Invocation Speaker: (Time: 3:01:56 p.m.)

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

Pledge of Allegiance (Time: 3:03:11 p.m.)

The Pledge of Allegiance was led by City Attorney Chet Adams.

***Comments from the Public** (Time: 3:03:44 p.m.)

None.

Approval of the Agenda (Time: 3:03:50 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 Salerno, seconded by Council Member Smith, to approve the agenda as posted. Council Members Ratti, Salerno, Smith, Carrigan, Schmitt, YES. Motion carried.

3. Recommendation to Approve Minutes of: (Time: 3:04:21 p.m.)

3.1 Regular Meeting of May 11, 2009

A motion was made by Council Member Smith, seconded by Council Member Schmitt, to approve the minutes of the Regular Meeting of May 11, 2009. Council Members Ratti, Salerno, Smith, Carrigan, Schmitt, YES. Motion carried.

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

4.1 Proclamation – Reno Rodeo Days (Time: 3:04:55 p.m.)

Council Member Salerno read a proclamation naming June 18-27, 2009, as Reno Rodeo Days in recognition of the 90th year of the Reno Rodeo, the “Wildest, Richest rodeo in the West.” The proclamation was accepted by Mr. Gordy Collins, this year’s President of the Reno Rodeo Association.

4.2 Proclamation – Secret Witness Day (Time: 3:08:36 p.m.)

Mayor Martini read a proclamation naming June 9, 2009, as Secret Witness Day in recognition of the 30th year of the Secret Witness program. The proclamation was accepted by the Chair, Katherine Louder, along with several board members of the Secret Witness program.

4.3 Proclamation – United States Army Week (Time: 3:13:47 p.m.)

Mayor Martini read a proclamation naming May June 8-14, 2009, as United States Army Week in recognition of its birthday and urged all citizens to express their gratitude to those who have served and those who are now serving to protect our nation and its freedom. The proclamation was accepted by Staff Sgt. Michael Coley and Staff Sgt. Brian Worth.

4.4 Presentation – Update on Brand Leadership Team (Time: 3:17:33 p.m.)

Community Relations Manager Adam Mayberry introduced Mr. Paul Curtis. Mr. Curtis provided the Council with an update on the activities of the Brand Leadership Team (BLT) in evaluating the recommendations of the consultant that Sparks should become an event oriented community as part of our brand development.

5. Consent Items: (Time: 3:28:57 p.m.)

A motion was made by Council Member Smith, seconded by Council Member Salerno, to approve Consent Items 5.1 through 5.16. Council Members Ratti, Salerno, Smith, Carrigan, Schmitt, YES. Motion carried.

5.1 Report of Claims and Bills approved for payment and appropriation transfers for the period May 7, 2009, through May 20, 2009

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

5.2 Consideration and possible approval of the Hospital Services Agreement with Saint Mary's Regional Medical Center as entered into through the Participation Agreement with Nevada Health Partners and the Nevada Health Care Coalition

An agenda item from Human Resources Manager Chris Syverson recommending the Council renew the City's Hospital Service Agreement with St. Mary's. The agreement will allow the City to continue to receive favorable rates, effective July 1, 2009 through December 31, 2012.

5.3 Consideration and Possible Approval of a contract with Bank of America, N.A., for the provision of banking services

An agenda item from Purchasing Manager Dan Marran recommending the Council renew the City's agreement with Bank of America for the provision of day-to-day banking services through June 30, 2014. The agreement utilizes extreme economies of scale by utilizing terms/prices offered to the State of Nevada under a contract that was bid in 2008. Use of the State's contract will result in savings to the City estimated to be about 50% over the previous contract.

5.4 Consideration and possible approval of a Final Subdivision Map for Kiley Ranch Business Park Commercial/Industrial Subdivision

An agenda item from City Surveyor Andy Fuller recommending the Council approve A Final Subdivision Map for a commercial/industrial subdivision as a continuation of the Kiley Ranch

North Planned Development. The current zoning is NUD and the developer will be Kiley Ranch, LLC.

5.5 Consideration and possible approval of personnel complement changes and the addition of two new classifications in the Communications Section of the Sparks Police Department

An agenda item from Human Resources recommending the City Council reclassify the position of Police Sergeant to a newly created classification of Emergency Communications Manager and reclassify the positions of emergency Communications Specialist to a newly created classification of Emergency Communications Supervisor in the Communications Section of the Sparks Police Department and make the appropriate personnel complement changes to correspond with the classification changes. By making these changes, the Communications Section of the Police Department will have a long-term fully functional manager with a better understanding of the operations of the Communications section and a supervisor that can make immediate decisions 24/7 in the absence of the manager. The financial impact is estimated at \$15,892. Approval would add one position in the Communications Section which would remain frozen until funds are available to fill the position.

5.6 Consideration and possible approval to add the position of Emergency Communications Manager in the Management, Professional and Technical Resolution

An agenda item from Human Resources recommending the City Council approve the addition this position in conjunction with items 5.5, 5.7, and 5.8. The resolution must be amended to add the position of Emergency Communications Manager. By adding this classification, there is no alteration in the language of the current resolution, but it will require changes to "Appendix A – Management Job Class and Salary Wage Ranges." This change would be effective July 6, 2009, the beginning of the first full pay period of fiscal year 2009/2010.

5.7 Consideration and possible approval of a Memorandum of Understanding (MOU) between the City of Sparks and Operating Engineers Local Union No. 3 to add the position of Emergency Communications Supervisor in the Operating Engineers Local Union No. 3 Supervisors Contract

An agenda item from Human Resources recommending the City Council approve this MOU in conjunction with items 5.5, 5.6, and 5.8. This MOU will add the position of Emergency Communications Supervisor to Appendix A of the Operating Engineers Local Union No. 3 Supervisors Contract.

5.8 Consideration and possible approval of a Memorandum of Understanding (MOU) between the City of Sparks and Operating Engineers Local Union No. 3 to eliminate the position of Emergency Communications Specialist in the Operating Engineers Local Union No. 3 Non-Supervisors Contract

An agenda item from Human Resources recommending the City Council approve this MOU in conjunction with items 5.5, 5.6, and 5.7. This MOU will eliminate the position of Emergency Communications Specialist in Appendix A of the Operating Engineers Local Union No. 3 Non Supervisory Contract.

5.9 Consideration and possible approval of the expenditure of an amount not to exceed \$250,000 for the acquisition of permanent and temporary construction easements and pasture restoration to facilitate the construction of the Spanish Springs Sanitary Sewer Phase 3 Project

An agenda item from Property Agent David Vill recommending the City Council approve the expenditure of \$250,000 for the acquisition of permanent and temporary construction easements and pasture restoration to facilitate the construction of the Spanish Springs Sanitary Sewer Phase 3 Project. Funds for easement acquisition are available for this project. The project consists of 4.4 miles of new and replacement sanitary sewer interceptor piping. The construction requires easements from four property owners and the restoration of pasture areas affected by construction.

5.10 Consideration and possible approval of a 2009 Manual on Uniform Traffic Control Devices (MUTCD) Sign Compliance Program to Kustom Koatings, Inc., in the amount of \$49,695

An agenda item from Transportation Manager Jon Ericson recommending the City Council approve the award of a sign compliance program to Kustom Koatings. This project involves the removal of noncompliant stop signs, street name signs and sign posts and furnishing and installing MUTCD compliant signs. Kustom Koatings is being recommended as the lowest informal quote for the project.

5.11 Consideration and possible approval of the informal quote for the 2008/2009 Bike Path Repair Project CIP 9046 to Atlas Contractors in the amount of \$49,653.50

An agenda item from Capital Projects Manager Chris Cobb recommending the City Council approve the award of a bike path repair project to the lowest informal quote—Atlas Contractors. This project involves the resurfacing of existing river bike pathway within three city parks along the river. The existing pathway has deteriorated and is in need of repair. The project requires milling of the existing pathway and installing a new 10 foot wide, three inch thick asphalt pathway at Fishermen's Park on Galletti Way, Cottonwood Park on Spice Islands Drive and Gateway Park at the Greg Street Overpass. Funds are available for this project.

5.12 Consideration and possible approval of the Water Rights Purchase and Sale Agreements as presented by Staff for a total of 38.287 acre-feet of water rights in the amount of \$497,731 plus one half the closing costs, which is approximated at \$1,600

An agenda item from Civil Engineer Janelle Thomas recommending the City Council approve the purchase of water rights as outlined in the staff report. The purchase is broken down as follows: 11.805 acre feet purchased from North Valley Holdings for \$153,465; 16.87 acre feet purchased from North Valley Holdings for \$219,310; and 9.612 acre feet purchased from Venture Farms.

5.13 Consideration and possible approval of a contract for Professional Services with Odyssey Engineering, Inc. for the Quail Street Sewer Rehabilitation Project for an amount not to exceed \$30,500

An agenda item from Civil Engineer John Martini recommending the City Council approve a contract for professional services as solicited by the city staff. As part of the City's

infrastructure assessment and maintenance program, it has been determined that the existing sanitary sewer infrastructure located south of Quail Street, north of Greenbrae School, east of 4th Street and west of 1st Street (Greenbrae Terrace area) are in need of rehabilitation and/or replacement. This contract will provide the design specifications and bid documents for the necessary to reroute and reconstruct the sewer lines within Quail Street. Odyssey Engineering was selected from the list of approved engineering firms due to their experience with underground utilities.

5.14 Consideration and possible award of the bid for “Pump Control Valves Purchase for Truckee Meadows Water Reclamation Facility,” bid No. 08/09-029, to Western Nevada Supply, in the amount of \$65,224

An agenda item from Civil Engineer Janelle Thomas recommending the City Council award the bid for the purchase of four pump control valves, factory representation for start-up, and inspection and adjustment of valves after installation. (Installation shall occur under a separate contract.)

(Time: 3:51:16 p.m.)

Immediately after the conclusion of item 6.2 and prior to discussion of item 6.3, Council Member Salerno asked for reconsideration of Agenda Item 5.14, stating he should have made a disclaimer on this item. A motion for reconsideration was passed and the Council reconsidered approval of this item as follows:

A motion was made by Council Member Schmitt, seconded by Council Member Smith, to approve Agenda Item 5.14. Council Members Ratti, Smith, Carrigan, Schmitt, YES. Council Member Salerno, ABSTAIN. Motion carried.

5.15 Consideration and possible approval of Bid #08/09-027 to supply the Truckee Meadows Water Reclamation Facility with Sodium Hydroxide with Sierra Chemical for the annual amount of \$37,177.12

An agenda item from Operations Superintendent Starlin Jones recommending the City Council award the bid for sodium hydroxide used to treat the nitrification towers in order to eradicate and control snails. The contract is for June 30, 2009 through September 30, 2009, with the possibility of 15 three month term renewals. Funds were budgeted for this expense.

5.16 Consideration and possible approval of American Recovery and Reinvestment Act (ARRA) Energy Efficiency and Conservation Block Grant (EECBG) Application

An agenda item from Deputy Public Works Director Pete Etchart recommending the City Council approve a grant application under the ARRA which includes the City of Sparks Energy Efficiency and Conservation Strategy. If approved, the City of Sparks will receive \$640,000 for energy efficiency and conservation projects.

6. General Business:

6.1 Consideration and possible approval of the Mayor’s recommendation of appointments to the Civil Service Commission, Park & Recreation Commission, Reno-Tahoe Airport Authority Board of Trustees, and Sparks Advisory Committee for the Disabled (Time: 3:29:32 p.m.)

Mayor Martini announced his recommendations for appointment to the Civil Service Commission were Steve Burley and Louis Dauria.

A motion was made by Council Member Smith, seconded by Council Member Schmitt, to approve the appointment of Steve Burlie and Louis Dauria to the Civil Service Commission as recommended by the Mayor. Council Members Ratti, Salerno, Smith, Carrigan, Schmitt, YES. Motion carried.

Mayor Martini announced his recommendations for appointment to the Parks and Recreation Commission were Angela Fuss and Roy O'Connell.

A motion was made by Council Member Salerno, seconded by Council Member Schmitt, to approve the appointment of Angela Fuss and Roy O'Connell to the Parks and Recreation Commission as recommended by the Mayor. Council Members Ratti, Salerno, Smith, Carrigan, Schmitt, YES. Motion carried.

Mayor Martini announced his recommendation for appointment to the Reno-Tahoe Airport Authority Board of Trustees was William Eck.

Council Member Salerno noted that Mr. Eck was not his choice to be appointed to the Reno-Tahoe Airport Authority Board of Trustees as he felt there were more qualified applicants. However, he will be supporting the Mayor's recommendation.

A motion was made by Council Member Smith, seconded by Council Member Carrigan, to approve the appointment of William Eck to the Reno-Tahoe Airport Authority Board of Trustees as recommended by the Mayor. Council Members Ratti, Salerno, Smith, Carrigan, Schmitt, YES. Motion carried.

Mayor Martini announced his recommendations for appointment to the Sparks Advisory Committee for the Disabled were Laura Sheldon-Casson and Dennis Thorman.

A motion was made by Council Member Ratti, seconded by Council Member Smith, to approve the appointment of Laura Sheldon-Casson and Dennis Thorman to the Sparks Advisory Committee for the Disabled as recommended by the Mayor. Council Members Ratti, Salerno, Smith, Carrigan, Schmitt, YES. Motion carried.

6.2 Presentation, discussion and possible direction or approval of Federal, State, Nevada League of Cities and Local Legislative Affairs issues (Time: 3:34:18 p.m.)

Government Affairs Manager Rob Joiner noted that the Legislative session was over and the Government Affairs Team will be putting together a comprehensive report once the Governor has signed all the bills. He then discussed the bills that had the biggest impact on the City as follows:

AB543 and AB552—combined these two bills will cost the City about \$652,000; between taking funds from the property tax capital improvement fund and additions to our administrative fee on

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sales tax administration. It could have been much worse and we dodged a lot of hits to our redevelopment agency and STAR Bonds.

AB422—we supported and worked with the sponsors of that bill for over a year and provided amendments to improve the process. We did not actively try to kill this bill, but it did go down the last evening of the session.

AB540—an assessment on each employee for the administration of the Employee Management Relations Board.

We are still assessing some of the abatements that the Legislature passed telling the Cities what to do. There were a lot of bills that were going to affect us regarding how we deal with consultants after they leave employment with City—those bills were amended to only affect State employees.

There are going to be a lot of studies. We supported a study on local government authority.

AB494—consolidation of services. We supported that where it made sense to do consolidation of services. This was revised so that each local government within Washoe and Clark Counties are to do their own consolidation study (and fund it themselves) and give individual reports to the Legislature and it will be brought back at the next legislative session. Mayor Martini said he thought we had already submitted a study. Mr. Joiner said yes, we did; however, we are being directed to update/redo the study.

Mr. Joiner noted that the following bills failed: fluoridation bill; STAR Bonds bill; bill for study of Consolidated Tax; and the PERS and PEB bill reform. Bills looking at worker's compensation, prevailing wage and how we deal with contracts and preference for local contractors also failed.

AB397—we stayed neutral on this bill. It stated that when you have a redevelopment agency and have funds that are discretionary, you look at helping inner city schools. We have done this, but obviously there are redevelopment agencies that don't have schools in their district. This bill was hijacked during the last hours of the session and amended to remove the statutes for STAR Bonds and another provision that was offered as an amendment in this bill would have provided an opportunity for an initiative process by citizens to kill our redevelopment agencies. Thankfully, the amendments died, but they also killed the whole bill, which could have been a good bill.

Neither SB175 (flood project bill) nor AB494 (consolidation study bill) have been signed by the Governor as of today. After session, the Governor has 10 days to sign bills (not including weekends).

Council Member Carrigan asked what happened to our charter bill. Mr. Joiner said it died a slow death, because it was amended with a bill on changing our elections to ward elections in the general election for the City Council and Mayor. The direction of Council was to not accept the changes and the bill was allowed to die.

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Council asked Mr. Joiner to provide information on whether or not our ward elections are constitutional and how much potential the legislative mandates have for costing the citizens of Sparks additional money.

(Time: 3:50:23 p.m.)

Council Member Salerno asked for reconsideration of Agenda Item 5.14, stating that after reading the item, he noted that the bid is being awarded to a company he does business with and he should have made a disclaimer on this item.

A motion was made by Council Member Salerno, seconded by Council Member Schmitt, to reconsider Agenda Item 5.14. Council Members Ratti, Smith, Carrigan, Schmitt, YES. Council Member Salerno, ABSTAIN. Motion carried.

Agenda Item 5.14 was then reconsidered at this time. The discussion and vote are listed under item 5.14.

6.3 Consideration and possible acceptance of donation from the State of Nevada, Office of Traffic Safety Joining Forces Grant in the amount of \$28,000 (Time: 3:51:55 p.m.)

Deputy Police Chief Steve Keefer noted that the Sparks Police Department has the opportunity to receive a grant through the State of Nevada to purchase nine PDAs, with printers. This is a device that traffic officers use in the field to allow them to be more efficient in sending traffic crash data reports to the State.

A motion was made by Council Member Smith, seconded by Council Member Salerno, to accept the Joining Forces Grant in the amount of \$28,000 from the State of Nevada Office of Traffic Safety. Council Members Ratti, Salerno, Smith, Carrigan, Schmitt, YES. Motion carried.

6.4 Consideration and possible direction to initiate an amendment to the 2007 Truckee Meadows Regional Plan to remove the reference to the Spanish Springs Joint Plan (Time: 3:53:41 p.m.)

Senior Planner Jim Rundle asked the Council to provide direction to the Regional Planning Agency and staff to amend the Regional Plan. There is currently a requirement in the Regional Plan that requires the City of Sparks and Washoe County to submit a joint plan for most of the Spanish Springs area. This was required back in the late 80's. In the early 90's the City of Sparks incorporated all of those land uses into the NSSOI plan. Washoe County included it into their Spanish Springs Area Plan. Therefore, essentially, those requirements have all been taken care of. Mr. Rundle displayed a map and discussed current planning procedures and stated that in opinion of City and County staff, this requirement needs to be removed from the Regional Plan.

A motion was made by Council Member Carrigan, seconded by Council Member Smith, to direct staff to initiate a Regional Plan Amendment and remove the reference to Spanish Springs as a joint planning area. Council Members Ratti, Salerno, Smith, Carrigan, Schmitt, YES. Motion carried.

6.5 Consideration and possible award of a bid for the Truckee River Backflow Project sites 5, 7, 9, 10, and 11, Bid No. 08/09-030, PWP # WA-2009-255, to MKD Construction, Inc., a Nevada corporation, in the amount of \$220,000 (Time: 3:58:39 p.m.)

Flood Control Manager Shawn Gooch noted this was a bid for five backflow prevention devices and their installation along the Truckee River. The engineer's estimate for this project was \$440,000 and the low bid came in at \$220,000. This is an indication that prices are getting very competitive right now. Several years ago the City installed backflow prevention devices at two sites along the river with a grant from FEMA. This bid award will provide the next five devices in this sequence. We still have two remaining to be done and staff is still working on the details of the last two installations.

City Manager Carey noted that this is a commitment the city is making to reduce flooding in the industrial area until the full flood control project is completed at some point in the future.

A motion was made by Council Member Smith, seconded by Council Member Ratti, to award the bid for the Truckee River Backflow Project to MKD Construction, Inc. in the amount of \$220,000. Council Members Ratti, Salerno, Smith, Carrigan, Schmitt, YES. Motion carried.

6.6 Possible direction to initiate a code amendment to allow Renewable Energy Production within the city of Sparks and Sphere of Influence (Time: 4:01:30 p.m.)

Senior Planner Karen Melby stated that given recent technology and the growing emphasis on renewal energy, more businesses and homeowners are considering the installation of renewal energy systems. Planning staff is experiencing growing interest in the development of commercial renewal energy production plants, particularly in the East Truckee Canyon and Sparks' Sphere Of Influence. Currently, the Sparks zoning code does not specifically allow renewable energy production. In 2005, the State legislature enacted an amendment to NRS 278.580 to promote the use of solar and wind energy systems under certain circumstances and to require that local governments amend their codes to permit such systems. Staff has concerns regarding esthetics, noise, nuisance, safety, and site placement; plus any potential impacts a large-scale energy production facility can have. These concerns point towards the need for Sparks to adopt location and other standards to allow for regulating energy production. With the appropriate standards, renewable energy may be allowed, on some scale, in almost all of our zoning districts.

A motion was made by Council Member Smith, seconded by Council Member Ratti, to direct staff to initiate a code amendment to Title 20 zoning code to allow for Renewable Energy Production within the city of Sparks and Sphere of Influence. Council Members Ratti, Salerno, Smith, Carrigan, Schmitt, YES. Motion carried.

6.7 The First Reading and Possible Discussion of Bill No. 2606, an Ordinance Amending Chapter 14 of the Sparks Municipal Code to Update the Fire Code, and providing other matters properly related thereto (Time: 4:04:00 p.m.)

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City Clerk Linda Patterson read Bill No. 2606, by title. Mayor Martini announced that the Public Hearing, Second Reading, and possible approval of this bill is scheduled for the Regular City Council Meeting of June 22, 2009.

7. **Public Hearings and Action Items Unrelated to Planning and Zoning:** (Time: 4:05:02 p.m.)

None.

8. **Planning and Zoning Public Hearings and Action Items:** (Time: 4:05:02 p.m.)

None.

9. **Comments:**

- 9.1 ***From the Council and City Manager** (Time: 4:05:02 p.m.)

None.

10. **Adjournment** (Time: 4:05:06 p.m.)

There being no further business, the meeting was adjourned at 4:05 p.m.

Mayor

City Clerk

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