

REGULAR MEETING OF THE SPARKS CITY COUNCIL  
July 10, 2006 3:00 p.m.

1.  
Call to Order Time: 3:00:43 p.m.  
The regular meeting of the Sparks City Council was called to order by Mayor Geno Martini at 3:00 p.m. in the Council Chambers of the Legislative Building, 745 Fourth Street, Sparks, Nevada.

2.  
Roll Call Time: 3:00:50 p.m.  
Mayor Geno Martini, City Clerk Debi Dolan, Council Members John Mayer, Phillip Salerno, Judy Moss, Mike Carrigan, Ron Schmitt, City Manager Shaun Carey, City Attorney Chet Adams, PRESENT.

Staff Present: Mike Biselli, Jeff Cronk, Tracy Domingues, John Dotson, Steve Driscoll, Joyce Farley, Andy Flock, Monica Fuentes, Andy Fuller, Alexis Hill, Rob Joiner, Neil Krutz, Adam Mayberry, Linda Patterson, Bill Roe, Jim Rundle, Stan Sherer, Spencer Campbell, Andy Simpson, Ross Soderstrom, Chris Syverson, Tim Thompson and Carrie Brooks.

Comments from the Public Time: 3:01:04 p.m.  
Mrs. Cori Dunn, 4115 Inwood Lane, thanked the Council for the support of the apartment project located at 10<sup>th</sup> Street and Prater Way. She noted that the apartments have been completed and all but three are already rented. She said they will be having an open house on Thursday from 7 to 8 p.m. and invited the Council to attend.

Mr. Al Hesson spoke regarding his speaking at public meetings and decried how County Commissioners Webber and Lokken handled public comment at the Washoe County Commission meetings.

Invocation and Pledge of Allegiance Time: 3:07:16 p.m.  
The invocation was given by Bishop S. Clay Jorgensen from the Church of Jesus Christ LDS and the Pledge of Allegiance was led by Council Member Judy Moss.

Approval of the Agenda Time: 3:09:34 p.m.  
Consideration of taking items out of sequence, deleting items and adding items which require action upon a finding that an emergency exists.

Agenda item 6.4 was withdrawn from the Agenda.

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A motion was made by Council Member Mayer, seconded by Council Member Moss, to approve the agenda as amended. Council Members Mayer, Salerno, Moss, Carrigan, Schmitt, YES. Motion carried.

3.  
Approval of the Minutes

Time: 3:10:16 p.m.

A motion was made by Council Member Salerno, seconded by Council Member Mayer, to approve the Minutes of the Special Meeting of June 19, 2006 and the Regular Meeting of June 26, 2006. Council Members Mayer, Salerno, Moss, Carrigan, Schmitt, YES. Motion carried.

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

4.1  
Introduction of New  
Employees in the Finance  
Department

Time: 3:11:27 p.m.

Acting Finance Director Joyce Farley introduced four new employees in the Accounting Division of the Finance Department: Accounting Manager Jeff Cronk; Accountant Bill Roe; Accounting Specialist Spencer Campbell; and Payroll Technician Monica Fuentez. Ms. Farley noted that they are now at full staff in the Accounting Division.

5. Consent Items:

Time: 3:16:20 p.m.

A motion was made by Council Member Salerno, seconded by Council Member Schmitt, to approve Consent Items 5.1 through 5.15. Council Members Mayer, Salerno, Moss, Carrigan, Schmitt, YES. Motion carried.

5.1  
On Premises Alcoholic  
Beverage License for  
Tony's Diner, 55 E.  
Nugget Avenue

An agenda item from Police Chief John Dotson recommending the City Council approve an application from Mr. Antonio Gama, 1530 Iratcabal Drive, Sparks, for an On Premises Alcoholic Beverage License for Tony's Diner, located at 250 55 E. Nugget Avenue. This will be Mr. Gama's first liquor license with the City. The license will provide \$700.00 plus \$1.00 per \$1,000 in sales over \$25,000 annually and is contingent upon inspections and approvals from various agencies as stated in the staff report.

5.2  
Cabaret License for The  
Cellar, LLC, 4820 Vista  
Blvd., Suite 3

An agenda item from Police Chief John Dotson recommending the City Council approve an application from Mr. James Michael Rhea, 4259 Desert Highlands Drive, Sparks, for a Cabaret License for The Cellar, LLC, located at 4820 Vista Boulevard, Suite 3, Sparks. This will be Mr. Rhea's first cabaret license with Sparks. The license will provide \$1,300.00 plus \$1.00 per \$1,000 in sales over \$50,000 annually and is contingent upon inspections and approvals from various agencies as stated in the staff report.

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- 5.3  
Alcoholic Beverage  
Package License for PJ's  
Discount Liquor, 1293  
Baring Blvd.
- An agenda item from Police Chief John Dotson recommending the City Council approve an application from Ms. Manjeet Kaur Waraich, 11860 Lone Desert Drive, Reno, for an Alcoholic Beverage Package License for Waraich Inc., dba PJ's Discount Liquor, located at 1293 Baring Boulevard. Ms. Waraich currently has an existing liquor license with the City. The license will provide \$700.00 plus \$1.00 per \$1,000 over \$25,000 annually and is contingent upon inspections and approvals from various agencies as stated in the staff report.
- 5.4  
Cabaret License for  
Timberline Lounge 2,  
2828 Vista Blvd., Suite  
108
- An agenda item from Police Chief John Dotson recommending the City Council approve an application from Mr. Paul D. Sonner, 830 Crocker Way, Reno, for a Cabaret License for Bully's Sports Bar and Grill, Inc., doing business as Timberline Lounge 2, located on 2828 Vista Boulevard, Suite 108. Mr. Sonner currently holds two liquor licenses with Sparks and has six other establishments in Reno. The license will provide \$1,300.00 plus \$1.00 per \$1,000 in sales over \$50,000 annually and is contingent upon inspections and approvals from various agencies as stated in the staff report.
- 5.5  
Gaming License for  
Timberline Lounge 2,  
2828 Vista Blvd., Suite  
108
- An agenda item from Police Chief John Dotson recommending the City Council approve an application from Mr. Paul D. Sonner, 830 Crocker Way, Reno, for a Gaming License for Bully's Sports Bar and Grill, Inc., doing business as Timberline Lounge 2, located on 2828 Vista Boulevard, Suite 108. Mr. Sonner currently holds gaming licenses for eight Bully's Sports Bar & Grill locations in Sparks and Reno and has been the Owner/President since 1994. The license is for fifteen multi-denominational bar-top machines and will provide a \$1,800.00 annual fee, contingent upon inspections and approvals from various agencies as stated in the staff report.
- 5.6  
Dining Room Wine &  
Beer License for Good &  
Looney Bar-B-Que Joint,  
325 Harbour Cove Drive,  
Suite 101
- An agenda item from Police Chief John Dotson recommending the City Council approve an application from Timothy M. Good, 1560 Grand Point Way, Reno, for a Dining Room Wine and Beer License for Good and Looney Bar-B-Que Joint, located at 325 Harbour Cove Drive, Suite 101. Mr. Good is the co-owner of the business and this will be his first liquor license in Sparks. The license will provide \$500.00 plus \$1.00 per \$1,000 in sales over \$25,000 annually and is contingent upon inspections and approvals from various agencies as stated in the staff report.
- 5.7  
Grant Agreement for  
Enforcing Underage  
Drinking Laws
- An agenda item from Police Chief John Dotson recommending the City Council approve a Grant Agreement for an Enforcing Underage Drinking Laws Grant from the State of Nevada Division of Child and Family Services in the amount of \$10,000 to cover all police costs associated with conducting compliance checks and

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other activities directed at reducing the availability of alcohol to minors. No matching funds are required for this grant.

5.8

Master Professional Services Contract for Surveying Services for FY 06/07

An agenda item from City Engineer Pete Etchart recommending the City Council approve a Master Professional Services Contract for Surveying Services (RFP 05/06-057), for the following companies: Summit Engineering, Wood Rogers, VPoint, US Geomatics, CFA, Lumos, Stantec and Gray & Associates. These firms will be used for contracting “on-call” professional services for the fiscal year from July 1, 2006 through June 30, 2007, with an option to extend the agreement for an additional year upon satisfactory performance of the individual consulting firms. A Request for Proposals for surveying services was advertised for response, due May 30, 2006. A selection committee reviewed and ranked the proposals and the top ranked firms will be placed on the “on-call” consultant list. All of the firms selected would be acceptable for work required by the City and they represent a group of various size consultant companies from large to small with a diversity of municipal project experience and expertise. The Public Works Department will give consideration to the individual firm’s area of expertise, availability and size of the project when utilizing these firms for “on-call” survey services. The City will continue to request individual qualification and/or proposals from consulting firms for projects that, due to their large size or specific technical requirements, are judged to require individual review and consultant selection.

5.9

Joinder Bid Contract with TW Construction for Permanent Patching

An agenda item from Public Works Director Wayne Seidel recommending the City Council ratify a Joinder Contract with the City of Reno for the 2006/2007 Permanent Patch bid with TW Construction Company in the amount of \$180,000. Funds are available through permit fees and are budgeted in the approved CIP. Sparks has entered into a joinder contract with Reno for the past two years and all parties are agreeable to this type of contract again for fiscal year 06/07.

5.10

Bid Award for the Alf Sorensen Community Center Lobby and Locker Room Remodel Project

An agenda item from Public Works Director Wayne Seidel recommending the City Council award to Shaver Construction the bid (No. 06/07-001) for the Alf Sorensen Community Center Lobby and Locker Room Remodel Project in the amount of \$864,278, for the base bid and alternate #1. Funds were budgeted in this year’s CIP and are available for this project.

5.11

Bid Award for City Hall Janitorial Services to ABM Janitorial

An agenda item from Public Works Director Wayne Seidel recommending the City Council award to ABM Janitorial Services the bid (No. 05/06-054) for City Hall janitorial and specified window cleaning services in the amount of \$2,663 per month for

two years for a total of \$63,912 and an additional \$1,350 for a fall and spring interior/exterior window cleaning at City Hall and the Police Department for a total contract amount of \$65,262. Funds were budgeted are available for these services.

5.12

Agreement for Sale of Treated Effluent with Preserve at Galleria

An agenda item from Civil Engineer Andrew Hummel recommending the Council approve an agreement with the Preserve at Galleria, LLC for the Sale of Treated Effluent within the Preserve at Galleria development. The Preserve at Galleria desires to irrigate right-of-way landscaping with effluent. Irrigation will be drip and spray and will be on a night-time schedule. A discharge permit and effluent management plan have been obtained for this site. Revenues to the Sewer Utility fund are estimated to be \$22,552 per year. The agreement specifies a 20-year period that is revisited every five years to determine appropriate water rates.

5.13

Agreement for Sale of Treated Effluent with The Vineyard Investors, LLC

An agenda item from Civil Engineer Andrew Hummel recommending the Council approve an agreement with The Vineyard Investors, LLC for the Sale of Treated Effluent within the Vineyard development. The Vineyard Investors desires to irrigate right-of-way landscaping with effluent. Irrigation will be drip and spray and will be on a night-time schedule. A discharge permit and effluent management plan have been obtained for this site. Revenues to the Sewer Utility fund are estimated to be \$17,821 per year. The agreement specifies a 20-year period that is revisited every five years to determine appropriate water rates.

5.14

Agreement for Sale of Treated Effluent with Sparks Galleria Investors, LLC

An agenda item from Civil Engineer Andrew Hummel recommending the Council approve an agreement with Sparks Galleria Investors, LLC for the Sale of Treated Effluent within the Sparks Galleria development. Sparks Galleria Investors desires to irrigate right-of-way and commercial parking landscaping with effluent. Irrigation will be drip and spray and will be on a night-time schedule. A discharge permit and effluent management plan have been obtained for this site. Revenues to the Sewer Utility fund are estimated to be \$77,015 per year. The agreement specifies a 20-year period that is revisited every five years to determine appropriate water rates.

5.15

Impact Fee Credit Agreement #17 (Galleria Station, LLC)

An agenda item from Engineering Manager for Community Development John Martini requesting the City Council approve Impact Fee Credit Agreement No. 17 with Galleria Station, LLC. These agreements are entered into for our Impact Fee Service Area No. 1 program. Impact Fee Credit Agreement No. 17 provides for impact fee credits for the construction of parks/regional trails within the Galleria Station project. The agreement has been

reviewed by the Community Development Department and the City Attorney's Office and has been found to be acceptable.

6. General Business:

6.1

Acceptance of 17 Sponsorships for the 2006 Sparks Hometown Farmer's Market

Time: 3:16:54 p.m.

An agenda item from Parks and Recreation Director Stan Sherer requesting the City Council accept 17 sponsorships from various businesses in the amount of \$32,500 for the 2006 Sparks Hometown Farmer's Market event on Victorian Square. Many of the events produced and promoted by the Sparks Parks and Recreation Department receive community sponsorship dollars each year to assist in the production costs. Sponsors are recognized for their generosity.

Recreation Superintendent Tracy Domingues noted that the 14<sup>th</sup> annual Farmer's Market season opened June 15<sup>th</sup> and for the second year, this event has recovered its costs. The following businesses have signed sponsorship agreements for this event: Sun-E-Concepts, Wells Fargo, Advahome, LLC – DBA Mortgage America, Advanced Window Design, AquaVantage, Cope & McPhetres, Costco, Delivery Diner, H&R Block, John Robert Powers, Liberty Tax Service, Nevada Career Academy, Northwest Exteriors, Reno Forklift, Silver Club, Tuff Shed and Victorian Saloon.

Ms. Domingues noted that \$32,500 had been collected from these sponsors with \$15,000 still due, because the sponsors pay in installments. Council asked if they were approving the entire sponsorship or just what has been paid to date. Acting City Attorney Tom Riley said that to the extend the Council must accept gifts to the City, it would be appropriate to accept what has been paid and bring the second installment back to the Council for approval once it has been received

Council Member Mayer noted that the RTC is also a sponsor of the Farmer's Market event and they also run a shuttle from Reed High School to the Market. Ms. Domingues noted that as the event grows and there is less parking each year, it was important to educate the public as to the benefits of the free shuttle service.

A motion was made by Council Member Carrigan, seconded by Council Member Mayer, to accept the donations received so far and to bring back the additional funds once they have been received. Council Members Mayer, Salerno, Moss, Carrigan, Schmitt, YES. Motion carried.

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6.2

Acceptance of a Sponsorship from Clearwire for the 2006 Arts in Bloom Event

Time: 3:24:07 p.m.

An agenda item from Parks and Recreation Director Stan Sherer requesting the City Council accept a sponsorship from Clearwire in the amount of \$1,000 for the 4<sup>th</sup> Annual Arts in Bloom event on Victorian Square on Mother's Day, May 14, 2006. Many of the events produced and promoted by the Sparks Parks and Recreation Department receive community sponsorship dollars each year to assist in the production costs. Sponsors are recognized for their generosity.

Recreation Superintendent Tracy Domingues said that this was an oversight on the part of staff and they wanted to make sure this was brought to the Council for approval and that Clearwire received a public thank-you for their sponsorship of this Mother's Day event.

A motion was made by Council Member Schmitt, seconded by Council Member Moss, to accept the donation as outlined. Council Members Mayer, Salerno, Moss, Carrigan, Schmitt, YES. Motion carried.

6.3

Appeal of Business License Penalty for Bob's Motor Works

Time: 3:25:30 p.m.

An agenda item from Acting Finance Director Joyce Farley requesting the City Council hear an appeal and refund late business license penalty fees in the amount of \$22.50 to Bob's Motor Works. Mr. Bob Pieters, owner of Bob's Motor Works, has been in business in Sparks since 1980 and has never been late on his renewal. Mr. Pieters says he misplaced the original invoice and when he realized this, he immediately renewed his license, but it was one day too late.

Ms. Farley noted that staff is in the process of changing the ordinance, but in the meantime they are still required to have Council approval to waive the business license penalty.

A motion was made by Council Member Schmitt, seconded by Council Member Moss, to approve a refund in the amount of \$22.50 to Bob's Motor Works. Council Members Mayer, Salerno, Moss, Carrigan, Schmitt, YES. Motion carried.

6.4

Approval of Reengineering of the Community Enhancement Division of the Community Development Department

Time: 3:27:27 p.m.\*

An agenda item from Community Development Director Neil Krutz requesting the City Council approve a reengineering of the Community Enhancement Division of the Community Development Department to improve efficiency and dedication of staff resources to Advance Planning activities and implementation of a second phase of reengineering.

\*This item was withdrawn from the Agenda.

6.5

Resolution No. 3028,  
Opposing the TASC  
Initiative (Continued  
from 6/26/06 Meeting)

Time: 3:27:27 p.m.

An agenda item from Government Affairs Manager Rob Joiner requesting the City Council approve Resolution No. 3028, a resolution in support of responsible spending and fiscal responsibility and the opposing tax and spending control amendment to the Nevada Constitution.

Mr. Joiner noted that this was discussed at the June 5<sup>th</sup> Council Workshop as well at the last meeting and the Resolution was revised based on both the Council's comments and input from the City Attorney's Office. He stated this resolution opposes the tax and spending control initiative that would change the constitution of Nevada to limit the authority and procedures of local government to do short-term and long-term financing and would be a detriment to the City.

Council Member Schmitt asked if we had received confirmation that this has officially been accepted by the State. Mr. Joiner said it has been accepted by the State and is now being vetted now for validation.

Council Member Carrigan said he had asked for some changes in the Resolution and he said it reads a lot better now. He said that if someone wants to limit spending, a legislative change would be the right way to go, rather than going for a constitutional change. He pointed out that it didn't work in Colorado, so what makes anyone think it would work in Nevada.

A motion was made by Council Member Carrigan, seconded by Council Member Schmitt, to approve Resolution No. 3028. Council Members Mayer, Salerno, Moss, Carrigan, Schmitt, YES. Motion carried.

6.6

Resolution No. 3029,  
Opposing the Nevada  
Property Owners Bill of  
Rights Initiative  
(Continued from 6/26/06  
Meeting)

Time: 3:31:08 p.m.

An agenda item from Government Affairs Manager Rob Joiner requesting the City Council approve Resolution No. 3029, a resolution in support of municipal eminent domain authority and against the Nevada Property Owner's Bill of Rights amendment to the Nevada Constitution.

Mr. Joiner said that, per the Council's direction, some minor amendments were made to the resolution and staff report to provide more background on what the resolution does and also some background on other entities that have opposed this initiative. He said this stems from the Helo decision against the



City of New London, where they, in the opinion of many, took a very extreme view of eminent domain and used that tool to effectively redevelop an area that most people believed was not in need of redevelopment. He said that this resolution points out that the City of Sparks has used eminent domain very sparingly and judiciously. He noted this resolution opposes making a constitutional change that would remove this tool from the authority of the City to accomplish redevelopment and public works projects.

Council Member Moss said she has struggled with this issue because she is a strong supporter of property rights and that the Helo decision was dubious, at best. She said she believed his intention was to protect property rights; however, support of this resolution was not an effort to undermine property rights, but an effort to uphold the right of the City to use eminent domain.

Council Member Carrigan said this has nothing to do with whether we agree or disagree with property rights, but with the way the petition was written. He said the intent may be to protect property rights, but when it finally hits the petition, it just causes more problems. He pointed out that even if someone voluntarily wanted to sell their property to the City for right-of-way, you have to go to court and have a jury trial. He said he could not support this issue because of the way the petition was written and he did not feel the bill draft would be any better.

A motion was made by Council Member Mayer, seconded by Council Member Carrigan, to approve Resolution No. 3029. Council Members Mayer, Salerno, Moss, Carrigan, Schmitt, YES. Motion carried.

6.7

PCN04010, Discovery Builders, Tentative Approval of the Development Design Standards and Tentative Map for Eagle Peak Estates

Time: 3:36:58 p.m.

An agenda item from Associate Planner Jim Rundle requesting the City Council approve PCN04010, a request from Discovery Builders Inc. for final approval of the development design standards for the Eagle Peak Estates Planned Development and for approval of a Tentative Map to allow a 40-lot single-family residential subdivision and a common area on approximately 24.26 acres generally located east of Sparks Boulevard, west of Vista Boulevard, and north of Satellite Drive.

Mr. Rundle said that staff has found that the Final Handbook is in compliance with the tentative handbook that was submitted.

Mr. Mike Railey of Jeff Codega Planning and Design said that they agree with all the conditions.

Council Member Mayer noted that there was a request for a subdivision on this property at an earlier date and said he would answer any questions the council may have.

Mr. Mike Railey of Jeff Codega Planning and Design said they agreed with all the conditions and the staff report.

Council Member Mayer noted that this was previously the Gurr property with 60 lots. Mr. Railey confirmed that it was formerly the Gurr property. Mr. Thompson noted that the biggest difference between this plan and the plan of the former owner was the way they were doing the grading for the sites and the size of the lots are larger. Mr. Railey said that the lots to the south are about 6,000 square feet and the lots to the north are about 10,000 square feet, so they are in the middle at 8,000 square feet.

Council Member Mayer asked if there were any models of what the houses would look like from Sparks Boulevard. Mr. Thompson displayed a typical cross section of the street, but noted that they did not have any renderings of the proposed houses. Council Member Mayer asked if staff felt that the houses would blend into the existing neighborhoods. Mr. Thompson said that when the application was first submitted, staff did not feel it met the hillside ordinance; however, by working with the staff, the applicant was able to change the application to meet with staff's approval and it now meets the objectives of the hillside ordinance.

Council Member Moss asked if the developer was paying for the upgrade in the storm drain line from 12 inches to 18 inches. Mr. Thompson said yes, they were, and all of the public improvements must be completed before the City will do any final inspections on any of the houses.

Council Member Carrigan asked if the access off Vista Boulevard would still be emergency access only. Mr. Thompson responded that access to the homes will be from Satellite and Laser and Vista would be emergency access only.

A motion was made by Council Member Carrigan, seconded by Council Member Moss, to find PCN04010, Eagle Peak Design Standards Handbook, in substantial compliance with the Tentative Approval and the facts supporting these findings as set forth in the staff report. Council Members Mayer, Salerno, Moss, Carrigan, Schmitt, YES. Motion carried.

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A motion was made by Council Member Carrigan, seconded by Council Member Moss, to approve the tentative map associated with PCN04010, adopting findings T1 through T12 and the facts supporting these findings as set forth in the staff report, subject to conditions 1 through 10, as listed in the staff report. Council Members Mayer, Salerno, Moss, Carrigan, Schmitt, YES. Motion carried.

6.8

1<sup>st</sup> Reading of Bill No. 2512, PCN06045, TMWA, Rezoning 16,146 Square Feet from I to PF at 1091 Greg Street

Time: 3:46:51 p.m.

City Clerk Debi Dolan read Bill No. 2512 by title, an ordinance providing for the rezoning of certain lands owned by Truckee Meadows Water Authority from I (Industrial) to PF (Public Facility) on approximately 16,146 square feet more or less in the City of Sparks; located at 1091 Greg Street in Sparks, NV; and providing other matters properly relating thereto.

Mayor Martini announced that the public hearing and second reading of this bill would be conducted at the Regular City Council Meeting of July 24, 2006.

6.9

1<sup>st</sup> Reading of Bill No. 2513, PCN06047, Hollis, Rezoning from R2 and C1 to R4 on 4 parcels totaling 0.84 Acres

Time: 3:47:26 p.m.

City Clerk Debi Dolan read Bill No. 2513 by title, a general ordinance rezoning real property owned by Pawl Hollis from R2 (Multiple Family Residential, 3,000 square feet of site area per dwelling unit) and C1 (Neighborhood Commercial) to R4, (Multiple Family Residential, 1,500 square feet of site area per dwelling unit) on four parcels totalling approximately 0.84 acres generally located south of Wright Way, north of "F" Street, east of 6<sup>th</sup> Street alley and west of 5<sup>th</sup> Street, Sparks, NV; and providing other matters properly relating thereto.

Mayor Martini announced that the public hearing and second reading of this bill would be conducted at the Regular City Council Meeting of July 24, 2006.

Council Member Mayer asked if this property was located in the transit development corridor. Senior Planner Tim Thompson displayed a map and outlined the location of the site, noting that it would be in the TOD corridor, if we had one; however, staff is currently working on the interim TOD standards and while we are getting pretty close to finishing them, they have not yet been adopted. Council Member Mayer asked if this zone change would be necessary if we had a TOD. Mr. Thompson said they are still working how the process would work for specific zoning, but it looks like the best solution would be to have a TOD corridor overlay.

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6.10

1<sup>st</sup> Reading of Bill No. 2514, PCN06050, City of Sparks, Rezoning from R1-40 to PF on 447.63 Acres

Time: 3:53:00 p.m.

City Clerk Debi Dolan read Bill No. 2514 by title, a general ordinance providing for the rezoning of certain lands owned by the City of Sparks from R1-40 (Single Family Residential, minimum 40,000 square feet) to PF, (Public Facility) on a site 447.63 acres in size in the City of Sparks; generally located southeast of Wingfield Springs, south of The Foothills at Wingfield Springs, and northeast of the Miramonte Planned Development; and providing other matters properly relating thereto.

Mayor Martini announced that the public hearing and second reading of this bill would be conducted at the Regular City Council Meeting of July 24, 2006.

6.11

1<sup>st</sup> Reading of Bill No. 2515, PCN06046, Kiley Ranch, Annexation of 311.16 Acres

Time: 3:53:43 p.m.

City Clerk Debi Dolan read Bill No. 2515 by title, a general ordinance providing for the annexation of certain lands to the City of Sparks; lands more specifically described as assessor parcel numbers 083-021-88, 083-021-36, 083-021-85, 083-021-86, 083-021-57, 083-021-56, 083-830-04, 083-830-44, 083-830-45, 083-830-56 and 083-830-60, a site approximately 311.16 acres in size, owned by Kiley Ranch, LLC, generally located southeast and northeast of the intersection of Pyramid Highway and Sparks Boulevard; providing for the addition to Table V of the Sparks Municipal Code "Annexations"; and providing other matters properly relating thereto.

Mayor Martini announced that the public hearing and second reading of this bill would be conducted at the Regular City Council Meeting of July 24, 2006.

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

8. Planning and Zoning Public Hearings and Action Items:

8.1

Adoption of Bill No. 2510, PCN06038, Talancon, a Rezoning from R2 to R3 on 0.207 Acres at 2026 "I" Street

Time: 3:54:47 p.m.

An agenda item from Assistant Planner Alexis R. Hill recommending the City Council conduct a public hearing and approve PCN06038, Bill No. 2510, a general ordinance providing for the rezoning of certain lands owned by Jose F. Talancon from R2 (Multiple Family Residential, 3,000 square feet per dwelling unit) to R3, (Multiple Family Residential, 2,200 square feet per dwelling unit) on approximately 0.207 acres in the City of Sparks; located at 2026 "I" Street in Sparks, NV; and providing other matters properly relating thereto.

Ms. Hill displayed a map depicting the location of the property,

noting the site was approximately 9,000 square feet in size and if the rezoning was approved, the applicant could possibly place four dwelling units on the parcel.

She noted that the zone change would be in compliance with the Master Plan, which is medium density residential. She noted that to the north is an apartment complex (R3) and to the south, east and west is R2 zoning; however this is a transitional area and the applicant does meet 1.2.4 of the Regional Master Plan by promoting permissible density and intensity of use.

Ms. Hill noted that once Mr. Talancon applies for entitlements, he will have to go through the site plan review process and conform to Sparks Municipal Code landscaping and parking standards, as well as the City's Design Standards Handbook.

Council Member Salerno expressed concern that there did not seem to be enough room on the parcel for four units and parking. Ms. Hill said the applicant's layout would have to show that there was adequate parking. She emphasized that there was no project associated with this rezoning at this time; and that a project was not required for a rezoning.

Council Member Mayer said he could not change the zoning unless he knew what was going to be put on the property. He said that with parking requirements, he did not believe there was room for a four unit apartment complex.

Community Development Director Neil Krutz said it is helpful to have an accompanying entitlement that allows us to see what is being proposed; unfortunately we don't in this case and it is not per our City code to require it. He said we are not allowed to condition rezonings – either approve or deny them, which the Council could do tonight. He emphasized that the rezoning meets all the criteria that staff has to rely on for their recommendation; but ultimately it is up to the Council.

Council Member Salerno said he drove by to look at the property and read the letters from the neighbors and said he agreed that it is a small lot and the only street parking is on "I" Street, and parking is a concern. He said access is also an issue, so without seeing what type of project is being proposed, he did not feel he could support the zone change.

Mr. Mike Railey of Jeff Codega Planning and Design, on behalf of Mr. Talancon, said that they are in the process of developing a site plan for this property to show how it could all work and he

requested that this item be continued until the plan is finalized and they can come back and show the Council exactly what is being proposed.

Mr. Krutz suggested that this item be tabled, so that staff can process the companion entitlement and when they are both ready to be placed on an agenda, it can be removed from the table.

Council Member Salerno requested that the plan not be a bare minimum type plan, but a plan which shows good solid planning.

Mayor Martini opened the public hearing by asking if there was any one present who wished to speak on this matter.

Ms. Dona Cassettari Jeppson, 20845 Eaton Road, Reno (849-2686), said she was the owner of a property across the street from this property and she had concerns about the parking, stating that there is parking for the tenant, but if anyone else comes to visit, they have to park on "I" Street. She said other concerns include the size of the property and the way that Mr. Talancon has maintained that parcel in the past. She said it used to be a very nice house with a nice yard, but Mr. Talancon milked the property until there was nothing left and it was demolished in November. She said that Mr. Talancon was an irresponsible property owner and before it was demolished, the property could have qualified as a slum. She said she was very concerned about what goes on the parcel and that there was a great potential for having a slum in the future, if we are not careful.

Mr. Jose Talancon, the owner of the property, said when he purchased the property twenty years ago, it was an older house and they did improvements several times over the past years; however he was not aware of any problems in the neighborhood. He said he just wants to make a nice project.

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

A motion was made by Council Member Salerno, seconded by Council Member Mayer, to table this rezoning. Council Members Mayer, Salerno, Moss, Carrigan, Schmitt, YES. Motion carried.

8.2

Adoption of Bill No.  
2511, PCN06037,  
Johnson Family 1986  
Trust, Rezoning from R2  
to R3 on 0.21 Acres at

Time: 4:10:49 p.m.

An agenda item from Assistant Planner Andy Simpson recommending the City Council conduct a public hearing and approve PCN06037, Bill No. 2511, a general ordinance providing for the rezoning of certain lands owned by Johnson Family 1986 Trust from R2 (Multiple Family Residential) to R3, (Multiple

582 "E" Street

Family Residential) on approximately 0.21 acres in the City of Sparks; located at 582 "E" Street in Sparks, NV; and providing other matters properly relating thereto.

Mr. Simpson displayed a site map, stating there are currently two unoccupied dwelling unit on the site and the applicant is proposing to remove the smaller white building and the detached garage on the southeast corner of the property and to construct a duplex, for a total of three dwelling units on the property.

Council Member Moss said that according to the minutes of the Planning Commission Meeting there was no opposition to this project. Mr. Simpson confirmed that there was no opposition.

Council Member Mayer asked if this was another zone change that did not have a specific project. Mr. Simpson said there were some conceptual drawings. Council Member Mayer said he would like to see how the existing house would work with the proposed new buildings. Mr. Simpson then displayed a site map which showed a duplex, each with two bedrooms, and the associated parking and access to the site.

Mr. Krutz emphasized that the site map was a concept and in no way can be construed as a condition of approval or what is shown today is what will actually be built. He said the Council is only approving a rezoning and this concept is not a condition of that approval.

The applicant, Richard Collings, representing his wife, Marlene, and her father, Earl Johnson, said the sketch of the proposed project is what they have been working with Trend Development on. He said they did the design and they feel it would fit perfectly on that property. He said there would be enough off-street parking spaces and patios in the back of the new buildings.

Council Member Mayer asked the applicant if they were going to save the existing trees on the property. Mr. Collings assured the Council that they were going to try and save as much of the existing landscaping as possible.

Mayor Martini opened the public hearing by asking if there was any one present who wished to speak on this matter. There being no comment, the public hearing was closed.

A motion was made by Council Member Mayer, seconded by Council Member Salerno, to approve the rezoning request associated with PCN06037, Bill No. 2511, to change the zoning

from R2 (Multiple Family Residential, 3,000 square feet per dwelling unit) to R3, (Multiple Family Residential, 2,200 square feet per dwelling unit), adopting findings Z1 through Z3 and the facts supporting these findings as set forth in the staff report. Council Members Mayer, Salerno, Moss, Carrigan, Schmitt, YES. Motion carried.

8.3

P.H. on Resolution No. 3032, PCN06051, Suncal Copper Canyon, Resolution No. 3032, Master Plan Amendment to change the Master Plan Land Use designation from 78.79 acres of I and 3.40 Acres of GC to 75.19 Acres of MX and 7 Acres of TC

Time: 4:20:04 p.m.

An agenda item from Senior Planner Tim Thompson recommending the City Council conduct a public hearing and approve PCN06051, Resolution No. 3032, a resolution adopting a change of Master Plan land use designation from Industrial (I) and General Commercial (GC) to Mixed Use (MX) and Tourist Commercial (TC) on five parcels totalling approximately 82.19 acres of land generally located east of Vista Boulevard and north of Interstate 80.

Mr. Thompson displayed a map and noted the site is about 82 acres located east of Vista Boulevard and west of the proposed Copper Canyon Planned Development. He noted that the applicant is proposing to change the current land uses to mixed use and tourist commercial to line up with the existing Copper Canyon Master Plan land use designations. He emphasized that this project is separate from the Copper Canyon Planned Development; however this site will most likely function as Phase I as we get into the Copper Canyon development and the extension of the infrastructure from Vista Boulevard to the east.

He said this Master Plan amendment meets all the findings and locational criteria and staff is recommending approval.

Council Member Moss questioned the response staff received from RTC: that this project could considerably increase or significantly change what had been mitigated for the 2030 RTP plan. Mr. Thompson said it was his understanding that this project has been included in RTC's modeling; however, he would defer to the applicant to respond to this.

A Land Planner with Summit Engineering, Karen Boldi, on behalf of the applicant, stated that in looking at the letter from RTC, it states that it could result in significant traffic increases. She noted that the mixed use designation allows for an extensive flexibility in the type of uses allowed, so it could increase, or it could possibly decrease the traffic counts which have already been considered in the RTC model. She said RTC's recommendation is that once a development proposal is made and a new land use is developed, then a new traffic model will be based on the proposed



development. She said this is the first step of a multi-step process and it is in the intent of the applicant to come forward with a zoning map amendment and a Planned Development Handbook and Special Use Permit in the near future. She said they have retained Paul Solegui to provide a traffic analysis for this project and his previous experience related to the Copper Canyon project will be an asset in determining any impacts that may occur. Ms. Boldi emphasized that they will be coming back with a Planned Development Handbook which will require the Council's approval, as well as any entitlements as defined by that handbook, including tentative and final maps.

Ms. Boldi provided some history on the project, stating this property was purchased about halfway through the original Copper Canyon handbook process and in consultation with staff, it was decided to keep this property separate, with a separate handbook, rather than amend the Copper Canyon handbook; even though it was the property owner's intent to develop this property consistent with the already approved Copper Canyon handbook. She said this property will basically function as the gateway to the Copper Canyon project.

Ms. Boldi noted that the applicant has applications on file for a grading permit to grade the road and provide access up to the Copper Canyon property, as well as permits to extend the sewer and effluent infrastructure from Vista to the east.

Council Member Carrigan said his big concern is traffic; noting that the Copper Canyon was scaled back because of traffic concerns. He asked how much more traffic is this project going to add and where we were with the traffic count. Ms. Boldi responded that Mr. Solegui is currently studying the traffic count numbers; but it is her understanding that he has not completed the study and he has not yet met with RTC. She noted that a certain amount of traffic has already been included in the RTC model, associated with the existing industrial land use. Council Member Carrigan said he would like to see the traffic counts before he approved a Master Plan change.

Council Member Mayer asked if this project would incorporate the "state of the art" traffic signals from the Copper Canyon project. Ms. Boldi said it is the intent of Suncal to develop this property consistent with the Copper Canyon entitlement.

Council Member Salerno said he felt a mixed use was perfect for this location; however, he did not feel comfortable approving an amendment to the Master Plan without knowing what it would do

to the traffic counts.

Mr. Thompson pointed out that when staff actually looks at the handbook and the uses are identified, it will make the traffic study more specific. He said that in light of the comments from the Council and the applicant's comment that they will be submitting a handbook within the next month, he suggested that this item be tabled, so staff can bring back the Master Plan amendment along with the rezoning and handbook at a later date.

Council Member Moss said she felt this was a great project, in theory, but she felt they needed the traffic figures in order to go forward with this project.

Mayor Martini opened the public hearing by asking if there was any one present who wished to speak on this matter. There being no comment, the public hearing was closed.

A motion was made by Council Member Moss, seconded by Council Member Mayer to table this item. Council Members Mayer, Salerno, Moss, Carrigan, YES. Council Member Schmitt, NO. Motion carried.

6. General Business: (Continued)

6.12

Possible Motion to  
Conduct Labor Relations  
Proceeding

Time: 4:41:21 p.m.

The Council did not adjourn to a closed session

6.13

Resolution No. 3033,  
Employment Contract  
with Executive  
Employees

Time: 4:41:48 p.m.

An agenda item from Assistant City Manager Steve Driscoll recommending the City Council conduct a public hearing and approve Resolution No. 3033, a resolution denoting certain employee positions as executive; providing for salaries for employees in these positions; providing benefits for these employees; providing for the repeal of all prior resolutions; and providing other matters properly related thereto.

Council Member Carrigan asked which employees this concerned. Mr. Driscoll stated this resolution defines benefits and benefit structures and salaries for the City Manager, Assistant City Managers, and Department Heads in the City.

Council Member Schmitt said he thought the City Manager had a separate contract. Mr. Driscoll clarified that this resolution defines the general benefits and pay structures for the employees;

however, each of the employees under this resolution are under individual labor agreements. Council Member Schmitt asked for clarification that there was nothing in the individual contract versus what is outlined in this resolution. Mr. Driscoll said the City Manager, in his particular contract, has some issues that are different than in this resolution, but there is nothing that conflicts with the labor agreement.

Council Member Mayer asked if anything in this resolution would affect the City Manager. Mr. Driscoll said the cost of living adjustments in this resolution would affect the City Manager above and beyond what is in the City Manager's contract; the same way, as he has noted in the staff report, that the pay rates and the change in the car allowance has an affect on the municipal judges and City Attorney.

Mr. Driscoll pointed out that a change in this resolution also changed the benefits of the Council. He said that the Council's pay ordinance, when it discusses the automobile allowance, it specifically ties it to this resolution; so whatever is decided in this resolution, is the mirror benefit that the Council receives.

He noted that the automobile allowance for Department Heads goes from \$400 a month to \$500 a month. Based on the pay ordinance for the Council, their automobile allowance would also go up from \$400 to \$500.

Council Member Mayer said it was his understanding that the Council had to do a Charter change in order to change their salary. Mr. Driscoll explained that the Charter no longer deals with the Council's salaries; they are under an ordinance which outlines the guidelines for their salaries. He also clarified that Resolution No.2150, passed on 12/9/1991, paragraph C states, "Automobile Allowance. The official shall receive the same auto allowance benefit which is, or may be offered to, appointed department heads." So, since 1991, the pay resolution that defines retirement, group health, automobile allowance, travel and training and physical examinations for executive employees also applies to the City Council Members.

Council Member Mayer said he did not recall ever raising the car allowance. Mr. Driscoll agreed that it has been a long time since the car allowance for executives has been changed.

Council Member Mayer asked if the changes in this resolution concur with the other labor agreements. Mr. Driscoll confirmed that the pay rates and salary base adjustment for the medical plan

change is exactly what has been approved in the five labor agreements and the three labor resolutions that the Council has previously passed. Council Member Mayer asked if this was it for the pay resolutions/agreements, with the exception of the Fire Fighters. Mr. Driscoll said that was correct.

Council Member Carrigan said he did not realize the Council was tied into the executive resolution. He asked if the Council's group health benefits were also tied into the executive agreement. Mr. Driscoll responded that per Resolution No. 2150, the Council is provided the same group medical that the Department Heads are given. Council Member Carrigan asked if the Council would receive the base salary adjustment benefit. Mr. Driscoll said the Council's salary is set by a pay ordinance that was passed in 2003, and it is very specific as to what the Council receives, so the \$1,100 and any COLA's would not apply to the Council. He pointed out that the Council's salary is tied to the Washoe County Commission, so the only time our Council's salary would change, would be if the County made a change in their salary.

Council Member Mayer said he would approve the resolution, with the change that the elected officials not receive the raise in the car allowance and that car allowances for the Council be further studied and tied into the salary ordinance; but that everyone else would get the raise in the car allowance. Council Member Salerno asked for clarification as to what Council Member Mayer meant by "tied into". Council Member Mayer said that in the future the car allowance should be regulated under the Council's pay ordinance instead of being tied to the Executive resolution.

City Manager Carey asked if Council Member Mayer wanted staff to arrange an opportunity to discuss the benefit of the car allowance being tied into the pay ordinance at a future date. The response was yes.

Assistant City Manager Driscoll asked for clarification that Council Member Mayor's motion meant that the Executive Resolution would be passed as summarized and presented by staff and that any benefit under previous Resolution No. 2150, from 1991, if that resolution caused a change to the elected officials, that that would be at this time and not enacted until such time as staff could research this issue and bring back some clarification as to the Council's pay ordinance and benefit ordinances that may be in place at this time. Council Members Mayer and Carrigan said that is not what they meant.

Council Member Carrigan said what Council Member Mayer's motion meant was to pass the change in benefits as listed, but not give the City Council the \$500 per month car allowance and leave them at \$400, until they had a chance to discuss this. However, everyone else would get the changes in benefits as listed, including the increase in car allowance.

A motion was made by Council Member Mayer, seconded by Council Member Carrigan, to approve Resolution No. 3033, with the change that only the elected officials not receive the raise in the car allowance and that car allowances for the Council be further studied under their salary ordinance. Council Members Mayer, Salerno, Moss, Carrigan, Schmitt, YES. Motion carried.

9.  
Comments from the  
Council and City  
Manager

Time: 4:53:58 p.m.

City Manager Shaun Carey noted that we had tentatively scheduled a public hearing on the Lazy 8 Casino Project for next Monday, pending the action by the Planning Commission at their meeting. The Planning Commission was unable to complete their deliberations on this matter and the first time they could meet again is Monday, July 17<sup>th</sup>. Because the Planning Commission is still considering this item, the City Council will not be having a meeting next Monday, as it is important for the Planning Commission to conclude their consideration prior to Council deliberation. He said it would be scheduled on a date where the entire Council can be present because it is a significant issue.

Council Member Mayer said that although Sparks is growing, it is still a little town, so there are a lot of rumors going around about Farmer's Market and the 4<sup>th</sup> of July. He asked for a Police report on any incidents that have occurred at the special events, because he did not think the rumors were true and he wanted to have answers for his constituents. Mr. Carey said he would direct staff to respond to Council Member Mayer's concerns.

Minutes of the Regular Meeting of the Sparks City Council for July 10, 2006

10.  
Adjournment

Time: 4:57:13 p.m.  
There being no further business, the meeting was adjourned at  
4:57 p.m.

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Mayor

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City Clerk

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