



MAYOR
Ed Lawson

CITY COUNCIL
Donald Abbott, Ward I
Dian VanderWell, Ward II
Paul Anderson, Ward III
Charlene Bybee, Ward IV
Kristopher Dahir, Ward V

CITY ATTORNEY
Chet Adams

CITY MANAGER
Neil Krutz

REGULAR CITY COUNCIL MEETING MINUTES

2:00 P.M., Monday, February 22, 2021

This meeting was held virtually due to the COVID-19 pandemic

1. Call to Order

The regular meeting of the Sparks City Council was called to order by Mayor Ed Lawson at 2:00 p.m.

2. Roll Call

Mayor Ed Lawson, Council Members Donald Abbott, Dian VanderWell, Paul Anderson, Charlene Bybee, Kristopher Dahir, City Manager Neil Krutz, Acting City Attorney Wes Duncan, City Clerk Lisa Hunderman, PRESENT via ZOOM.

3. Opening Ceremonies

3.1 Invocation Speaker

The invocation was given by Lead Pastor Steve Bond of Summit Christian Church.

3.2 Pledge of Allegiance

The Pledge of Allegiance was led by Council Member Abbott.

4. Public Comment

City Clerk Lisa Hunderman read into record an email from Edward Sotello regarding COVID 19 restrictions in Sparks.

5. Agenda

5.1 Approval of the Agenda (FOR POSSIBLE ACTION)

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

Motion: I move to approve the agenda as submitted.

Moved by: Council Member Dahir

Seconded by: Council Member Anderson

Yes: Council Members Abbott, VanderWell, Anderson, Bybee, Dahir

No: None

Abstain: None

Vote: Motion passed unanimously, 5-0.

6. Minutes

6.1 Consideration and possible approval of the minutes of the Concurrent meeting for January 20, 2021 and Sparks City Council meeting for February 8, 2021. (FOR POSSIBLE ACTION)

Motion: I move to approve the minutes of the Concurrent meeting for January 20, 2021

Moved by: Council Member VanderWell

Seconded by: Council Member Bybee

Yes: Council Members Abbott, VanderWell, Anderson, Bybee, Dahir

No: None

Abstain: None

Vote: Motion passed unanimously, 5-0.

Motion: I move to approve the minutes of the Sparks City Council meeting for February 8, 2021.

Moved by: Council Member Abbott

Seconded by: Council Member Dahir

Yes: Council Members Abbott, VanderWell, Anderson, Bybee, Dahir

No: None

Abstain: None

Vote: Motion passed unanimously, 5-0.

7. Announcements, Presentations, Recognition Items, and Items of Special Interest

7.1 Proclamation: "Social Work Month"

Renown Health brings this proclamation before the City Council to recognize Nevada Social Workers for the support they have provided to children, individuals, families, and communities affected by the COVID-19 pandemic. Shawna Alto from Renown Health thanked Council and the community for the recognition of social workers.

7.2 Commendation: Christi Cakiroglu

Christi Cakiroglu will retire from Keep Truckee Meadows Beautiful this month, and the City Council would like to recognize her for 19 years of tireless leadership and service.

7.3 Boards and Commissions vacancy announcement: Building Code Board of Appeals

There are two (2) vacancies on the Building Code Board of Appeals, each of which is either a registered professional with architectural experience or a builder or superintendent of building construction with at least 10 years-experience (5 of which shall have been in responsible charge of work). These vacancies are for two-year terms ending March 31, 2023. Applications will be accepted until March 10, 2021 at 5:00 PM.

7.4 Boards and Commissions vacancy announcement: Sparks Planning Commission

There is one vacancy on the Sparks Planning Commission for a partial term ending December 31, 2021. Applications will be accepted until Friday, March 12, 2021 at 5:00 pm.

8. Consent Items (FOR POSSIBLE ACTION)

Motion: Move to approve consent items 8.1 through 8.2 as submitted.
Moved by: Council Member Bybee
Seconded by: Council Member VanderWell
Yes: Council Members Abbott, VanderWell, Anderson, Bybee, Dahir
No: None
Abstain: None
Vote: Motion passed unanimously, 5-0.

8.1 Consideration and possible acceptance of the report of the claims and bills approved for payment and appropriation transfers for the period of January 21, 2021 through February 3, 2021. (FOR POSSIBLE ACTION)

An agenda item from Chief Financial Officer Jeff Cronk requesting Council approval of the report of claims and bills approved for payment and the appropriation transfers for the period of January 21, 2021 through February 3, 2021.

8.2 Consideration and possible acceptance of grants and/or donations received by the city in the second quarter of 2021 that amount to less than \$5,000 each. (FOR POSSIBLE ACTION)

An agenda item from Chief Financial Officer Jeff Cronk presenting grants and/or donations received by the City in the second quarter of 2021 that amount to less than \$5,000 for Council approval. The City's policy governing the acceptance of grants and/or donations requires that any grant or donation received by the City in an amount less than \$5,000 be presented to the City Council for consideration and acceptance

9. General Business

9.1 Presentation, discussion, and possible approval of the Mayor's appointment to the Sparks Parks and Recreation Commission from the following pool of applicants, listed in alphabetical order: Lisa Bonie, Mark Harris, Eric Juarez, Jasmin Lozano, Kelli Luchetti, Meghan Meagher. (FOR POSSIBLE ACTION)

An agenda item from and presented by City Manager Neil Krutz requesting Council approval of the Mayor's appointments to the Sparks Parks and Recreation Commission from the following pool of applicants, listed in alphabetical order: Lisa Bonie, Mark Harris, Eric Juarez, Jasmin Lozano, Kelli Luchetti, Meghan Meagher. Members of the Sparks Parks and Recreation Commission must be residents of the City of Sparks or hold a valid Sparks business license at the time of appointment and at all times during their term of office.

Motion: I move to appoint Lisa Bonie to the Sparks Parks and Recreation Commission for a partial term ending June 30, 2022.

Moved by: Council Member Anderson
Seconded by: Council Member Abbott
Yes: Council Members Abbott, VanderWell, Anderson, Bybee, Dahir
No: None
Abstain: None

9.2 Consideration, discussion, and possible approval of Sparks Police Department's purchasing the VirTra Training Simulator in the amount of \$84,091.15. (FOR POSSIBLE ACTION)

An agenda from and presented by Police Chief Chris Crawforth requesting Council approval of a purchase of a VirTra Training Simulator for Sparks Police Department in the amount of \$84,091.15. The VirTra Training Simulator is the only simulator currently on the market that meets the needs of the Sparks Police Department as it addresses a number of training requirements delineated by Nevada law. The VirTra Training Simulator is recognized by the National Peace Officer Standards and Training Directors organization as specifically addressing fair and impartial Policing, implicit bias in policing, de-escalation and deconfliction, and other categories through stress-induced, scenario-based, realistic training models.

Motion: I move to approve the purchase of the VirTra Training Simulator in the amount of \$84,091.15.

Moved by: Council Member Abbott
Seconded by: Council Member Dahir
Yes: Council Members Abbott, VanderWell, Anderson, Bybee, Dahir
No: None
Abstain: None

9.3 Consideration of and possible action on a request to direct the City Manager to initiate changes to Sections 20.03.030 (Outdoor Processing) and SMC 20.03.040 (Temporary Uses) of the Sparks Municipal Code to allow temporary crushing operations on or near residentially-zoned land when associated with approved projects. (FOR POSSIBLE ACTION)

An agenda item from Councilmember Kristopher Dahir and presented by Planning Manager Jim Rundle requesting the City Manager to initiate changes to Sections 20.03.030 (Outdoor Processing) and SMC 20.03.040 (Temporary Uses) of the Sparks Municipal Code to allow temporary crushing operations on or near residentially-zoned land when associated with approved projects. Currently, SMC Section 20.03.030 (B.1) restricts this operation from occurring within 500 feet of residentially zoned property. Amending the SMC could permit land developers to crush native rock on-site as part of grading and other site preparation for residential construction. Additionally, an amendment to SMC Section 20.03.040 Temporary Use Permit could provide the appropriate mechanism to process such requests.

Council asked if the City has seen an increase in requests to make various changes to Title 20 of SMC and what would the process be to open all of Title 20 for a rewrite. Mr. Rundle confirmed the City has been receiving more of these requests lately and it would take an enormous amount of staff time and public meetings to

rewrite the whole of Title 20 since it encompasses more than just outdoor processing. Assistant Community Services Director Armando Ornelas clarified this the agenda item is not for opening all of Title 20 for rewrites, but only for sections for outdoor processing and special uses (20.03.030 and 20.03.040). If Council wants to discuss opening Title 20 in its entirety for rewrites or additional amendments, it will have to be a separate agenda item at a different meeting.

Mayor and Council asked if the proposed changes would have criteria for the size of the rock crushers, noise and dust mitigation, and parameters for distance to residences, businesses, and schools. Mr. Rundle stated if Council wanted to vote for additional noise and dust mitigation standards to the code, they could do so. Chief Assistant City Attorney Wes Duncan added a public engagement component would be important in setting those criteria. Council asked how long it would take for the proposed changes to come to a future Council Meeting for vote if they were to add public engagement components and further study requirements. Mr. Rundle stated it would depend if they found anything additional to take into consideration during those discussions, but it would most likely be a six month to a year-long process.

Mayor Lawson stated public meetings are absolutely necessary for this item.

Council asked if rock crushing would ever be used for street rehab. City Manager Krutz stated there are mobile asphalt chewing machines; however, they have not been used in the area as of yet. Mr. Rundle added, streets fall under a different title of SMC, so use of those machines wouldn't apply to this agenda item.

Motion: I move to direct the City Manager to initiate changes to Sections 20.03.030 (Outdoor Processing) and SMC 20.03.040 (Temporary Uses) of the Sparks Municipal Code to allow temporary rock and concrete crushing operations on residentially-zoned land when associated with approved projects. The process is to include public engagement prior to the first reading of the Bill.

Council clarified motion only gives direction to work on initiating changes to the code and any changes would then have to go back to Council for a vote. Mr. Krutz and Mr. Rundle confirmed any changes would go to Planning Commission and Council for approval.

Moved by: Council Member Dahir

Seconded by: Council Member Anderson

Yes: Council Members Abbott, Anderson, Bybee, Dahir

No: Council Member VanderWell

Abstain: None

9.4 Consideration, discussion, and possible approval of Impact Fee Credit Agreement No. 25 (AC-5735) between the City of Sparks and D.R. Horton, Inc., granting \$262,394.49 impact fee credits that may be used for any future

Regional Parks and Recreation impact fees within Impact Fee Service Area No. 1. (FOR POSSIBLE ACTION)

An agenda item from Assistant City Manager John Martini and presented by City Engineer Jon Ericson requesting Council approval of Impact Fee Credit Agreement No. 25 (AC-5735) between the City of Sparks and D.R. Horton, Inc., granting \$262,394.49 impact fee credits that may be used for any future Regional Parks and Recreation impact fees within Impact Fee Service Area No. 1 (IFSA No. 1). D.R. Horton has constructed a portion of the regional trail included in the capital improvements plan and approval of this agreement would allow additional use of impact fee credits for IFSA No. 1.

Motion: I move to approve Impact Fee Credit Agreement No. 25 (AC-5735) between the City of Sparks and D.R. Horton, Inc., granting \$262,394.49 impact fee credits that may be used for any future Regional Parks and Recreation impact fees within IFSA No. 1.

Moved by: Council Member Dahir

Seconded by: Council Member VanderWell

Yes: Council Members Abbott, VanderWell, Anderson, Bybee, Dahir

No: None

Abstain: None

Vote: Motion passed unanimously, 5-0.

9.5 Review and possible of approval of a grant agreement (AC-5736) to accept CARES Act Community Development Block Grant (CDBG-CV) funds in the amount of \$309,367, awarded to the City of Sparks by the Nevada Governor's Office of Economic Development (GOED) to prevent, prepare for, and respond to the COVID-19 virus with possible direction to the City Manager to seek GOED approval to use the CDBG-CV funds to provide rental assistance to Sparks residents adversely impacted by the COVID-19 pandemic. (FOR POSSIBLE ACTION)

An agenda item from the Community Services Department and presented by Assistant Community Services Director Armando Ornelas requesting Council approval of grant agreement (AC-5736) to accept CARES Act Community Development Block Grant (CDBG-CV) funds in the amount of \$309,367, awarded to the City of Sparks by the Nevada Governor's Office of Economic Development (GOED) to prevent, prepare for, and respond to the COVID-19 virus with possible direction to the City Manager to seek GOED approval to use the CDBG-CV funds to provide rental assistance to Sparks residents adversely impacted by the COVID-19 pandemic. City staff have conferred with RHA Executive Director Amy Jones about resuming the provision of rental assistance to additional low and moderate income Sparks households. Ms. Jones informed City staff that RHA is retaining the organizational capacity to administer rental assistance because RHA will be administering a rental assistance program throughout Washoe County beginning in March. RHA remains interested in again administering CDBG-CV funds for the City of Sparks as Ms. Jones believes there will still be a community need in the second half of 2021 for rental assistance.

Council asked if any of the funds will be used for RHA staff or only for community rental assistance. Mr. Ornelas stated the past agreement with RHA allowed for 10% to be used on RHA staff, none of which went to City staff. Council asked if there is another way to use the funds rather than go through the RHA. Mr. Ornelas stated he is unaware of another entity to utilize these funds but noted that the RHA had made use of all the CDBG funds Sparks had been awarded before. Council requested the RHA inform them of any lessons learned in the last round of rental assistance and how it could be changed or optimized this round. Mr. Ornelas stated if this agreement gets passed, there would be another opportunity to speak with the RHA at a later Council meeting before another agreement with RHA is voted on. This agreement being voted on is only to accept the funds from GOED.

Motion: I move to approve the grant agreement (AC-5736) to accept CARES Act Community Development Block Grant (CDBG-CV) funds in the amount of \$309,367 awarded to the City of Sparks by the Nevada Governor's Office of Economic Development (GOED) to prevent, prepare for, and respond to the COVID-19 virus and to direct the City Manager to seek GOED approval to use the CDBG-CV funds to provide rental assistance to Sparks residents adversely impacted by the COVID-19 pandemic.

Moved by: Council Member Anderson

Seconded by: Council Member Dahir

Yes: Council Members Abbott, VanderWell, Anderson, Bybee, Dahir

No: None

Abstain: None

Vote: Motion passed unanimously, 5-0.

9.6 Consideration, discussion, and possible adoption of Resolution No. 3370, establishing a special revenue fund called the Landscape Maintenance Fund to account for landscape maintenance fees for the Promontory, Mesa Meadows, and Triple Crown subdivisions. (FOR POSSIBLE ACTION)

An agenda item from Chief Financial Officer Jeff Cronk and presented by Accounting Manager Debi Kinder requesting Council adoption of Resolution No. 3370, establishing a special revenue fund called the Landscape Maintenance Fund to account for landscape maintenance fees for the Promontory, Mesa Meadows, and Triple Crown subdivisions. The monies deposited into the fund may only be used to maintain the true costs of contracted landscape maintenance, utilities, and administrative costs within the within the above-mentioned subdivisions.

Council asked if the homeowners are paying for these funds. Kinder stated since those subdivisions didn't have homeowner associations, the landscaping was partially paid by homeowner City sewer bills, and partially paid by the City itself.

Motion: I move to adopt Resolution No. 3370 establishing a special revenue fund called the Landscape Maintenance Fund to account for landscape maintenance fees for the Promontory, Mesa Meadows, and Triple Crown subdivisions.

Moved by: Council Member VanderWell
Seconded by: Council Member Bybee
Yes: Council Members Abbott, VanderWell, Anderson, Bybee, Dahir
No: None
Abstain: None
Vote: Motion passed unanimously, 5-0.

9.7 Consideration, discussion, and possible adoption of Resolution No. 3371 to abolish Promontory, Mesa Meadows, and Triple Crown Landscape Maintenance Trust funds. (FOR POSSIBLE ACTION)

An agenda item from Chief Financial Officer Jeff Cronk and presented by Accounting Manager Debi Kinder requesting Council adoption of Resolution No. 3371 to abolish Promontory, Mesa Meadows, and Triple Crown Landscape Maintenance Trust funds. The Promontory, Mesa Meadows, and Triple Crown Landscape Maintenance fiduciary funds were established in 1997 by Resolution Nos. 2457, 2458, and 2459, respectively. Due to governmental accounting reporting changes, the activities within these funds are no longer eligible to be reported as fiduciary activities and must be reported elsewhere. The purposes for which the fiduciary funds were established have been accomplished and the funds are no longer needed.

Motion: I move to adopt Resolution No. 3371 to abolish Promontory, Mesa Meadows, and Triple Crown Landscape Maintenance Trust funds.
Moved by: Council Member Dahir
Seconded by: Council Member Anderson
Yes: Council Members Abbott, VanderWell, Anderson, Bybee, Dahir
No: None
Abstain: None
Vote: Motion passed unanimously, 5-0.

9.8 Consideration, discussion, and possible adoption of Resolution No. 3372 authorizing expansion of the purpose, sources, and uses of the Road Fund, a capital projects fund of the City of Sparks. (FOR POSSIBLE ACTION)

An agenda item from Chief Financial Officer Jeff Cronk and presented by Accounting Manager Debi Kinder requesting Council adoption of Resolution No. 3372 authorizing expansion of the purpose, sources, and uses of the Road Fund, a capital projects fund of the City of Sparks. Governmental Accounting Standards Board (GASB) Statement No. 84, *Fiduciary Activities*, effective for fiscal year 2021, has redefined fiduciary activities and due to this change, RTC Road Impact Fund activities are no longer qualified to be reported as fiduciary activities. In order to properly report RTC Road Impact Fund activities, staff advises expanding the purpose, sources and uses of the existing Road Fund. This will allow monies collected pursuant to Sparks Municipal Code Chapter 12.44, Regional Road Impact Fee, to be held in the Road Fund until transferred to the RTC. The monies related to the RTC Road Impact Fees will not increase the available resources within the Road Fund.

Motion: I move to adopt Resolution No. 3372 to authorize expanding the purpose, sources, and uses of the Road Fund, a capital projects fund of the City of Sparks.
Moved by: Council Member Anderson
Seconded by: Council Member VanderWell
Yes: Council Members Abbott, VanderWell, Anderson, Bybee, Dahir
No: None
Abstain: None
Vote: Motion passed unanimously, 5-0.

9.9 Consideration, discussion, and possible adoption of Resolution No. 3373 to abolish the RTC Road Impact fund, a fiduciary fund. (FOR POSSIBLE ACTION)

An agenda item from Chief Financial Officer Jeff Cronk and presented by Accounting Manager Debi Kinder requesting Council adoption of Resolution No. 3373 to abolish the RTC Road Impact fund, a fiduciary fund. The City no longer has a use for the RTC Road Impact fund, and staff believes it is appropriate to formally abolish this fund.

Motion: I move to adopt Resolution No. 3373 to abolish the RTC Road Impact fund, a fiduciary fund.
Moved by: Council Member Dahir
Seconded by: Council Member Abbott
Yes: Council Members Abbott, VanderWell, Anderson, Bybee, Dahir
No: None
Abstain: None
Vote: Motion passed unanimously, 5-0.

9.10 Consideration, discussion, and possible adoption of Resolution No. 3375 authorizing the establishment of imprest accounts for petty cash, change cash, and investigation/evidence cash accounts, and setting limits and procedures for their use by City departments. (FOR POSSIBLE ACTION)

An agenda item from Chief Financial Officer Jeff Cronk and presented by Accounting Manager Debi Kinder requesting Council adoption of Resolution No. 3375 authorizing the establishment of imprest accounts for petty cash, change cash, and investigation/evidence cash accounts, and setting limits and procedures for their use by City departments. Prior imprest account resolutions did not address all types of accounts that the City now utilizes, had dollar amount limits that needed to be increased, and required City Manager authorization for changes to the accounts. The revised resolution will cover all types of accounts currently used, increase the per item limits, and will not require City Manager authorization to establish or change an account. This Resolution will repeal and replace Resolution No. 2100.

Motion: I move to adopt Resolution No. 3375 authorizing the establishment of imprest accounts for petty cash, change cash, and

investigation/evidence cash accounts, and setting limits and procedures for their use by City departments

Moved by: Council Member Bybee

Seconded by: Council Member VanderWell

Yes: Council Members Abbott, VanderWell, Anderson, Bybee, Dahir

No: None

Abstain: None

Vote: Motion passed unanimously, 5-0.

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

None.

11. Planning and Zoning Public Hearings and Action Items

None.

12. Comments

12.1 Comments from the Public

None.

12.2 Comments from City Council and City Manager

Council asked if staff could bring in the amendment requests for Title 20 of SMC for review and possible discussion at a later time.

13. Adjournment

Council was adjourned at 3:43 p.m.

Ed Lawson, Mayor

ATTEST:

Lisa Hunderman, City Clerk

>>>NJ