



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, October 12, 2020

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 2:06 p.m.

### 2. Roll Call

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

### 3. Opening Ceremonies

#### 3.1 Invocation Speaker

The invocation was not provided.

#### 3.2 Pledge of Allegiance

The Pledge of Allegiance was led by Council Member Dahir.

### 4. Public Comment

Sparks resident Muhammad Sufari provided comment about harassment and discrimination.

City Clerk Lisa Hunderman read into record an email from Billy Howard regarding the regulation of pet sales from puppy mills.

### 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:** Move to approve the agenda as submitted.

**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

**6. Minutes**

**6.1 Consideration and possible approval of the minutes of the Sparks City Council meeting for September 28, 2020. (FOR POSSIBLE ACTION)**

**Motion:** Move to approve the minutes of the Sparks City Council meeting for September 28, 2020.

**Moved by:** Council Member Abbott

**Seconded by:** Council Member Anderson

**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 Boards and Commissions vacancy announcement: Sparks Planning Commission**

There is one (1) vacancy on the Sparks Planning Commission, for a partial term ending December 31, 2023. Applicants must be a resident of the City of Sparks and a registered voter. Applications will be accepted through 5:00 pm on Friday, October 16, 2020.

**7.2 Boards and Commissions Vacancy Announcement: Technical Review Committee, Washoe County Home Consortium.**

There is one (1) vacancy on the Technical Review Committee, Washoe County Home Consortium for a partial term ending June 30, 2021. Applicants must be a Sparks resident and are not required to be technically proficient. Applications will be accepted until October 28, 2020 at 5:00 p.m.

**7.3 Proclamation: "International Walk to School Day"**

Mayor Lawson proclaimed October 14, 2020 as "International Walk to School Day" to bring awareness to the safety and health of our children and kick off a great start to the school year.

**7.4 Presentation: Update on the cumulative fiscal impact of the COVID-19 pandemic.**

A presentation by Chief Financial Officer Jeff Cronk regarding the cumulative fiscal impact created by the COVID-19 pandemic using the most current data available.

City Attorney Adams stated the revenue from business licensing is a welcome surprise considering the financial impact of the Covid-19 pandemic. He also stated the leadership in the City of Sparks has shown its commitment to protecting and supporting local businesses.

Mr. Cronk stated the contract for the CARES Act funded business assistance program will be on the agenda for the next Council meeting.

Mayor Lawson stated the residential rental assistance program for the City has been a success.

**8. Consent Items (FOR POSSIBLE ACTION)**

**Motion:** Move to approve consent items 8.1 and 8.2 as submitted.  
**Moved by:** Council Member Abbott  
**Seconded by:** Council Member Bybee  
**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 September 10, 2020 through September 24, 2020. (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 September 10, 2020 through September 24, 2020.

**8.2 Consideration and possible approval for an expenditure of \$90,000.00 augmenting a professional services agreement (AC-5701) to Barrett Resources to continue to provide outreach work benefitting the City of Sparks' interests in the Truckee Meadows Public Land Management Act. (FOR POSSIBLE ACTION)**

An agenda item presented by City Manager Neil Krutz requesting Council approval of an expenditure of \$90,000.00 augmenting a professional services agreement (AC-5701) to Barrett Resources to continue to provide outreach work benefitting the City of Sparks' interests in the Truckee Meadows Public Land Management Act. The City of Sparks began contracting with Barrett Resources on May 7, 2019, and with the approval of this agenda item will extend the terms of the agreement through September 2021. Barrett Resources continues to assist the city in negotiating a draft proposal to Nevada's congressional delegation with various stakeholder groups. Although the process of formulating a bill to introduce in Congress has no actual deadline, the city and its partner entities are hopeful that the outreach effort with which Barrett Resources is assisting will be complete by the fall of 2021.

**9. General Business**

**9.1 Consideration and possible approval of a payment of annual membership dues to the Economic Development Authority of Western Nevada in the amount of \$100,000 for the Fiscal Year 2020-2021. (FOR POSSIBLE ACTION)**

An agenda item from City Manager Neil Krutz requesting Council approval of payment of annual membership dues to the Economic Development Authority of Western Nevada (EDAWN) in the amount of \$100,000 for the Fiscal Year 2020-2021. EDAWN is a partnership between private industry and regional public

entities for the purpose of encouraging growth and diversification of the regional economy. In general, EDAWN assists primary businesses (companies that produce raw materials for sale to secondary industries that manufacture, construct or refine those materials into retail products) in the Reno-Sparks area that export most of the goods and services produced, thereby injecting “new” revenue into the community. EDAWN helps companies interested in relocating to the region or existing companies considering expansion with real estate selection, permitting, licensing, data sourcing, public relations, access to workforce resources, market analysis and application for state-sponsored business incentives and tax abatements.

Council spoke about the positive impact EDAWN has brought to the region, especially in diversifying the economic development of Northern Nevada. EDAWN has also been beneficial in networking with business leaders and entrepreneurs. Council expressed a need to be more involved with EDAWN’s decision making to ensure their support specifically impacts Sparks. Council urged for more EDAWN support on existing businesses, especially the smaller businesses. Council suggested to reevaluate the City’s membership dues in the future but expressed gratitude for EDAWN’s local impact.

**Motion:** I move to approve payment of the City's membership dues with EDAWN in the amount of \$100,000 for Fiscal Year 2020-2021.  
**Moved by:** Council Member Bybee  
**Seconded by:** Council Member Dahir  
**Yes:** Council Members Abbott, VanderWell, Anderson, Bybee, Dahir  
**No:** None  
**Abstain:** None  
**Vote:** Motion passed unanimously, 5-0.

**9.2 Consideration, discussion, and possible direction to City staff regarding whether to continue pursuing the pending legal action against IPC D’Andrea LLC, Case No. CV17-01066, regarding nuisance conditions at the former D’Andrea Golf Course. (FOR POSSIBLE ACTION)**

An agenda item from Assistant City Manager John Martini and presented by Planning Manager Jim Rundle requesting Council direction to City staff regarding whether to continue pursuing the pending legal action against IPC D’Andrea LLC, Case No. CV17-01066, regarding nuisance conditions at the former D’Andrea Golf Course. In 2017, the City filed a nuisance action in district court seeking injunctive and declaratory relief against IPC D’Andrea LLC, the landowners where D’Andrea Golf Course formerly existed. The litigation is pending. In the past half year, D’Andrea Phoenix Acquisition LLC has remedied the nuisance conditions that were the basis for the nuisance lawsuit. Given that the nuisance conditions no longer remain, City staff recommends that the City Council direct the City Manager and City Attorney to move to dismiss the pending lawsuit without prejudice.

Council Member VanderWell disclosed that she works for Haute Properties Nevada as a real estate agent, but it will not preclude her from voting.

Council thanked the D'Andrea Phoenix Acquisition group for addressing the complaints.

**Motion:** I move to direct the City Manager and City Attorney to move to dismiss the pending legal action against IPC D'Andrea LLC in Case No. CV17-01066.

**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.

**9.3 Consideration, discussion, and possible approval of a construction contract (AC-5702) for the 2021 Permanent Patch Project Bid No. 20/21-003, PWP#WA-2020-367 to West Coast Paving, Inc., in the amount of \$485,400.00. (FOR POSSIBLE ACTION)**

An agenda item from Assistant City Manager John Martini and presented by Transportation Manager Amber Sosa requesting Council approval of a construction contract (AC-5702) for the 2021 Permanent Patch Project Bid No. 20/21-003, PWP#WA-2020-367 to West Coast Paving, Inc., in the amount of \$485,400.00. The permanent patch contract is intended to be a yearly contract that involves the permanent patching of city owned streets and alleys that have been cut by permit holders. The work under this contract permanently patches street cuts by a city chosen contractor, selected by the competitive bidding process, with direction and inspection provided by Community Services staff. The Permanent Patch Program is self-funded, and all costs associated with the program are paid for by permit fees.

Council asked when work would begin. Transportation Manager Sosa stated the contract would be available year-round, and as long as the weather permits and materials are available, they can begin patching.

**Motion:** I move to approve the 2021 Permanent Patch Project contract (AC-5702) to West Coast Paving, Inc. in the amount of \$485,400.00

**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.

**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**

City Attorney Adams formally announced Chief Assistant City Attorney Wes Duncan as the newest member of the City Attorney staff.

Council stated the annual Pumpkinpalooza event is still happening this year and can be attended virtually.

**13. Adjournment**

Council was adjourned at 3:04 p.m.

---

Ed Lawson, Mayor

ATTEST:

---

Lisa Hunderman, City Clerk

>>>NJ