



MAYOR
Ron Smith

CITY COUNCIL
Donald Abbott, Ward I
Ed Lawson, 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, June 22, 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 Ron Smith at 2:00 p.m.

2. Roll Call

Mayor Ron Smith, Council Members Donald Abbott, Ed Lawson, 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

No invocation speaker.

3.2 Pledge of Allegiance

The Pledge of Allegiance was led by Council Member Anderson.

4. Public Comment

City Clerk Lisa Hunderman read emails into record from AnneMarie Grant, Daniel Purdy, Kaitlin Young, Kyle Young, Becky Jessee, Hawah Ahmad. Public comment included disagreement with agenda item 8.4, racial injustice, police accountability including the death of Thomas Purdy and the officer involved shootings of Miciah Lee and Rolando Brizuela.

Public comment was also received via telephone from Vera Miller expressing disagreement with agenda item 8.4, the need to spend more money on affordable housing and mental health services and urged for the release of bodycam footage of the Miciah Lee shooting.

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 with item 9.13 moved to the beginning of general business.

Moved by: Council Member Dahir

Seconded by: Council Member Anderson

Yes: Council Members Abbott, Lawson, 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 June 8, 2020. (FOR POSSIBLE ACTION)

Motion: Move to approve the minutes of the Sparks City Council meeting for June 8, 2020.

Moved by: Council Member Abbott

Seconded by: Council Member Bybee

Yes: Council Members Abbott, Lawson, 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 Senior Citizens Advisory Committee

There is one vacancy on the Sparks Senior Citizens Advisory Committee for Ward 4 alternate position. This appointment is coterminous with Councilmember Bybee and ends November 4, 2022. Applicants must be Sparks residents, preferably over the age of 55, and preferably residing in Ward 4. Applications will be accepted through 5:00 PM on Friday, June 26, 2020.

7.2 Board and Commission Vacancy Announcement: Sierra Arts Foundation Board of Trustees

There is one (1) vacancy on the Sierra Arts Foundation Board of Trustees, for a one-year term ending August 13, 2021. Applicants must be Sparks residents. Applications will be taken through Friday, July 17, 2020 at 5:00 pm.

8. Consent Items (FOR POSSIBLE ACTION)

Motion: Move to approve consent items 8.1 through 8.6 as submitted.

Moved by: Council Member Lawson

Seconded by: Council Member Abbott

Yes: Council Members Abbott, Lawson, 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 May 22, 2020 through June 9, 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 May 22, 2020 through June 9, 2020.

8.2 Consideration, discussion and possible approval of an Outdoor Dining and Encroachment Permit (AC-5675) for Packs & Pints LLC located at 944 Victorian Avenue, Sparks, NV. (FOR POSSIBLE ACTION)

An agenda item from Owner of Packs & Pints LLC Tyler Gregory and presented by Assistant Community Services Director Armando Ornelas requesting Council approval of an Outdoor Dining and Encroachment Permit (AC-5675) for Packs & Pints LLC.

8.3 Consideration and possible approval to purchase one (1) Quantum 6-yard rear load trash truck from Curbtender, in the amount of \$117,229, utilizing a joinder bid through Sourcewell, contract #091219-CBR. (FOR POSSIBLE ACTION)

An agenda item Assistant City Manager John Martini and presented by Public Works Manager Ron Korman requesting Council approval of purchase one (1) Quantum 6-yard rear load trash truck from Curbtender, in the amount of \$117,229, utilizing a joinder bid through Sourcewell.

8.4 Consideration and possible approval of an expenditure of \$114,324.50 to purchase two (2) additional police vehicles upfitted by Defender from Champion Chevrolet, as part of the FY 2020 Capital Improvement Projects, utilizing the joinder bid from the State of Nevada vehicle contract # 99SWC-NV19-2037. (FOR POSSIBLE ACTION)

An agenda item from Assistant City Manager John Martini and presented by Public Works Manager Ron Korman requesting Council approval of an expenditure of \$114,324.50 to purchase two (2) additional police vehicles upfitted by Defender from Champion Chevrolet, as part of the FY 2020 Capital Improvement Projects, utilizing the joinder bid from the State of Nevada.

8.5 Consideration and possible approval of an expenditure of \$58,881.35 to purchase an electronic fuel dispensing system from EJ Ward Inc., as part of the CIP for FY 2020 utilizing a joinder bid through Sourcewell contract # 022217-EJW. (FOR POSSIBLE ACTION)

An agenda item from Assistant City Manager John Martini and presented by Public Works Manager Ron Korman requesting Council approval expenditure of \$58,881.35 to purchase an electronic fuel dispensing system from EJ Ward Inc., as part of the CIP for FY 2020 utilizing a joinder bid through Sourcewell.

8.6 Consideration and possible approval of an expenditure of \$67,060 to purchase four (4) SolarTech full matrix, lift and rotate message boards from RoadSafe Traffic Systems as part of the CIP for FY2020. (FOR POSSIBLE ACTION)

An agenda item from Assistant City Manager John Martini and presented by Public Works Manager Ron Korman requesting Council approval of of an expenditure of \$67,060 to purchase four (4) SolarTech full matrix, lift and rotate message boards from RoadSafe Traffic Systems as part of the CIP for FY2020.

9. General Business

9.1 Presentation, discussion, and possible acceptance of an evaluative framework categorizing core services into functional areas in support of the city's Strategic Plan to guide budgetary adjustments in FY 21. (FOR POSSIBLE ACTION)

An agenda item from City Manager Neil Krutz and presented by Assistant City Manager Doug Thornley requesting Council acceptance of an evaluative framework categorizing core services into functional areas in support of the city's Strategic Plan to guide budgetary adjustments in FY21. Data showing the actual fiscal impact of the COVID-19 pandemic event was not available when the City Council adopted the city's FY21 Budget on May 26, 2020. For that reason, the most conservative approach to the situation was to implement a status quo budget on paper, knowing that the revenue projections were likely to be wrong and then manage city operations to actual revenues received. Resultantly, some significant adjustments to expenditures in FY21 will be required. Using the adopted Strategic Plan, the city's senior leadership team organized the core services performed by the city into four (4) functional areas to better understand where budgetary adjustments are more (or less) impactful. These core services are: Public Safety, Infrastructure and Facilities, Quality of Life, and Administration. The City Manager recommends that the City Council accept this framework as a guide to evaluating fiscal recommendations and decisions made because of the COVID-19 pandemic event.

Council stated it's important for the public to understand restricted funds can only be used for their particular purpose and expressed support of the framework.

Council asked if this framework made any adjustment to the budget. Mr. Thornley stated this is just a framework and budget adjustments can be discussed in the future.

Motion: Move to accept the evaluative framework categorizing the core services identified in the staff report into the functional areas of Public Safety, Infrastructure and Facilities, Administration and Quality of Life as recommended by the City Manager for the purpose of guiding any budgetary adjustments that may be necessary in FY21.

Moved by: Council Member Bybee

Seconded by: Council Member Anderson

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

No: None

Abstain: None

Vote: Motion passed unanimously, 5-0.

9.2 Consideration and possible approval to purchase various commercial insurance policies to protect the financial interests of the City in an amount of approximately \$807,600.00 for the next policy periods and authorize the Contracts and Risk Manager to execute agreements for those policies. (FOR POSSIBLE ACTION)

An agenda item from Chief Financial Officer Jeff Cronk and presented by Contracts and Risk Manager Dan Marran requesting Council approval to purchase various commercial insurance policies to protect the financial interests of the City in an amount of approximately \$807,600.00 for the next policy periods and authorize the Contracts and Risk Manager to execute agreements for those policies. The City purchases commercial insurance policies to protect its financial interests against unpredictable and catastrophic losses. These policies include: Property & Contents (including boiler & machinery, auto physical damage, flood damage and cyber liability), public agency general liability, employee dishonesty and tenant user's liability.

Council asked if the policy amount was too high. Mr. Marran stated we haven't received the finalized amount yet, and approving the stated amount is acceptable since we only pay how much we are billed.

Motion: Move to approve the purchase of various commercial insurance policies to protect the financial interests of the City, in an amount of approximately \$807,600.00, for the next policy periods and authorize the Contracts and Risk Manager to execute agreements for those policies.

Moved by: Council Member Abbott

Seconded by: Council Member Bybee

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

No: None

Abstain: None

Vote: Motion passed unanimously, 5-0.

9.3 Consideration and possible approval to purchase various commercial insurance policies to protect the financial interests of the Truckee Meadows Water Reclamation Facility in an amount of approximately \$437,676.00 for the next policy periods and authorize the Contracts and Risk Manager to execute agreements for those policies. (FOR POSSIBLE ACTION)

An agenda item from Chief Financial Officer Jeff Cronk and presented by Contracts and Risk Manager Dan Marran requesting Council approval to purchase various commercial insurance policies to protect the financial interests of the Truckee Meadows Water Reclamation Facility in an amount of approximately \$437,676.00 for the next policy periods and authorize the Contracts and Risk Manager to execute agreements for those policies. TMWRF purchases commercial property coverage to protect against losses relating to its property and contents (including boiler and machinery exposures). Additionally, a Pollution Liability policy is carried at the facility and renewed on a 3-year cycle which is due in the coming fiscal year.

Council asked if the amount reflect Reno's portion of the premium as well. Mr. Marran stated this is the entire premium amount and since Sparks is the authorizing entity for TMWRF, we incur the total cost then bill Reno for their portion per the operating agreement.

Motion: Move to approve the purchase of various commercial insurance policies to protect the financial interests of the Truckee Meadows Water Reclamation Facility, in an amount of approximately \$437,676.00, for the next policy periods and authorize the Contracts and Risk Manager to execute agreements for those policies.

Moved by: Council Member Anderson

Seconded by: Council Member Lawson

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

No: None

Abstain: None

Vote: Motion passed unanimously, 5-0

Council Member Dahir excused himself from the meeting after voting at 3:05 p.m.

9.4 Consideration, discussion and possible approval to purchase stop loss insurance from Voya Financial for the City's self-funded Group Health Plan for Fiscal Year 2021 in the amount of \$480,159 and authorize the City Manager to execute policy documents. (FOR POSSIBLE ACTION)

An agenda item from City Manager Neil Krutz and presented by Human Resources Director Mindy Falk requesting Council approval to purchase stop loss insurance from Voya Financial for the City's self-funded Group Health Plan for Fiscal Year 2021 in the amount of \$480,159 and authorize the City Manager to execute policy documents. The primary layer of risk exposure in the City's Group Health benefit plan is that the City is self-insured, otherwise known as self-funded. Self-funded means the City pays all claim costs for medical, dental and prescription services through the City's third-party administrators. To protect the City's self-funded program from individual catastrophic medical and pharmacy claims, the City purchases stop loss insurance (re-insurance) coverage each fiscal year, which provides significant financial protection to the plan.

Motion: Move to approve the purchase of stop loss insurance with VOYA Financial for the City's self-funded group health plan program for Fiscal Year 21 in the amount of \$480,159 and authorize the City Manager to execute policy documents.

Moved by: Council Member Anderson

Seconded by: Council Member Lawson

Yes: Council Members Abbott, Lawson, Anderson, Bybee

No: None

Abstain: None

Vote: Motion passed unanimously, 4-0.

9.5 Presentation, discussion and possible approval to purchase group life and accidental death and dismemberment insurance with Standard Life Insurance Company for an annual amount of \$72,500 in fiscal years 2021, 2022, and 2023, with a total expense of \$217,500, and authorize the City Manager to execute policy documents. (FOR POSSIBLE ACTION)

An agenda item from City Manager Neil Krutz and presented by Human Resources Director Mindy Falk requesting Council approval to purchase group life and accidental death and dismemberment insurance with Standard Life Insurance Company for an annual amount of \$72,500 in fiscal years 2021, 2022, and 2023, with a total expense of \$217,500, and authorize the City Manager to execute policy documents. The City, under the Group Health Plan, provides life insurance and accidental death and dismemberment insurance. The benefit is provided through our current vendor Symetra Life Insurance which expires on June 30, 2020.

Motion: Move to approve participation in an agreement with Standard Life Insurance and authorize the City Manager to execute policy documents.

Moved by: Council Member Bybee

Seconded by: Council Member Abbott

Yes: Council Members Abbott, Lawson, Anderson, Bybee

No: None

Abstain: None

Vote: Motion passed unanimously, 4-0.

9.6 Consideration, discussion, and possible approval of a professional services contract (AC-5674) with West Coast Code Consultants, Inc. in an amount not to exceed \$500,000 for building permit plan review and inspection services. (FOR POSSIBLE ACTION)

An agenda item from the Community Services Department and presented by Building Official Mark Meranda requesting Council approval of a professional services contract (AC-5674) with West Coast Code Consultants, Inc. in an amount not to exceed \$500,000 for building permit plan review and inspection services. To provide timely building permit and inspection services to the development community, the Building division has used third-party plan checking and inspection services to supplement City staff. West Coast Code Consultants, Inc. currently provides these services to the City. The proposed contract would provide for the Building division's continued use of their services through June 30, 2021.

Motion: Move to a approve the professional services contract (AC-5674) with West Coast Code Consultants, Inc. in an amount not to exceed \$500,000 for building permit plan review and inspection services.

Moved by: Council Member Abbott

Seconded by: Council Member Bybee

Yes: Council Members Abbott, Lawson, Anderson, Bybee

No: None

Abstain: None

Vote: Motion passed unanimously, 4-0.

9.7 Consideration, discussion, and possible approval of a professional services contract (AC-5672) with Bureau Veritas, in an amount not to exceed \$150,000, for contract labor to provide building inspection services during fiscal year 2021. (FOR POSSIBLE ACTION)

An agenda item from the Community Services Department and presented by Building Official Mark Meranda requesting Council approval of professional services contract (AC-5672) with Bureau Veritas for contract labor to provide building inspection services during fiscal year 2021. Bureau Veritas currently provides these services to the Building division of the Community Services Department. The proposed contract would extend the City's use of their services through June 30, 2021.

Motion: Move to approve professional services contract (AC-5672) with Bureau Veritas, in an amount not to exceed \$150,000, for contract labor to provide building inspection services during fiscal year 2021.

Moved by: Council Member Lawson

Seconded by: Council Member Anderson

Yes: Council Members Abbott, Lawson, Anderson, Bybee

No: None

Abstain: None

Vote: Motion passed unanimously, 4-0.

9.8 Consideration, discussion, and possible approval of a professional services contract (AC-5673) with Premier Inspection Services, in an amount not to exceed \$150,000, for contract labor to provide building inspection services for fiscal year 2021. (FOR POSSIBLE ACTION)

An agenda item from Community Services Department and presented by Building Official Mark Meranda requesting Council approval of professional services contract (AC-5673) with Premier Inspection Services, in an amount not to exceed \$150,000, for contract labor to provide building inspection services for fiscal year 2021. Premier Inspection Services currently provides these services to the Building division of the Community Services Department and the proposed contract would continue their services through June 30, 2021.

Motion: Move to approve the professional services contract (AC-5673) with Premier Inspection Services, in an amount not to exceed \$150,000, for contract labor to provide building inspection services for fiscal year 2021.

Moved by: Council Member Bybee

Seconded by: Council Member Anderson

Yes: Council Members Abbott, Lawson, Anderson, Bybee

No: None

Abstain: None

Vote: Motion passed unanimously, 4-0.

9.9 Consideration and possible approval of an expenditure of \$359,501.48 to purchase a Rapid View IBAK camera van and all associated equipment from Jack Doheny Companies, Inc. as part of the FY 2020 Storm Drains CIP utilizing a joinder bid from Sourcewell, a purchasing consortium, contract #122017-RVL. (FOR POSSIBLE ACTION)

An agenda item from Assistant City Manager John Martini and presented by Public Works Manager Ron Korman requesting Council approval of an expenditure of \$359,501.48 to purchase a Rapid View IBAK camera van and all associated equipment from Jack Doheny Companies, Inc. as part of the FY 2020 Storm Drains CIP. Purchase of this equipment will allow Public Works Maintenance staff to use technology to assess the storm drain lines, prioritize cleaning schedules, and record pipeline inspection data; increasing maintenance efficiency and adding vital information to the asset data base.

Council stated this is a good example of a purchase through a restricted fund.

Motion: Move to approve the purchase of a Rapid View IBAK Camera van from Jack Doheny Companies, Inc. in the amount of \$359,501.48.

Moved by: Council Member Lawson

Seconded by: Council Member Bybee

Yes: Council Members Abbott, Lawson, Anderson, Bybee

No: None

Abstain: None

Vote: Motion passed unanimously, 4-0.

9.10 Consideration, discussion, and possible approval of an interlocal agreement (AC-5677) for participation in the Washoe County Regional Communications P25 System for public safety radio communications, including payment to Washoe County for the City of Sparks' proportional share of P25 communications infrastructure development costs currently estimated at \$1,213,422 if paid in one lump sum or \$1,559,293 financed over 15 years. (FOR POSSIBLE ACTION)

An agenda item from City Manager Neil Krutz and presented by Assistant City Attorney Brandon Sendall requesting Council approval of interlocal agreement (AC-5677) for participation in the Washoe County Regional Communications P25 System for public safety radio communications. Government agency first responders across the Truckee Meadows currently communicate with each other on a single shared trunked radio communications system called the Enhanced Digital Access Communications System (EDACS) which has become obsolete. The proposed P25 Interlocal Agreement is an agreement between 19 regional agencies for the development of a new P25 regional communications system. Under the proposed P25 Interlocal Agreement, Washoe County will finance the infrastructure costs with a combination of cash and the issuance of bonds, and each of the partner agencies will be responsible for repayment of its proportional share based on each agency's number of radios in use.

Council asked why it has taken so long to upgrade the system and how long it would take for the system to be operational. Mr. Sendall stated none of the system has been built yet and the main build will take about two years. Since the Joint Operating Committee (JOC) only meets quarterly, it took a long time for the agreement to be finalized with all parties.

Council asked how long we have been using our current system. Mr. Sendall stated since 1999. Fire Chief Jim Reid added the main P25 system build-out should take two years and after that all the kinks will have to be worked out.

Council asked if there would be a period of using both systems as it progressively gets built or would it just be switch over once the system is complete. Chief Reid stated it would be a switch over.

Council asked if the radios they have now would be compliant with the P25 system. Chief Reid stated most of the radios they have now are P25 compliant and would be able to switch over after firmware upgrades. Police Chief Pete Krall confirmed it will be a switch over and the new system will fix many of the holes the current system has.

Motion: Move to approve Interlocal Agreement (AC-5677) for participation in the Washoe County Regional Communications P25 System for public safety radio communications, including payment to Washoe County for the City of Sparks' proportional share of P25 communications infrastructure development costs currently estimated at \$1,559,293 financed over 15 years, approximately \$114,348 annually.

Moved by: Council Member Lawson

Seconded by: Council Member Abbott

Yes: Council Members Abbott, Lawson, Anderson, Bybee

No: None

Abstain: None

Vote: Motion passed unanimously, 4-0.

9.11 Consideration, discussion, and possible approval of an agreement (AC-5671) between the City of Sparks and the Sun Valley General Improvement District for a grant of right-of-way to allow the Sun Valley General Improvement District to install, operate, and maintain its water distribution system within the City's roadways that are located within the 5 Ridges development at 555 Highland Ranch Parkway, which is currently designated as APN 083-011-15 and is located north of Highland Ranch Parkway and west of Pyramid Highway. (FOR POSSIBLE ACTION)

An agenda item from Assistant City Manager John Martini and presented by Assistant City Attorney Brandon Sendall requesting Council approval of agreement (AC-5671) between the City of Sparks and the Sun Valley General Improvement District for a grant of right-of-way to allow the Sun Valley General Improvement District to install, operate, and maintain its water distribution system within the

City's roadways that are located within the 5 Ridges development. Currently, TMWA is the sole provider of water services within the City of Sparks. The property owner of the 5 Ridges development has requested that SVGID rather than TMWA provide water services to its planned development. TMWA has approved an amendment to its wholesale water supply territory to allow SVGID to provide water services to the Property, and SVGID has annexed the Property for water services only.

Motion: Move to approve Right-of-Way Agreement (AC-5671) between the City of Sparks and SVGID to allow SVGID to install, operate, and maintain its water distribution system within City roadways that will be located within the 5 Ridges development (APN 083-011-15) and the adjacent section of Highland Ranch Parkway, subject to the requirements placed on SVGID within the Agreement.

Moved by: Council Member Anderson

Seconded by: Council Member Abbott

Yes: Council Members Abbott, Lawson, Anderson, Bybee

No: None

Abstain: None

Vote: Motion passed unanimously, 4-0.

9.12 Consideration, discussion, and possible adoption of Resolution (R-3365) approving the sale by the city of Sparks to LCG Waterfront, LLC of a parcel 446 square feet in size and a parcel 1,325 square feet in size located within the Marina Village Planned Development. (FOR POSSIBLE ACTION)

An agenda item from Assistant City Manager John Martini and presented by City Engineer Jon Ericson requesting Council adoption of Resolution (R-3365) approving the sale by the city of Sparks to LCG Waterfront, LLC of a parcel 446 square feet in size and a parcel 1,325 square feet in size located within the Marina Village Planned Development. With the construction of the expanded outdoor dining for the Sparks Water Bar and the pool deck at the Marina Waterfront at the Marina Apartments, the existing Sparks Marina Path needed to be relocated. In doing so, remnant parcels have been created. Nevada Revised Statute 268.061(e) authorizes the City Council to sell any real property owned by the city when the property is a remnant that was separated due to the construction of a public facility.

Motion: Move to adopt Resolution (R-3365) approving the sale by the city of Sparks to LCG Waterfront, LLC of a parcel 446.38 square feet in size and a parcel 1,325.06 square feet in size located within the city of Sparks.

Moved by: Council Member Anderson

Seconded by: Council Member Bybee

Yes: Council Members Abbott, Lawson, Anderson, Bybee

No: None

Abstain: None

Vote: Motion passed unanimously, 4-0.

9.13 Review and possible direction to the City Manager regarding the use of \$402,633 of supplemental Community Development Block Grant funding allocated to the City of Sparks through the Corona Virus Aid, Relief and Economic Security Act (CARES Act) to prevent, prepare for and respond to the COVID-19 emergency.

An agenda item from Planning Manager Jim Rundle requesting Council direction to the City Manager regarding the use of \$402,633 of supplemental Community Development Block Grant funding allocated to the City of Sparks through the Corona Virus Aid, Relief and Economic Security Act (CARES Act) to prevent, prepare for and respond to the COVID-19 emergency. Staff previously recommended to allocate the \$402,633 of CDBG-CV funds as follows: (a) up to \$302,633 for public service activities; and, (b), up to \$100,000 for buildings and facilities. With the State of Nevada now providing approximately \$19 million in funding to spend toward COVID related expenses, the City will be able allocate some of those funds toward those areas instead. Staff is now asking for new direction on where to apply the CDBG-CV funds.

Council asked for clarification on how the City can use the money from the State vs this CDBG-CV. Mr. Rundle confirmed the \$19 million from the State can be used for what staff had originally recommended and staff is now asking for direction on where to spend the CDBG-CV funds so they can submit an amendment to HUD to utilize those funds.

City Manager Krutz asked Mr. Rundle if he has an updated recommended motion. Mr. Rundle stated he would work on one as discussion continued.

Council suggested splitting the fund as two-thirds going towards rental assistance and one-third going toward business assistance loans.

Council asked if money spent on business assistance loans are only for Sparks businesses that produce goods related to fighting COVID-19 or any business within Sparks. Assistant Community Services Director Armando Ornelas stated they could make the amendment to allow funds for Sparks businesses that have job losses due to COVID-19 and/or for Sparks businesses that produce goods that help fight COVID-19.

Council asked how long it would take for the funds to be usable for Sparks residents. Mr. Ornelas stated it would take some time to find a third party to serve as a recipient for the funds, but they would file the amendment by the end of the month to start the process.

Council asked if a presentation could be held once the funds are available so the public will know how to apply for them. Mr. Ornelas stated they could have one in a future meeting.

Council asked in the event of there being no recipients to assist with business loans, would it be possible to add those funds to help with rental assistance instead. Mr. Ornelas stated it is possible to change it in the future if need be.

Council asked if adding “and/or” to the motion would make it easier or if that was not legally possible. City Attorney Chet Adams stated the goal of this agenda item is how the funds are distributed and the ultimate decision will come with a formal City Council action. Whatever is decided today is not final and can be changed then, and the motion does not need to be too specific at this time.

Council suggested some organizations to help with rental and business assistance.

Motion: Move to direct the City Manager to file a substantial amendment to HUD to identify a third party to serve as sub-recipient to administer COVID funds in the amount of approximately two-thirds rental assistance and up to one-third business assistance and bring an agreement back to the City Council for consideration and possible adoption.

Moved by: Council Member Lawson

Seconded by: Council Member Bybee

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

No: None

Abstain: None

Vote: Motion passed unanimously, 5-0.

9.14 Consideration, discussion, and possible acceptance of an offer to settle Fichman v. Mercer, Case No. 3:19-CV-00292-MMD-CLB, for \$55,000.00.

An agenda item from City Attorney Chet Adams and presented by Assistant City Attorney Alyson McCormick requesting Council acceptance of an offer to settle Fichman v. Mercer, Case No. 3:19-CV-00292-MMD-CLB, for \$55,000.00. In this federal civil rights action, Plaintiff Zyhere Fichman alleges he was arrested by a Sparks Police Officer without probable cause. Plaintiff has offered to settle this case for \$55,000.00. If City Council approves this settlement amount, the City would be obligated to pay \$55,000.00.

Motion: Move to accept the offer to settle the *Fichman v. Mercer* matter for \$55,000.00, direct staff to negotiate a written settlement agreement, and authorize the City Manager to execute the settlement agreement on the City's behalf.

Moved by: Council Member Lawson

Seconded by: Council Member Bybee

Yes: Council Members Abbott, Lawson, Anderson, Bybee

No: None

Abstain: None

Vote: Motion passed unanimously, 4-0.

9.15 FIRST READING of Bill No. 2774, amending Sparks Municipal Code Chapters 5.22, 5.24, and 5.28 to repeal requirements that gaming employees and bartenders obtain work permits; and providing other matters properly related thereto.

A first reading from City Clerk Lisa Hunderman of Bill 2774. Public Hearing for this item will be held at the regular City Council Meeting Scheduled for Monday, July 13, 2020 at 2 p.m. held virtually via ZOOM.

9.16 FIRST READING of Bill 2775, amending Title 5 of the Sparks Municipal Code to create a Temporary Business License. (CA-5-19)

A first reading from City Clerk Lisa Hunderman of Bill 2775. Public Hearing for this item will be held at the regular City Council Meeting Scheduled for Monday, July 13, 2020 at 2 p.m. held virtually via ZOOM.

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

10.1 PUBLIC HEARING, consideration and possible approval of the Five-Year Consolidated Plan for fiscal years 2020-2024 and Annual Action Plan for fiscal year 2020-2021, for Community Development Block Grant and Washoe County HOME Consortium funding, for submission to the U. S. Department of Housing and Urban Development (HUD). (FOR POSSIBLE ACTION)

An agenda item from Planning Manager Jim Rundle requesting Council approval of the Five-Year Consolidated Plan for fiscal years 2020-2024 and Annual Action Plan for fiscal year 2020-2021, for Community Development Block Grant and Washoe County HOME Consortium funding, for submission to the U.S. Department of Housing and Urban Development (HUD). These plans propose activities using Community Development Block Grant (CDBG) and Washoe County HOME Consortium (WCHC) funds. Recommended uses of the City's CDBG funds include continued financial support for the Continuum of Care planning process and operation of the Community Assistance Center (CAC) Homeless Shelter, Fair Housing activities, and pedestrian improvements, including street curb and gutter replacement and street paving in eligible low- to moderate-income census tracts.

Motion: Move to approve the Five-Year Consolidated Plan for fiscal years 2020-2024 and Annual Action Plan for fiscal year 2020-2021, for Community Development Block Grant and Washoe County HOME Consortium funding, for submission to the U. S. Department of Housing and Urban Development.

Moved by: Council Member Abbott

Seconded by: Council Member Bybee

Yes: Council Members Abbott, Lawson, Anderson, Bybee

No: None

Abstain: None

Vote: Motion passed unanimously, 4-0.

10.2 PUBLIC HEARING, consideration and possible approval of Resolution (R-3364), authorizing the Financial Services Department to establish an inter-fund loan to the Community Development Block Grant Entitlement Fund, and/or the Community Development Block Grant Fund, and/or the Sparks Grants & Donations Fund, from the General Fund as needed during fiscal year 2020-2021 (FY21). (FOR POSSIBLE ACTION)

An agenda item from Chief Financial Officer Jeff Cronk and presented by Compliance Accounting Manager Debi Kinder requesting Council approval of Resolution (R-3364), authorizing the Financial Services Department to establish an inter-fund loan to the Community Development Block Grant Entitlement Fund, and/or the Community Development Block Grant Fund, and/or the Sparks Grants & Donations Fund, from the General Fund as needed during fiscal year 2020-2021 (FY21). Approval of the Resolution will allow the Financial Services Department to manage the cash flow of reimbursement grant Funds in a more efficient manner without potentially violating NRS public hearing requirements. The Resolution will allow for interfund loan(s) to be made from the General Fund to one or all of the City's three grant Funds to the extent that the grant funds would suffer a 'negative' cash situation.

Motion: Move to approve Resolution No. 3364, authorizing the Financial Services Department to establish an interfund loan to the Community Development Block Grant Entitlement Fund, and/or the Community Development Block Grant Fund, and/or the Sparks Grants & Donations Fund, from the General Fund as needed during fiscal year 2020-2021 (FY21).

Moved by: Council Member Anderson

Seconded by: Council Member Bybee

Yes: Council Members Abbott, Lawson, Anderson, Bybee

No: None

Abstain: None

Vote: Motion passed unanimously, 4-0.

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 stated there is a virtual town hall meeting regarding policing in Northern Nevada tonight from 5-7 p.m. on Facebook.

13. Adjournment

Council was adjourned at 4:04 p.m.

Ronald E. Smith, Mayor

ATTEST:

Lisa Hunderman, City Clerk

>>>NJ

DRAFT