



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, November 9, 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 2:00 p.m.

2. Roll Call

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

3. Opening Ceremonies

3.1 Invocation Speaker

The invocation was given by Council Member Dahir.

3.2 Pledge of Allegiance

The Pledge of Allegiance was led by Council Member Bybee.

4. Public Comment

None.

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 with removal of item 7.8, and with items 9.2 and 9.3 heard after item 6.1.

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

6. Minutes

6.1 Consideration and possible approval of the minutes of the Sparks City Council meeting for October 26, 2020. (FOR POSSIBLE ACTION)

Motion: Move to approve the minutes of the Sparks City Council meeting for October 26, 2020.
Moved by: Council Member Anderson
Seconded by: Council Member Abbott
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: "Alpha-1 Awareness Day"

Council proclaimed November 2020 "Alpha-1 Awareness Month." Alpha-1 Antitrypsin Deficiency (Alpha-1) is one of the most common serious hereditary disorders in the world and can result in life-threatening lung disease in adults, and liver disease in both children and adults. Educational efforts through the month of November will increase awareness of detection methods and treatment options for those affected. The proclamation was read by Council Member Anderson.

7.2 Proclamation: "Extra Mile Day"

Council proclaimed November 9, 2020 as "Extra Mile Day." The Extra Mile Foundation encourages individuals, organizations and cities to "go the extra mile" in personal effort, volunteerism and service to help make a difference in local and global communities. The proclamation was read by Council Member Dahir.

7.3 Proclamation: "National Apprenticeship Week in Nevada"

Council proclaimed November 8 – November 14, 2020 as "National Apprenticeship Week in Nevada." National Apprenticeship Week is a nationwide celebration highlighting the benefits of apprenticeship in preparing a highly skilled workforce to meet the growing needs of employers across industries. The proclamation was read by Council Member VanderWell. Randy Canale, UA Local 350 Apprenticeship Coordinator, thanked Council for their recognition on behalf of the Northern Nevada Apprenticeship Coordinator's Association.

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

A presentation from Chief Financial Officer Jeff Cronk providing an update on the cumulative fiscal impact created by the COVID-19 pandemic using the most current data available. A to-date synopsis was provided on COVID-19-related expenses incurred, revenue lost, combined financial impact, and FY21 total projected losses. Council commented on the continued importance of economic base expansion during unprecedented times. Council asked what impact projected budget shortfalls at the state level might have locally. Mr. Cronk commented local trends tend to follow the state at-large, but the finance team continues to monitor all trajectories closely.

7.5 Presentation: Update on the Northern Nevada Covid-19 Eviction Prevention Program

T Tran, President of Imperium Property Management and Consulting, LLC, provided an update regarding the status of work performed to date under the renter mediation program. Ms. Tran provided an overview of applications and cases received, anticipated need for remediation services as eviction moratoriums approach, and program issues encountered. Some issues include jurisdiction considerations for unincorporated areas that file with courts within Sparks city limits, program awareness, and increased misinformation. Council asked if funding needs to be allocated by the December 30, 2020 federal deadline to spend CARES Act funding, or if funds need to be fully expended. Chief Financial Officer Jeff Cronk clarified funds must be expended by the deadline if they would have been expended in the normal course of business. He further clarified prepayments cannot be made unless that would normally occur.

7.6 Presentation: Update on Grant Program Contract (AC-5684) between the City of Sparks and Reno Housing Authority for residential rental assistance

Amy Jones, Executive Director for the Reno Housing Authority, provided an update regarding work performed to date under Grant Program Contract AC-5684 for residential rental assistance within Sparks city limits. The allocated Community Block Development Grant Covid-19 (CBDG-CV) funds totaling \$402,000.00 have been exhausted. Of the allocated \$2 million in CARES Act funding received from the City, to date \$547,317.00 has been exhausted. 167 families have received assistance, with a total of \$949,939 in funds dispersed so far between both programs. An estimated \$3.4 million in rental assistance has been paid in the region to date.

7.7 Presentation: Update on the City of Sparks Small Business Assistance Grant Program

Assistant Community Services Director Armando Ornelas provided an update regarding the Small Business Assistance Grant Program for businesses with a physical presence within the corporate boundary of the City of Sparks and 50 or fewer employees. The City contracted with the National Development Council to assist with program administration. Mr. Ornelas gave a program overview with criteria for eligibility and fund usage. The application period closed November 2, 2020, with 77 applications received. 12 applications were not eligible, 53 applications were approved with total funding estimated at \$863,348.00, and 12 applications remain pending with initial approvals estimated at \$255,458.00.

7.8 Presentation: Nevada Department of Transportation (NDOT): Statewide Advance Warning System Changes

This item was pulled from the agenda during item 5.1.

7.9 Boards and Commissions Vacancy Announcement: Arts and Culture Advisory Committee

City Manager Neil Krutz announced the Arts and Culture Advisory Committee (ACAC) has three (3) vacancies, each for 2-year terms ending November 30, 2022.

The vacancies are for: one member with a humanities background, one member with a performing arts background, and one member with a visual arts background. Applications will be accepted until 5:00 pm on Friday, November 13, 2020.

7.10 Boards and Commissions Vacancy Announcement: Enterprise Fund Advisory Committee

City Manager Neil Krutz announced the Enterprise Fund Advisory Committee (EFAC) has one (1) vacancy for a 4-year term ending December 31, 2024. This vacancy is for a construction industry representative. Applications will be accepted until 5:00 pm on Friday, November 13, 2020.

7.11 Boards and Commissions Vacancy Announcement: Sparks Planning Commission

City Manager Neil Krutz announced the Sparks Planning Commission has two (2) vacancies, each for a 4-year term ending December 31, 2024. Applicants must be a resident of the City of Sparks and a registered voter. Applications will be accepted until 5:00 pm on Friday, November 13, 2020.

8. Consent Items (FOR POSSIBLE ACTION)

Motion: Move to approve consent items 8.1 and 8.2 as submitted.
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.

8.1 Consideration and possible acceptance of the report of the claims and bills approved for payment and appropriation transfers for the period of October 8, 2020 through October 21, 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 October 8, 2020 through October 21, 2020.

8.2 Consideration and possible approval of an application for a Gaming license for Nugget Casino dba Smooth Bourbon located at 1040 Victorian Ave., Sparks, NV 89431 submitted by Mark Sterbens. (FOR POSSIBLE ACTION)

An agenda item presented by Police Chief Chris Crowthor requesting Council approval of a Gaming License from applicant Mark Sterbens for Nugget Casino dba Smooth Bourbon located at 1040 Victorian Ave., Sparks, NV 89431.

9. General Business

9.1 Consideration, discussion, and possible approval of the City Manager's recommended appointment to the Technical Review Committee, Washoe County Home Consortium, for a partial term ending June 30, 2021, from the

following applicants listed in alphabetical order Tran, T. (FOR POSSIBLE ACTION)

An agenda item from City Manager Neil Krutz and presented by Development Services Manager Ian Crittenden requesting Council approval of the City Manager's recommendation to appoint T Tran to the Technical Review Committee, Washoe County Home Consortium, for a partial term ending June 30, 2021.

Motion: I move to approve the City Manager's recommendation to appoint T Tran to the Technical Review Committee, Washoe County Home Consortium, for a partial term ending June 30, 2021.

Moved by: Council Member Anderson

Seconded by: Council Member Bybee

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

No: None

Abstain: None

9.2 Administer the Oath of Office to the newly appointed Assistant City Manager, Alyson McCormick.

This item was heard after agenda item 6.1. Mayor Lawson administered the Oath of Office to newly appointed Assistant City Manager Alyson McCormick. Council approved Mrs. McCormick's appointment October 26, 2020.

9.3 Administer the Oath of Office to the newly appointed Chief of Police, Chris Crawford.

This item was heard after agenda item 6.1. Mayor Lawson administered the Oath of Office to newly appointed Police Chief Chris Crawford. Council approved Mr. Crawford's appointment October 26, 2020.

9.4 Presentation, discussion, and possible approval of an employment agreement (AC-5710) for John A Martini for the position of Assistant City Manager, effective November 9, 2020, with a yearly salary of \$214,947.20 plus benefits. (FOR POSSIBLE ACTION)

An agenda item from and presented by City Manager Neil Krutz requesting Council approval of an Assistant City Manager employment contract with John Martini, effective November 9, 2020, with a yearly salary of \$214,947.20 plus benefits. Mr. Martini has been an Assistant City Manager with an executive contract with the City since April 15, 2019. These contract updates seek to better align with the fiscal year, and to incorporate executive resolution terms into the contract to eliminate the need to maintain and refer to two separate documents to determine benefits.

Motion: I move to approve the Assistant City Manager Employment Agreement (AC-5710) between the City of Sparks and John Martini, with a yearly salary of \$214,947.20 plus benefits.

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.

9.5 Presentation, discussion, and possible approval of an employment agreement (AC-5711) for Jeffery Cronk for the position of Chief Financial Officer, effective November 9, 2020, with a yearly salary of \$199,056.00 plus benefits. (FOR POSSIBLE ACTION)

An agenda item from and presented by City Manager Neil Krutz requesting Council approval of a Chief Financial Officer employment contract with Jeffery Cronk, effective November 9, 2020, with a yearly salary of \$199,056.00 plus benefits. Mr. Cronk has had an executive contract with the City since January 4, 2010. These contract updates seek to better align with the fiscal year, and to incorporate executive resolution terms into the contract to eliminate the need to maintain and refer to two separate documents to determine benefits.

Motion: I move to approve the Chief Financial Officer employment agreement (AC-5711) between the City of Sparks and Jeff Cronk, with a yearly salary of \$199,056.00 plus benefits.

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.

9.6 Presentation, discussion, and possible approval of an employment agreement (AC-5712) for James Reid for the position of Fire Chief, effective November 9, 2020, with a yearly salary of \$199,056.00 plus benefits. (FOR POSSIBLE ACTION)

An agenda item from and presented by City Manager Neil Krutz requesting Council approval of a Fire Chief employment contract with James Reid, effective November 9, 2020, with a yearly salary of \$199,056.00 plus benefits. Mr. Reid has had an executive contract with the City since June 7, 2019. These contract updates seek to better align with the fiscal year, and to incorporate executive resolution terms into the contract to eliminate the need to maintain and refer to two separate documents to determine benefits.

Motion: I move to approve the Fire Chief Employment Agreement (AC-5712) between the City of Sparks and James Reid with a yearly salary of \$199,056.00 plus benefits.

Moved by: Council Member Dahir

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 Presentation, discussion, and possible approval of an employment agreement (AC-5713) with Mindy Falk for the position of Human Resources Director, effective November 9, 2020, with a yearly salary of \$152,256.00 plus benefits. (FOR POSSIBLE ACTION)

An agenda item from and presented by City Manager Neil Krutz requesting Council approval of a Human Resources Director employment contract with Mindy Falk, effective November 9, 2020, with a yearly salary of \$152,256.00 plus benefits. Mrs. Falk has had an executive contract with the City since 2015. These contract updates seek to better align with the fiscal year, and to incorporate executive resolution terms into the contract to eliminate the need to maintain and refer to two separate documents to determine benefits.

Motion: I move to approve the Human Resources Director Employment Agreement (AC-5713) between the City of Sparks and Mindy Falk.
Moved by: Council Member VanderWell
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 Presentation, discussion, and possible approval of an amended employment agreement (AC-5706) for Chris Crawforth for the position of Chief of Police, effective November 9, 2020, with a yearly salary of \$199,056.00 plus benefits. (FOR POSSIBLE ACTION)

An agenda item from and presented by City Manager Neil Krutz requesting Council approval of an amended employment agreement (AC-5706) for Chris Crawforth for the position of Chief of Police, effective November 9, 2020, with a yearly salary of \$199,056.00 plus benefits. On October 26, 2020, Council approved the employment contract for Police Chief Crawforth, however, language regarding sick leave conversion was found to be missing from the contract. This was an administrative error, and this amendment will correct the oversight.

Motion: I move to approve the amended employment agreement (AC-5706) between the City of Sparks and Chris Crawforth for the position of Police Chief.
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.

9.9 Presentation, discussion and possible approval of an amended employment agreement (AC-5707) with Alyson L. McCormick for the position of Assistant

City Manager, effective November 9, 2020, with a yearly salary of \$175,000.00 plus benefits. (FOR POSSIBLE ACTION)

An agenda item from and presented by City Manager Neil Krutz requesting Council approval of an amended employment agreement (AC-5707) for Alyson McCormick for the position of Assistant City Manager, effective November 9, 2020, with a yearly salary of \$175,000.00 plus benefits. On October 26, 2020, Council approved the employment contract for Assistant City Manager McCormick, however, language regarding sick leave conversion was found to be missing from the contract. This was an administrative error, and this amendment will correct the oversight.

Motion: I move to approve the amended employment agreement (AC-5707) between the City of Sparks and Alyson L. McCormick for the position of Assistant City Manager.

Moved by: Council Member VanderWell

Seconded by: Council Member Anderson

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

No: None

Abstain: None

Vote: Motion passed unanimously, 5-0.

9.10 FIRST READING of Bill 2779 to annex real property approximately 34.71 acres in size generally located at 555 Highland Ranch Parkway, Washoe County, Nevada. Upon annexation the parcel will convert from a Washoe County zoning designation of GR (General Rural) to a City of Sparks zoning designation of A-40 (Agriculture). (PCN19-0040)

A first reading from Assistant City Clerk Julie Torres of Bill 2779. Public Hearing for this item will be held at the regular City Council Meeting scheduled for Monday, November 23, 2020 at 2 p.m. held virtually via ZOOM.

9.11 FIRST READING of Bill 2780 to rezone real property approximately 34.71 acres in size generally located at 555 Highland Ranch Parkway from 34.71 acres of A-40 (Agriculture) to 10.00 acres of SF-6 (Single-Family Residential, 6,000 sq. foot lots) and 24.71 acres of A-5 (Agriculture). (PCN19-0040)

A first reading from Assistant City Clerk Julie Torres of Bill 2780. Public Hearing for this item will be held at the regular City Council Meeting Scheduled for Monday, November 23, 2020 at 2 p.m. held virtually via ZOOM.

9.12 FIRST READING of Bill No. 2781 for approval of the Development Agreement, Amendment Number 2, pursuant to NRS 278.0201, between the City of Sparks, QK, LLC and 5 Ridges Development Company, Inc., providing for planning and development of a site 421.58 acres in size located at 555 Highland Ranch Parkway, Sparks, Nevada (PCN19-0040).

A first reading from Assistant City Clerk Julie Torres of Bill 2781. Public Hearing for this item will be held at the regular City Council Meeting Scheduled for Monday, November 23, 2020 at 2 p.m. held virtually via ZOOM.

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

10.1 SECOND READING, public hearing, discussion, and possible adoption of Bill 2778, an Ordinance amending Title 5, Section 5.80.010(E) of the Sparks Municipal Code to amend the definition of marijuana to clarify that hemp, as defined by federal and state law, is excluded from the definition of marijuana.
An agenda item from City Manager Neil Krutz and presented by Assistant City Attorney Brandon Sendall requesting Council approval to amend section 5.80.010(E) of the Sparks Municipal Code to amend the definition of marijuana to clarify that hemp, as defined by federal and state law, is excluded from the definition of marijuana.

The 2018 Farm Bill removed hemp – defined as cannabis (*Cannabis sativa* L.) and derivatives of cannabis with very low concentrations of THC (no more than 0.3 percent THC) – from the federal definition of marijuana. The 2019 Nevada Legislature updated the State’s hemp and marijuana statutes to reflect this change in federal law. As a result, under Nevada law, the sale of hemp and hemp products such as CBD oil are legal because such products do not exceed federal THC concentration limits. Sparks Municipal Code does not currently contain the same distinction between marijuana and hemp.

Public hearing was opened at 3:49 p.m. There were no comments.

Motion: I move to adopt Bill 2778 amending Section 5.80.010(E) of the Sparks Municipal Code to amend the definition of marijuana to clarify that hemp, as defined by federal and state law, is excluded from the definition of marijuana.

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.

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 Members Bybee and VanderWell congratulated re-elected incumbents in the 2020 primary and general elections.

Council Member Dahir reminded of public safety during these unprecedented times.

City Attorney Adams introduced Assistant City Attorney Barrack Potter, a new addition to the legal team.

Mayor Lawson urged everyone to keep safety at the forefront with COVID-19. Cases continue to rise in the region, taxing hospital capacity.

13. Adjournment

Council was adjourned at 3:54 p.m.

Ed Lawson, Mayor

ATTEST:

Lisa Hunderman, City Clerk

>>>LK