



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, December 09, 2019**

**City Council Chambers, Legislative Building, 745 Fourth Street, Sparks, Nevada**

**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, Charlene Bybee, Paul Anderson, Ed Lawson, Kristopher Dahir, City Manager Neil Krutz, City Attorney Chet Adams, and City Clerk Lisa Hunderman, PRESENT.

**3. Opening Ceremonies**

**3.1 Invocation Speaker**

The invocation was led by Council Member Kristopher Dahir.

**3.2 Pledge of Allegiance**

The Pledge of Allegiance was led by Council Member Paul Anderson.

**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.

**Moved by:** Council Member Dahir

**Seconded by:** Council Member Lawson

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

**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 November 25, 2019.**

**Motion:** Move to approve the minutes for the Sparks City Council meeting for November 25, 2019.  
**Moved by:** Council Member Bybee  
**Seconded by:** Council Member Abbott  
**Yes:** Council Members Abbott, Lawson, Anderson, Dahir, Bybee  
**No:** None  
**Abstain:** None  
**Vote:** Motion passed unanimously, 5-0.

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

7.1 **Commendation: Sparks High School Railroader Marching Band**

Mayor Smith commended the Sparks High School Railroader Marching Band for winning this year's Nevada Band Championship. Additional first-place wins for the season include The Galena Performance of Champions, The Reed Performance Clinics, The Damonte Ranch Invitational, and The Sierra Band Crusade. The commendation was read by Council Member Abbott and presented to Band Director Garrett Spalka. Mr. Spalka and band members introduced themselves, thanked Council for their support, and expressed their love and dedication for the program.

7.2 **Commendation: Sandy's Book Nook**

Mayor Smith commended the Burke-Dailey family for building and dedicating Sandy's Book Nook at Diedrichsen Elementary School. The book nook honors late wife and mother Sandra Jean Burke and was built by her husband, Mike Burke, to memorialize Sandy and her contributions as a volunteer at the school's library. Sandy's Book Nook is part of the world's largest book-sharing movement known as "Little Free Library." The commendation was read by Council Member Bybee and presented to the Burke-Dailey family. Mayor Smith noted the book nook was recently vandalized and asked the community to be aware of public spaces and report any suspicious activities.

7.3 **Board & Commission Vacancy Announcement: Arts and Culture Advisory Committee**

City Manager Neil Krutz announced two (2) vacancies on the Arts and Culture Advisory Committee for 2-year terms ending November 06, 2021. Applicants must have a performing arts background and visual arts background. Applications can be submitted at [www.cityofsparks.us](http://www.cityofsparks.us) or with the City Clerk's Office and will be accepted until 5:00 p.m. on Monday, December 16, 2019.

7.4 **Board & Commission Vacancy Announcement: Sparks Citizens Advisory Committee**

City Manager Neil Krutz announced two (2) vacancies on the Sparks Citizens Advisory Committee: an alternate position for Ward 2, and a regular position for Ward 3. Both positions are coterminous with their appointing Council Member terms expiring November 04, 2022 and November 04, 2020, respectively. Applications can be submitted at [www.cityofsparks.us](http://www.cityofsparks.us) or with the City Clerk's Office and will be accepted until 5:00 p.m. on Monday, December 16, 2019.

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

**Motion:** Move to approve consent items 8.1 through 8.3.  
**Moved by:** Council Member Abbott  
**Seconded by:** Council Member Anderson  
**Yes:** Council Members Abbott, Lawson, Anderson, Dahir, Bybee  
**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 November 09, 2019 through November 21, 2019. (FOR POSSIBLE ACTION)**

An agenda item from Chief Financial Officer Jeff Cronk requesting Council approve the report of claims and bills approved for payment and the appropriation transfers for the period of November 09, 2019 through November 21, 2019.

**8.2 Consideration and possible approval for an expenditure of \$45,000.00 augmenting a professional services agreement with Barrett Resources for outreach work benefitting the City of Sparks's interests in the Truckee Meadows Public Land Management Act. (FOR POSSIBLE ACTION)**

An agenda item from City Manager Neil Krutz requesting Council approve an expenditure of \$45,000.00 to augment a professional services agreement with Barrett Resources for outreach work benefitting the City of Sparks's interests in the Truckee Meadows Public Land Management Act. The City of Sparks retained Barrett Resources on May 07, 2019 for advancing city interests in federal lands legislation and negotiating a draft proposal to Nevada's congressional delegation.

**8.3 Presentation, discussion and possible approval to utilize the joinder provision in Washoe County's Medical Services Contract #3086-19 with ARC Health and Wellness (AC-5631) for medical services in an amount up to \$140,000 per fiscal year for the contract period of 1/1/2020 through 12/31/2024. (FOR POSSIBLE ACTION)**

An agenda item from City Manager Neil Krutz and Human Resources Analyst Sr. Jill Valdez requesting Council approval to utilize the joinder provision in Washoe County's Medical Services Contract #3086-19 with ARC Health and Wellness (AC-5631) for medical services in an amount up to \$140,000 per fiscal year for the contract period of 1/1/2020 through 12/31/2024. Services include public safety annual physicals required under workers' compensation law, employment and Department of Transportation (DOT) drug testing, DOT physicals, Occupational Safety and Health Administration (OSHA) required screenings, pre-employment physicals and psychological tests, tuberculosis screenings, and hepatitis vaccinations for specified positions.

9. General Business

- 9.1 Consideration, discussion and possible approval of the the Mayor's recommendation to appoint two Planning Commissioners from the following pool of applicants listed in alphabetical order: Candace Beck, Hawley Carlson, Jonathan Crawford, Ryan Horning, Donald Kennedy, Kelli Luchetti, James Morman, Reid Petersen, Mike Rawson, David Sousa, William Steward, Alan Stirling, Joanne Tiernan and Dian VanderWell. (FOR POSSIBLE ACTION)  
An agenda item from City Manager Neil Krutz requesting Council approve two appointments to the Sparks Planning Commission based on recommendations from Mayor Smith. The newly appointed commissioners will serve terms January 01, 2020 through December 31, 2023.

**Motion:** Move to confirm the appointments of Mike Rawson and Dian VanderWell to the Sparks Planning Commission January 1, 2020 through December 31, 2023.

**Moved by:** Council Member Anderson

**Seconded by:** Council Member Abbott

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

**No:** None

**Abstain:** None

**Vote:** Motion passed unanimously, 5-0.

- 9.2 Consideration and possible approval of an expenditure of \$336,691.63 to purchase one 2020 International HV607 truck with Hookloader, sander/brine sprayer, and plow from Silver State International as part of the CIP for FY2020 utilizing a joinder bid from the City of Reno contract #2018-00000596 (FOR POSSIBLE ACTION)

An agenda item from Assistant City Manager John Martini and presented by Public Works Manager Ron Korman requesting Council approve an expenditure of \$336,691.63 to purchase a new International HV607 truck with Hookloader, sander and brine sprayer, and plow. Public Works Maintenance usage of the multi-functional vehicle will include removal of trash and debris from public rights-of-way, as well as debris removal from parks and open spaces. This will be a joinder on City of Reno contract #2018-00000596.

**Motion:** Move to approve an expenditure of \$336,691.63 to purchase one 2020 International HV607 truck with Hookloader, sander/brine sprayer, and plow from Silver State International as part of the CIP for FY2020 utilizing a joinder bid from the City of Reno contract #2018-00000596 for the purchase of this vehicle from Silver State International in the amount of \$336,691.63.

**Moved by:** Council Member Dahir

**Seconded by:** Council Member Anderson

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

**No:** None

**Abstain:** None

**Vote:** Motion passed unanimously, 5-0.

**9.3 Consideration, discussion, and possible approval of a construction contract (AC-5627) for the Recreation Gym HVAC Replacement Project, Bid No. 19/20-005, PWP #WA-2020-053, to Mt. Rose Heating & Air-Conditioning Inc. in the amount of \$323,855. (FOR POSSIBLE ACTION)**

An agenda item from Assistant City Manager John Martini and presented by Capital Projects Manager Brian Cason requesting Council approval of a construction contract (AC-5627) for the Recreation Gym HVAC Replacement Project, Bid No. 19/20-005, PWP #WA-2020-053, to Mt. Rose Heating & Air-Conditioning Inc. in the amount of \$323,855. The recreation gym is heavily used for public events and childcare. The HVAC system has not been upgraded since original construction in 1964 and the continual increase in maintenance costs and decreased efficiency of the aging HVAC system is justification for replacement.

**Motion:** Move to approve a construction contract (AC-5627) for the Recreation Gym HVAC Replacement Project to Mt. Rose Heating & Air-Conditioning Inc., in the amount of \$323,855.

**Moved by:** Council Member Abbott

**Seconded by:** Council Member Bybee

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

**No:** None

**Abstain:** None

**Vote:** Motion passed unanimously, 5-0.

**9.4 Consideration, discussion, and possible approval of a construction contract (AC-5626) for the Recreation Gym Restroom ADA Upgrade Project, Bid No. 19/20-004, PWP #WA-2020-052, to Gill Construction, Inc. in the amount of \$117,240. (FOR POSSIBLE ACTION)**

An agenda item from Assistant City Manager John Martini and presented by Capital Projects Manager Brian Cason requesting Council approval of construction contract (AC-5626) for the Recreation Gym Restroom ADA Upgrade Project, Bid No. 19/20-004, PWP #WA-2020-052, to Gill Construction, Inc. in the amount of \$117,240. The Recreation Gym restrooms are heavily used for public events and childcare. The restrooms have not been upgraded since original construction in 1964 and need plumbing and aesthetic improvements to meet current ADA standards.

**Motion:** Move to approve a construction contract (AC-5626) for the Recreation Gym Restroom ADA Upgrade Project to Gill Construction, Inc., in the amount of \$117,240.

**Moved by:** Council Member Anderson

**Seconded by:** Council Member Bybee

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

**No:** None

**Abstain:** None

**Vote:** Motion passed unanimously, 5-0.

**9.5 Consideration, discussion, and possible approval of a Master License Agreement (AC-5629) between the City of Sparks and New Cingular Wireless PCS, LLC for the construction, installation, and operation of Small Wireless Communications Facilities on City-owned structures and within City Rights-of-Way. (FOR POSSIBLE ACTION)**

An agenda item from City Engineer Jon Ericson and presented by Assistant City Attorney Brandon Sendall requesting Council approve a Master License Agreement (AC-5629) between the City of Sparks and New Cingular Wireless PCS, LLC (AT&T) for the construction, installation, and operation of Small Wireless Communications Facilities on City-owned structures and within City Rights-of-Way. Sparks Municipal Code 12.42.020(C)(1) requires that all carriers execute a Master License Agreement prior to the issuance of any building permits associated with small wireless facilities located within City rights-of-way. This Master License Agreement establishes fees assessed for the use of City rights-of-way and intends to comply with recent Federal Communications Commission (FCC) orders and directives regarding the deployment of small cell and 5G technologies.

Mr. Sendall presented an overview of small cell units and agreement requirements that include shielding, blocking, camouflaging and blending of the small cell units to surrounding structures. In addition to normal permitting fees, the City will charge an initial application fee of \$500 or \$1000 depending on kind of unit and an annual fee of \$270 per small cell unit.

Council asked what permissions wireless companies will have to start building and repairing units, and the approximate number of anticipated units and their proximity to one another; Mr. Sendall noted the current number of units is unknown, however Sparks Municipal Code requires 150-foot minimum between units. Mr. Sendall confirmed wireless companies must engage in standard building permit processes; future maintenance of the small cell units will require a 48-hour notice with the City and changes to size or use of the unit will require a new permit. Assistant Community Services Director Armando Ornelas assured Council that municipal codes can be addressed should future concerns arise with the agreement.

Council thanked legal and planning staffs for helping the City maintain as much legal control over City rights-of-way under restrictive Federal guidelines.

**Motion:** Move to approve the Master License Agreement (AC-5629) with AT&T to address AT&T's construction, installation, and operation of Small Wireless Facilities on City-owned structures within City Rights-of-Way.

**Moved by:** Council Member Anderson

**Seconded by:** Council Member Bybee

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

**No:** None

**Abstain:** None

**Vote:** Motion passed unanimously, 5-0.



**9.6 Consideration, discussion, and possible approval of a Master License Agreement (AC-5630) between the City of Sparks and Sacramento-Valley Limited Partnership dba Verizon Wireless for the construction, installation, and operation of Small Wireless Communications Facilities on City owned structures and within City Rights-of-Way. (FOR POSSIBLE ACTION)**

An agenda item from City Engineer Jon Ericson and presented by Assistant City Attorney Brandon Sendall requesting Council approval of Master License Agreement (AC-5630) between the City of Sparks and Sacramento-Valley Limited Partnership dba Verizon Wireless for the construction, installation, and operation of Small Wireless Communications Facilities on City-owned structures and within City Rights-of-Way. Sparks Municipal Code 12.42.020(C)(1) requires all carriers execute a Master License Agreement prior to the issuance of any building permit associated with small wireless facilities located within rights-of-way. This Master License Agreement establishes fees assessed for the use of City rights-of-way and intends to comply with recent Federal Communications Commission (FCC) orders and directives regarding the deployment of small cell and 5G technologies. Mr. Sendall explained the agreement with Verizon and AT&T are the same regarding the City's obligations and construction of small cell networks.

**Motion:** Move to approve the Master License Agreement (AC-5630) with Verizon to address the construction, installation, and operation of Small Wireless Facilities on City-owned structures within City Rights-of-way.

**Moved by:** Council Member Bybee

**Seconded by:** Council Member Abbott

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

**No:** None

**Abstain:** None

**Vote:** Motion passed unanimously, 5-0.

**9.7 Consideration and possible acceptance of the City's Comprehensive Annual Financial Report (CAFR) for fiscal year 2018-2019, and possible approval of the City's Plans of Corrective Actions relating to the City's external auditors' conclusions and recommendations. (FOR POSSIBLE ACTION)**

An agenda item from Chief Financial Officer Jeff Cronk and presented by Accounting Manager Debi Kinder requesting Council approval of the City's Comprehensive Annual Financial Report (CAFR) for fiscal year 2018-2019 as well as approval of the City's Plans of Corrective Actions relating to external auditors' conclusions and recommendations. Per Nevada Revised Statute (NRS) 354.624, all Nevada local governments must provide for an annual audit by a professional accounting firm. The approved CAFR will be submitted to the Government Finance Officers Association (GFOA) for consideration of the Certificate of Achievement for Excellence in Financial Reporting award.

Mrs. Kinder confirmed audits produced three grant findings and one State finding, all with proposed corrective plans of action. There were no financial findings in the Federal audit.

**Motion:** Move to accept the Comprehensive Annual Financial Report and approve the Plans of Corrective Action for fiscal year 2018-2019 as presented and authorize the Chief Financial Officer to distribute the CAFR to interested parties and to the GFOA for award consideration.

**Moved by:** Council Member Dahir

**Seconded by:** Council Member Bybee

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

**No:** None

**Abstain:** None

**Vote:** Motion passed unanimously, 5-0.

**9.8 FIRST READING of Bill No. 2770 for approval of Amendment No. 1 to a Development Agreement pursuant to NRS 278.0201 between the City of Sparks, Foothills at Wingfield, LLC and Albert D. Seeno Construction Company, providing for planning and development of a site approximately 65 acres in size generally located east of Golden Eagle Regional Park and south of Vista Boulevard, Sparks, Nevada.**

A first reading from City Clerk Lisa Hunderman of Bill 2770.

Public hearing for this item will be held at the regular City Council Meeting scheduled for Monday, January 13, 2020 at 2 p.m. at Sparks City Council Chambers, 745 Fourth Street, Sparks, Nevada.

**9.9 FIRST READING of Bill 2769 for approval of the Development Agreement, Amendment Number 1, 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 386.87 acres in size located at 555 Highland Ranch Parkway, Sparks, Nevada.**

A first reading from City Clerk Lisa Hunderman of Bill 2769.

Public hearing for this item will be held at the regular City Council Meeting scheduled for Monday, January 13, 2020 at 2 p.m. at Sparks City Council Chambers, 745 Fourth Street, Sparks, Nevada.

**9.10 FIRST READING of Bill No. 2767, amending Chapter 1.11 of the Sparks Municipal Code by adding thereto provisions expressly allowing Sparks Municipal Court to conduct jury trials in appropriate circumstances; describing persons qualified to act as jurors; granting Sparks Municipal Court authority to establish policies and procedures for jury trials; and providing other matters properly related thereto.**

A first reading from City Clerk Lisa Hunderman of Bill 2767.

Public hearing for this item will be held at the regular City Council Meeting scheduled for Monday, January 13, 2020 at 2 p.m. at Sparks City Council Chambers, 745 Fourth Street, Sparks, Nevada.



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

**10.1 Consideration, discussion, and possible direction to staff to engage outside counsel (AC-5628) regarding potential litigation regarding the opioid crisis and its impacts on the City of Sparks. (FOR POSSIBLE ACTION)**

An agenda item from City Attorney Chet Adams, presented by Assistant City Attorney Brandon Sendall requesting to engage outside counsel (AC-5628) regarding potential litigation against the opioid crisis and impacts on the City of Sparks. On November 12, 2019, the City Council directed staff to opt out of participation in a nationwide multi-district litigation “negotiation class” against 13 different opioid entities in a federal district court in Ohio. By opting out of the Ohio negotiation class, the City retained its ability to independently sue opioid entities in either state or federal court. On November 12, 2019 Robert Eglet with Eglet Adams law firms presented to Council regarding the firm’s interest in representing the City, as they already represent many jurisdictions in the state of Nevada along with the law firm of Bradley, Drendel & Jeanney.

Public hearing was opened at 14:58; there were no comments.

**Motion:** Move to direct the City Manager and City Attorney’s Office to retain the law firms of Eglet Adams and Bradley, Drendel & Jeanney to pursue litigation against the appropriate opioid-related entities.

**Moved by:** Council Member Anderson

**Seconded by:** Council Member Lawson

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

**No:** None

**Abstain:** None

**Vote:** Motion passed unanimously, 5-0.

City Attorney Chet Adams noted that while he has had no participation in any recommendations for any law firms in this process, he feels Council’s selection of Bradley, Drendel & Jeanney is one of the best choices to represent the City.

**11. Planning and Zoning Public Hearings and Action Items**

None

**12. Comments**

**12.1 Comments from the Public**

Sparks Resident Bill Wagner provided comment he would like to see highest bids for proposed contracts represented on the agenda.

**12.2 Comments from City Council and City Manager**

Council Member Dahir thanked City staff for all their hard work year-round. And wished a merry and safe Christmas to all first responders working during the holiday.

City Manager Neil Krutz reminded the December 23, 2019 City Council and Redevelopment Agency meeting is canceled. The next City Council meeting will be held January 13, 2020.

Council Member Bybee thanked Parks and Recreation Director Tracy Domingues,, the Special Events team, and staff for their great work on the Annual Christmas Tree Lighting and parade. She also thanked Public Works for building an amazing float.

City Attorney Adams thanked those who drove dignitaries during the parade.

Mayor Smith thanked Dolan Auto Group and Champion Chevrolet for donating 27 brand new vehicles for use during the parade. He also wished a Merry Christmas and Happy New Year to all.

**13. Adjournment**

Council was adjourned at 3:04 p.m.

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Ronald E. Smith, Mayor

ATTEST:

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Lisa Hunderman, City Clerk

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