



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, July 27, 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 2:06 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 Abbott.

4. Public Comment

Sparks Resident Joni called in public comment in support of the Sparks Police Department. Joni requested additional funding for the department as the city continues to grow.

Adrian Lowry called in public comment requesting justice for Miciah Lee, immediate release of footage for officer-involved shootings, defunding and reform of police protocols, and training transparency.

Shelly Reid called in public comment in support of police and denounced defunding of the department. Ms. Reid reminded of the dangers the job entails.

City Clerk Lisa Hunderman read into record emailed public comment from Tanya Hayes supporting creation of a diversity committee and requesting a citizens advisory committee to the police department, a townhall meeting with local officials, and a survey of public opinion of local police engagement in the community.

Emails were also read into record from Sparks Residents Pam and Joni. Each provided comment supporting Sparks police and denouncing defunding of the department.

An audio recording from Stevi was played requesting justice for Miciah Lee, police defunding with increased community emphasis on mental health and crisis management, and eradication of police brutality and racial inequality.

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 Abbott

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 July 13, 2020. (FOR POSSIBLE ACTION)

Motion: Move to approve the minutes of the Sparks City Council meeting for July 13, 2020.

Moved by: Council Member Anderson

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: Building Code of Appeals

There are two (2) vacancies on the Building Code Board of Appeals that must be filled by one (1) structural and/or civil engineer and one (1) mechanical engineer. These are two-year terms ending September 30, 2022. Applicants must meet the following requirements: The Structural/Civil Engineer applicant must be a registered professional with structural and/or civil engineering experience. The Mechanical Engineer and/or mechanical/plumbing contractor must be a mechanical engineer or a mechanical/plumbing contractor with at least 10 years of experience, 5 of which shall have been responsible charge of work. Applications will be accepted through Friday, August 14, 2020 at 5:00 p.m.

7.2 Boards and Commissions Vacancy Announcement: Civil Service Commission

There is one (1) vacancy on the Civil Service Commission, for a partial term ending June 30, 2023. Applicants must be Sparks residents. Applications will be accepted through Friday, July 31, 2020 at 5:00 pm.

8. Consent Items (FOR POSSIBLE ACTION)

Motion: Move to approve consent items 8.1 through 8.3 as submitted.
Moved by: Council Member Bybee
Seconded by: Council Member Dahir
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 June 26, 2020 through July 13, 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 June 26, 2020 through July 13, 2020.

8.2 Consideration, discussion, and possible approval of a construction contract (AC-5678) for the Fire Station #1 Second-Floor Remodel Project to Truckee Meadows Construction in the amount of \$90,827. (FOR POSSIBLE ACTION)

An agenda item from the Assistant City Manager John Martini and presented by Capital Projects Manager Brian Cason requesting Council approval of a construction contract (AC-5678) for the Fire Station #1 Second-Floor Remodel Project to Truckee Meadows Construction in the amount of \$90,827. The remodel includes wall, electrical, HVAC, and security modifications in the administration offices area.

8.3 Consideration and possible approval of an application for a Gaming license for United Coin Machine Co. dba Century Gaming Technologies, located at 800 Prater Way. (FOR POSSIBLE ACTION)

An agenda item from Timothy Cogswell and presented by Acting Police Chief Chris Crawforth requesting Council approval of an application for a Gaming license for United Coin Machine Co. dba Century Gaming Technologies, located at 800 Prater Way Sparks, Nevada 89431.

9. General Business

9.1 Presentation, discussion and possible direction to the City Manager concerning establishment of a diversity commission for the City of Sparks. (FOR POSSIBLE ACTION)

An agenda item City Manager Neil Krutz and presented by Human Resources Manager Mindy Falk requesting Council direct the City Manager to evaluate models and prepare a recommendation concerning the establishment and operation of a diversity commission for the City of Sparks. Council sought clarification if framework was established in the past. Mrs. Falk confirmed the commission would be built from scratch with a model comprised of current best practices.

City Attorney Adams asked the commission's goals and philosophy, and what specific city problem can be solved by creating the commission. Mrs. Falk noted establishing goals and scope of the commission would be looked at in establishing a model, however creating a more diverse workforce is a goal, and hearing more from the community would contribute to a better understanding of diversity needs of the city.

Mr. Adams reminded the city is mandated by state and federal laws to engage in a variety of programs with many of those being diversity oriented. He sought clarification on what this diversity commission would accomplish outside of current mandates. City Manager Krutz commented these are some questions the commission will bring to the table in bigger discussions and noted he feels the current employee complement is not reflective of the current citizen makeup of the city. This is an issue that might be addressed by more effective community engagement that encourages a more diverse pool of applicants. Mr. Adams reminded law requires a workforce that is representative of best-qualified candidates and cannot legally be hired based on diversity considerations such as age, sex, and race. Mrs. Falk agreed laws and best practices will continue to be followed. Mr. Krutz reminded this agenda item is only asking Council to confirm if they would like staff to research options for creating a commission or advisory board. Creation of the committee will need to be brought to Council for future consideration.

Motion: Move to direct the City Manager to evaluate models and prepare a recommendation concerning the establishment and operation of a Diversity Commission for the City of Sparks.

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.

9.2 Consideration, discussion and possible direction regarding possible uses of the Coronavirus Aid, Relief, and Economic Security Act ("CARES Act") Coronavirus Relief funds allocated to the City of Sparks in the amount of \$19,176,261. (FOR POSSIBLE ACTION)

An agenda item from City Manager Neil Krutz and presented by Chief Financial Officer Jeff Cronk requesting Council approval of the conceptual spending categories as presented and direct the City Manager to work with the City's regional partners to determine the best use of the Coronavirus Relief Fund allocation of \$19,176,261.

Mr. Cronk reviewed criteria for funds eligibility and provided an overview of possible uses. Examples include, but are not limited to: Reimbursement of City direct expenditures; Payment of the City's portion of regional costs incurred by the Incident Management Team (Sparks' share is 15% of such costs by agreement);

Ensure the ability for City departments to operate safely, work remotely, and maintain services during the COVID-19 pandemic; Partnering with the University of Nevada on a program to investigate the presence of SARS-COV-2 in sewage flowing through the Truckee Meadows Wastewater Treatment Facility (TMWFR); Residential eviction relief assistance; Community business economic assistance; and provide resources to assist social distancing needs of the homeless population.

Council asked for prioritization of residential eviction relief assistance and community business economic assistance, as well as consideration of contributions to food security programs like Dining with Dignity. Council also sought clarification on the sewage agreement with UNR. Assistant City Manager John Martini commented the agreement allows for testing community water samples to see how prevalent the presence of SARS-COV-2 might be. This data can be used to create community health models and help shape future pandemic management plans.

Motion: Move to approve the conceptual spending categories as presented and direct the City Manager to work with the City's regional partners to determine the best use of the Coronavirus Relief Fund allocation of \$19,176,261.

Moved by: Council Member Anderson

Seconded by: Council Member Abbott

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

No: None

Abstain: None

Vote: Motion passed unanimously, 5-0.

Following the motion City Manager Krutz asked if Council's intent is to include funds for food security options in the residential and community relief categories; Council confirmed yes.

Mayor Smith removed himself from the meeting and was replaced by Mayor Pro Tempore Lawson at 3:08 p.m.

9.3 Consideration, discussion and possible approval of an amended agreement (AC-5529) with the University of Nevada, Reno (UNR) for a no-cost extension to the Truckee Meadows Water Reclamation Facility (TMWRF) Enhanced Dissolved Organic Nitrogen Removal Pilot Project agreement. (FOR POSSIBLE ACTION)

An agenda item from Assistant City Manager John Martini and presented by Treatment Plant Engineer Casey Mentzer requesting Council approval of an amended agreement (AC-5529) with the University of Nevada, Reno (UNR) for a no-cost extension to the Truckee Meadows Water Reclamation Facility (TMWRF) Enhanced Dissolved Organic Nitrogen Removal Pilot Project agreement. The Amendment will expand the performance period from October 22, 2020 to December 31, 2020 at no additional cost. The pilot study has been successful to

date; however, due to circumstances related to COVID-19, UNR has been unable to perform the responsibilities according to the original schedule.

Council asked if there is currently any data available from the pilot program. Mr. Mentzer commented there have been successful program update meetings, but they are still waiting for a final report for cost benefits and analysis information.

Motion: Move to approve the no-cost time extension to existing agreement (AC-5529) with the University of Nevada, Reno for the Enhanced DON Removal Pilot Project at TMWRF.

Moved by: Council Member Abbott

Seconded by: Council Member Dahir

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

No: None

Abstain: None

Vote: Motion passed unanimously, 5-0.

9.4 Consideration, discussion and possible approval of reimbursement to the City of Reno for Sparks's share of a construction contract with Triumph Electric Company for the MCC 12&24 Replacement Project at the Truckee Meadows Water Reclamation Facility in the amount of \$328,164.50, with the City of Sparks's share being \$102,945.20.. (FOR POSSIBLE ACTION)

An agenda item from Assistant City Manager John Martini and presented by Treatment Plant Manager Michael Drinkwater requesting Council approval of reimbursement to the City of Reno for Sparks's share of a construction contract with Triumph Electric Company for the MCC 12&24 Replacement Project at the Truckee Meadows Water Reclamation Facility in the amount of \$328,164.50, with the City of Sparks's share being \$102,945.20. The MCCs are beyond their expected service life and cannot be properly maintained.

Motion: Move to approve reimbursement to the City of Reno for Sparks's share of a construction contract with Triumph Electric Company Inc. for the MCC 12&24 Replacement Project at the Truckee Meadows Water Reclamation Facility in the amount of \$328,164.50, with the City of Sparks' share being \$102,945.20.

Moved by: Council Member Dahir

Seconded by: Council Member Anderson

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

No: None

Abstain: None

Vote: Motion passed unanimously, 5-0.

9.5 Consideration and possible approval to purchase information technology maintenance contracts and software licensing renewals from Summit Partners LLC., CDW-G, or other vendors as needed, in an approximate amount of \$192,300.00, for Fiscal Year 2021. (FOR POSSIBLE ACTION)

An agenda item from Chief Financial Officer Jeff Cronk and presented by IT Manager Rich Brown requesting Council approval to purchase information technology maintenance contracts and software licensing renewals from Summit Partners LLC., CDW-G, or other vendors as needed, in an approximate amount of \$192,300.00, for Fiscal Year 2021.

Motion: Move to approve the purchase of information technology maintenance contracts and software licensing renewals from Summit Partners, LLC., CDW-G, or other vendors as needed, in an approximate amount of \$192,300.00, for Fiscal Year 2021.

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.

9.6 Consideration and possible approval to purchase technology refresh equipment from Summit Partners, LLC., CDW-G or other vendors as needed, from the National Association of State Procurement Officials (NASPO) ValuePoint contract, in an approximate amount of \$117,300.00, for Fiscal Year 2021. (FOR POSSIBLE ACTION)

An agenda item from Chief Financial Officer Jeff Cronk and presented by IT Manager Rich Brown requesting Council approval to purchase technology refresh equipment from Summit Partners, LLC., CDW-G or other vendors as needed, from the National Association of State Procurement Officials (NASPO) ValuePoint contract, in an approximate amount of \$117,300.00, for Fiscal Year 2021.

Council asked if this would be complemented with CARES Act funding to assist with remote work for employees, Mr. Brown confirmed yes.

Motion: Move to approve the purchase of technology refresh equipment from Summit Partners, LLC., CDW-G or other vendors as needed, from the National Association of State Procurement Officials (NASPO) ValuePoint contract, in an approximate amount of \$117,300.00, for Fiscal Year 2021.

Moved by: Council Member Dahir

Seconded by: Council Member Anderson

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

No: None

Abstain: None

Vote: Motion passed unanimously, 5-0.

9.7 Consideration of and possible action on a request to sponsor an amendment to the 2019 Truckee Meadows Regional Plan for a site 34.71 acres in size generally located west of 555 Highland Ranch Parkway, Sparks, Nevada, to change the Regional Land Designation from Rural Area to Tier 2 Land and

amend the boundaries of the Truckee Meadows Service Area and City of Sparks Sphere of Influence to include the site (PCN19-0040). (FOR POSSIBLE ACTION)

An agenda item from 5 Ridges Development Company, Inc., and presented by Senior Planner Sienna Reid requesting Council sponsor an amendment to the 2019 Truckee Meadows Regional Plan for a site 34.71 acres in size generally located west of 555 Highland Ranch Parkway, Sparks, Nevada, to change the Regional Land Designation from Rural Area to Tier 2 Land and amend the boundaries of the Truckee Meadows Service Area and City of Sparks Sphere of Influence to include the site.

Pursuant to the 2019 Truckee Meadows Regional Plan, the 34.71-acre parcel has a Rural Area Regional Land Designation and is located outside the Truckee Meadows Service Area (TMSA) and the City of Sparks Sphere of Influence (SOI). A Regional Plan amendment is necessary prior to City Council action on the development agreement amendment, annexation, Comprehensive Plan land use amendment, and rezoning requests. Regional Plan amendments must be sponsored by the City of Sparks, City of Reno, Washoe County, Regional Planning Commission or Regional Planning Governing Board.

Motion: Move to sponsor an amendment to the 2019 Truckee Meadows Regional Plan to re-designate the 34.71-acre site generally located west of 555 Highland Ranch Parkway, Sparks, Nevada, from Rural Area to Tier 2 Land and amend the boundaries of the TMSA and City of Sparks SOI to include the site.

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.

9.8 Consideration, discussion, and possible acceptance or denial of an offer to settle Grundy v. City of Sparks, Case No. CV20-00540 in the Second Judicial Court for \$100,000.00. (FOR POSSIBLE ACTION)

An agenda item from City Attorney Chet Adams and presented by Assistant City Attorney Brandon Sendall seeking Council's acceptance or denial of an offer to settle Grundy v. City of Sparks, Case No. CV20-00540 in the Second Judicial Court for \$100,000.00. In this state court negligence action, Plaintiff Alayne Grundy alleges two Sparks Police Officers were negligent because they did not handcuff a person who was receiving a medical examination at Renown. The person receiving the medical examination attacked Ms. Grundy during the examination. Plaintiff has offered to settle this case for \$100,000.00.

Council asked if it would be premature to settle at this point; Mr. Sendall confirmed yes, that is his opinion since legal teams are just approaching preliminary phases of discovery.

Motion: Move to reject the offer to settle Grundy v. City of Sparks matter for \$100,000.00.
Moved by: Council Member Anderson
Seconded by: Council Member Abbott
Yes: Council Members Abbott, Lawson, 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

Sparks Resident Ardena Perry called in public comment expressing support for law enforcement and opposition for calls to defund. She shared her own experiences and reminded of the importance of family and social networks for those with mental illness.

12.2 Comments from City Council and City Manager

Council Member Anderson provided an update on community engagement efforts and thanked the community for their involvement so far.

City Attorney Chet Adams thanked the Public Works Maintenance team and elected officials who helped clean graffiti off City Hall after the building was vandalized on July 15.

13. Adjournment

Council was adjourned at 3:39 p.m.

Ronald E. Smith, Mayor

ATTEST:

Lisa Hunderman, City Clerk

>>>LK