

**BOARD OF COUNTY COMMISSIONERS
WASHOE COUNTY, NEVADA**

TUESDAY

10:00 A.M.

NOVEMBER 9, 2021

PRESENT:

Bob Lucey, Chair
Vaughn Hartung, Vice Chair
Alexis Hill, Commissioner (via Zoom)
Kitty Jung, Commissioner (via Zoom)
Jeanne Herman, Commissioner

Janis Galassini, County Clerk
Eric Brown, County Manager
Nathan Edwards, Assistant District Attorney

The Washoe County Board of Commissioners convened at 10:00 a.m. in regular session in the Commission Chambers of the Washoe County Administration Complex, 1001 East Ninth Street, Reno, Nevada. Following the Pledge of Allegiance to the flag of our Country, County Clerk Jan Galassini called roll and the Board conducted the following business:

21-0856 AGENDA ITEM 3 Public Comment.

Mr. Charles Stockford said this was his fourth appearance to talk about the trash on Quartz Lane. He explained there were motorhomes parked along the street with people living in them, and there was an individual who piled junk along the curb. This caused the two-lane road to become a one-lane road. He had concerns about trash blowing into the streets during windy days and the safety of children walking on the street. He hoped the Board would act on the matter.

Mr. Donald Fossum commented he visited states without mask mandates and noted his good health despite not wearing a mask. He read an excerpt from Dr. Marty Makary about the unfounded demonization of the unvaccinated and his preference for immunity over vaccinations. He asked that emergency orders be eliminated.

County Clerk Jan Galassini stated an email received from Ms. Janet Butcher would be placed on file.

21-0857 AGENDA ITEM 4 Announcements/Reports.

County Manager Eric Brown announced the homeless center dashboard had been launched and could be found on the Washoe County website. He explained the website was updated daily with the population and number of empty beds at each shelter. He thanked the Communications Department and the Homeless Services Department for creating the dashboard.

Vice Chair Hartung asked for a presentation on the timeline for a light at Sunset Springs Lane and Pyramid Highway. Noting a recent fatality on Eagle Canyon Drive, he asked to talk about ways to deal with traffic calming. He suggested staff put together a dashboard and give periodic updates on traffic calming requests from the commissioners. He offered his assistance to Commissioner Herman regarding the issues Mr. Charles Stockford spoke about in public comment. He asked for an agenda item to discuss the formation of a coalition to initiate cleanups using money from each commissioner's funds.

Commissioner Hill noted she had heard from constituents asking about the Emergency Rental Assistance Program, and she requested a presentation after the program was in place.

Chair Lucey voiced his shared concern with Vice Chair Hartung regarding traffic calming issues, and mentioned he had three locations within District 2 that needed to be addressed. He asked for the commissioners' location request lists and potential funding plans. He thanked veterans and their families for their sacrifice to make this country a democratic and free society.

Chair Lucey had heard there were discussions with the Nevada Department of Transportation (NDOT) about the advance warning system going away, opining that the systems were valuable. He said engineers followed common code, but each instance was different and needed to be addressed with uniformity across the country. Adherence to a specific location would be best, he thought. He asked that NDOT come to a meeting to talk about the system and their plans.

Vice Chair Hartung explained NDOT would eliminate several of the advance warning systems and turn them into constant flashers. The advance warning system, he thought, was essential for Pyramid Highway. He thanked Commissioner Hill for her contributions to the community which had been approved in agenda items 8D1 and 8D2 at the October 26 meeting.

PROCLAMATIONS

21-0858 **5A1** Proclaim November 11, 2021 as Veteran's Day.

County Manager Eric Brown introduced the item, but the veterans were not present in Chambers. Due to their absence, agenda items 6 through 11 were opened and heard. Item 5A1 was resumed after Agenda Item 11.

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Chair Lucey recognized the importance of honoring the veterans every day of the year. A video was played of Assistant to the County Manager Erick Willrich speaking about his military service.

DONATIONS

- 21-0859** **6A1** Recommendation to: (1) accept a donation from an anonymous donor to Washoe County Human Services Agency Indigent Services Fund in the amount of [\$10.00] retroactive October 12, 2021; and (2) accept a donation from The Council of State Government to the Washoe County Human Services Indigent Services Fund in the amount of [\$700.00] retroactive March 21, 2017; and direct the Comptroller's Office to make the necessary budget amendments. Human Services Agency. (All Commission Districts.)
- 21-0860** **6A2** Recommendation to: (1) acknowledge various items donated totaling an estimated market value of [\$6,733.00]; and (2) accept donations from various donors to Washoe County Human Services Agency Child Protective Services Fund to support welfare activities in the amount of [\$4,011.05] retroactive for the period July 1, 2021 through October 15, 2021; and direct the Comptroller's Office to make the necessary budget amendments. Human Services Agency. (All Commission Districts.)
- 21-0861** **6A3** Recommendation to: (1) acknowledge various items donated totaling an estimated market value of [\$14,143.00]; and (2) accept a donation from the Keiser Family Trust to the Human Services Agency - Senior Services Fund to support the Senior Citizens Pool Hall in the amount of [\$52,157.57]; and (3) accept donations to the Human Services Agency - Senior Services Fund to support operations of the Washoe County Senior Centers in the amount of [\$2,140.55] retroactive for the period July 1, 2021 through October 15, 2021; and direct the Comptroller to make the necessary budget amendments. Human Services Agency. (All Commission Districts.)

Chair Lucey thanked all individuals who donated to the Human Services Agency, saying it was important to the County to support life from birth to death.

There was no response to the call for public comment.

On motion by Vice Chair Hartung, seconded by Chair Lucey, which motion duly carried on a 5-0 vote, it was ordered that agenda items 6A1 through 6A3 be accepted.

CONSENT AGENDA ITEMS – 7A1 THROUGH 7H1

- 21-0862** **7A1** Recommendation to acknowledge receipt of the Washoe County Water and Sanitary Sewer Financial Assistance Program Status Report as of September 30, 2021. Community Services. (All Commission Districts.)
- 21-0863** **7B1** Recommendation to acknowledge receipt of the Interim Financial Report for Washoe County Governmental Funds for the Three Months Ended September 30, 2021 - Unaudited. Comptroller. (All Commission Districts.)

- 21-0864** **7C1** Recommendation to recognize pursuant to NRS 288.160, the Washoe County Alternative Sentencing Officers Association (WCASOA) of having the right to represent and be the exclusive bargaining agent of the full-time Alternative Sentencing Officer and full-time Department of Alternative Sentencing Sergeants (excludes intermittent-hourly). If recognized, the WCASOA, as the exclusive bargaining unit, may commence in bargaining for a contract effective July 1, 2022. [No fiscal impact associated with recognition of the new bargaining unit.] Human Resources. (All Commission Districts.)
- 21-0865** **7D1** Recommendation to accept a U.S. Department of Health and Human Services, Health Resources and Services Administration subgrant award from Zero to Three: National Center for Infants, Toddlers and Families in the amount of [\$75,000; no County match requirement]; retroactive from September 30, 2021 through September 29, 2022 to support the Safe Babies Court Team program; retroactively authorize the Director of the Human Services Agency to execute subaward agreement and related documents; and direct the Comptroller to make necessary budget amendments. Human Services Agency. (All Commission Districts.)
- 21-0866** **7E1** Recommendation to approve Commission District Special Fund disbursement in the amount of [\$2,500] for Fiscal Year 2021-2022; District 3 Commissioner Kitty Jung recommends a [\$2,500] grant to the Glenn Duncan STEM Academy to provide funds for the completion of an exterior mural; approve Resolution necessary for same; and direct the Comptroller's Office to make the necessary disbursement of funds. Manager's Office. (Commission District 3.)
- 21-0867** **7F1** Recommendation to approve an overfill time exception of two bailiff positions for a specified period not to exceed 23 weeks in order for recruits to attend the next law enforcement academy and obtain training, direct Budget to make the necessary adjustments, and authorize Human Resources to allow the necessary staffing changes. Pursuant to Washoe County Code, 5.210 an overfill appointment is limited to a six week overlap between the employee who is resigning the position and the incoming employee and it does not increase the number of permanent positions. [Net fiscal impact is estimated at \$74,931.00]. Reno Justice Court. (All Commission Districts.)
- 21-0868** **7G1** Recommendation to approve the Interlocal Agreement Extraditions between County of Washoe on behalf of the Washoe County Sheriff's Office and the City of Sparks on behalf of the Sparks Police Department in an amount not to exceed [\$35,000.00] to be paid to the Washoe County Sheriff's Office Consolidated Extraditions Unit for the processing of extraditions and transportation of prisoners for the Sparks Police Department, for the retroactive period of June 30, 2021 to the expiration date of June 30, 2023. Sheriff. (All Commission Districts.)

21-0869 **7H1** Recommendation to accept Treasurer’s status report for the period ending October 31, 2021, of payment of refunds and interest since last update in the amount of \$1,941,135 on certain property tax overpayments for residential properties at Incline Village/Crystal Bay, in compliance with the October 21, 2019 Order issued by the District Court in Village League to Save Incline Assets, Inc., et.al. vs. State of Nevada, et.al., Case No. CV03-06922, as modified and clarified by the settlement agreement regarding the processing of refunds. Treasurer. (All Commission Districts.)

There was no response to the call for public comment on the consent agenda items listed above.

On motion by Vice Chair Hartung, seconded by Commissioner Herman, which motion duly carried on a 5-0 vote, it was ordered that consent agenda items 7A1 through 7H1 be approved. Any and all resolutions or interlocal agreements pertinent to consent agenda items 7A1 through 7H1 are attached hereto and made a part of the minutes thereof.

BLOCK VOTE – 9 AND 10

21-0870 **AGENDA ITEM 9** Recommendation and possible action to approve a Settlement Agreement wherein Washoe County will agree to pay Fleetwood Corporation the amount of \$150,000 for construction and placement of the Pleasant Valley Sewer Interceptor over parcels of property in which Fleetwood holds geothermal and surface rights. District Attorney. (All Commission Districts.)

There was no response to the call for public comment.

On motion by Vice Chair Hartung, seconded by Commissioner Hill, which motion duly carried on a 5-0 vote, it was ordered that agenda item 9 be approved.

21-0871 **AGENDA ITEM 10** Recommendation to approve budget amendments totaling an increase of [\$272,727.00] in both revenue and expense to the FY22 Tobacco Control Program for youth vaping prevention grant retroactive to July 1, 2021 through June 30, 2022 and direct the Comptroller’s office to make the appropriate budget amendments. Health District. (All Commission Districts.)

There was no response to the call for public comment.

On motion by Vice Chair Hartung, seconded by Commissioner Hill, which motion duly carried on a 5-0 vote, it was ordered that agenda item 10 be approved and directed.

21-0872 **AGENDA ITEM 8** Recommendation to accept the William N. Pennington Foundation grant [in the amount of \$539,647 with a Washoe County cash match in the amount of \$332,000] for improvements to the Bowers Mansion Pool Facility; and approve the Grant Agreement with grant period of one year from notice to proceed; and authorize the Community Services Department Director to sign the Grant Agreement, reports, and any subsequent documents related to the grant on behalf of the County; and direct the Comptroller's Office to make the necessary budget amendments. Community Services. (Commission District 2.)

Chair Lucey thanked the William N. Pennington Foundation for their donation. He commented the facility was historic as a recreation place, and the donation would keep the pool operational, which had been expensive and difficult to maintain with the decimated Parks Department budget. Under Manager Eric Brown's management, he opined, the County had done a good job of reinvigorating the parks budget; however, it would take time to build up funds. Vice Chair Hartung said the foundation had an impact everywhere in the community, and he was grateful the foundation was able to continue Mr. Pennington's generosity.

There was no response to the call for public comment.

On motion by Vice Chair Hartung, seconded by Chair Lucey, which motion duly carried on a 5-0 vote, it was ordered that Agenda Item 8 be accepted, approved, authorized, and directed.

PUBLIC HEARING

21-0873 **AGENDA ITEM 11** Public Hearing: Possible adoption of a resolution adopting Master Plan Amendment Case Number WMPA21-0005 (North Valleys Character Management Area (CMA) Mapping) to adopt amendments to the Washoe County Master Plan, North Valleys Area Plan, Appendix A- Character Management Plan Map to remove the North Valleys Rural Character Management Area (RCMA) from 251 of 421 affected parcels as listed in Attachment A- Noticing Map, in order to correct non-conforming regulatory zones, exempting the parcels within the Horizon Hills Subdivision. Of the 251 parcels which are the subject of this request, 98 parcels were formally in the Reno-Stead Corridor Joint Plan area and 153 parcels in the vicinity are almost completely surrounded by the City of Reno.

If approved, authorize the Chair to sign the resolution to that effect. Final approval is subject to a finding of conformance with the Truckee Meadows Regional Plan by the regional planning authorities. Community Services. (Commission District 5.)

The Chair opened the public hearing by calling on anyone wishing to speak for or against adoption of said ordinance.

Vice Chair Hartung applauded staff for bringing this matter forward and commented there were many non-conforming parcels in the County. He opined the parcels needed to be brought into conformance with the area plans.

Assistant County Manager Dave Solaro conducted a PowerPoint presentation, a copy of which was placed on file with County Clerk Jan Galassini, and reviewed slides with the following titles: Request; Background; Issue; Proposed Changes; Context-Regulatory Zones; Uses in CMA; Regional Context; Context-Regional Tiers; Proposed Changes; Recommendation; Possible Motion; and What is a CM.

Mr. Solaro said the recent update to the regional plan had released the Stead Joint corridor management planning area. While going through the ramifications of the update, staff found locations with non-conforming uses. He explained the parcels needed to be removed from the rural character management area to allow the community the ability to do things with their property they were currently unable to do. He stated the Planning Commission (PC) voted and it was unanimous that the matter move forward. The matter, he said, would move on to regional planning after the Board's action.

Commissioner Herman noted she did not see anything going back to rural; it was all going into the development of higher density. She said more population and building worried residents, especially given the limited amount of sewer capability in the area.

Mr. Solaro indicated current residents would not be affected. The changes would enable them to utilize their property in a different manner in the future. For example, he said, if someone sold their property, this change would allow the new property owner to provide conforming use. Without the changes, any future sale of the properties would require the non-conforming use.

Mr. Solaro felt the term character management area was often misconstrued within the community, noting it was hard for someone outside of the planning world to understand. He was hopeful things would be clarified for the community with the County's own master plan update. The parcels, he opined, were remnant parcels that should have been annexed into Reno. The parcels had overlays of different processes and policies because they had not been annexed into the city.

Commissioner Herman said she understood what Mr. Solaro was saying, but she felt people needed more explanation. Vice Chair Hartung asked what regional tier the parcels were in. Planner Daniel Cahalane replied the affected parcels were outlined in blue on the PowerPoint presentation, and they were mostly tier 2. Mr. Cahalane said these areas had the potential to develop up to 30 dwelling units per acre under the regional tier plan. Vice Chair Hartung asked whether the joining areas adjacent to these parcels were in Reno. Mr. Cahalane answered they were.

Vice Chair Hartung asked which about the tiers of the adjacent Reno parcels. Mr. Cahalane replied they were tier 1 and tier 2. Vice Chair Hartung said they

could request a higher tier, such as tier 1, if they annexed themselves into the city. He asked what would happen if the parcels could not get sewer capacity once developed. Mr. Solaro replied the parcels could not get developed if they could not get sewer capacity.

On the call for public comment, Ms. Guillermina Redei said the quality of life for the current residents would be affected by the proposed changes, and she thought the history of the community made the area different from the rest of Reno. She spoke about a man who segregated this land into parcels and sold them to African Americans for cheap at a time when they were unable to buy land. She thought the sewage system and roads were not made for industrial or commercial use. She wondered how the changes would affect property taxes for residents.

Ms. Grace Blaylock commented the neighborhood had been quiet until warehouses were built, but recently residents had to deal with loud noises from warehouse construction. She recalled the wildfires two years ago and the complications due to the area only having one exit. She stated she did not want the community to be made into a commercial or industrial area. She said many residents were older people who had been there many years; they could not afford higher taxes and water bills.

Mr. Jack Prien commented he had been in the neighborhood since 1975 and thought the City of Reno had been trying to get them out of the area for years. He thought it was ridiculous that warehouses were being put in when, as of last year, there were 400 empty warehouses in Washoe County. The proposed changes, he opined, would cause more homeless and criminal problems than the County already had.

Ms. Helen Townsell informed the Board that residents had received pink notices from the County, much like eviction notices. She said her mother, who had lived in her home since 1952, called her in tears thinking she was being put out of her house. She recalled receiving a letter in 2011 from the County in which they apologized for the past treatment of residents in the area. She said the community was in the process of making some of the sites into historical buildings. She said she did not want the new changes, and she did not want anyone telling her what she could do with her property.

Mr. Allen Price had been a resident in the neighborhood since 1979. He found the notice from the County to be nerve-racking, and he worried someone might come in and change his property. He wondered where he would go if he lost his property, adding he would be distraught if the proposed changes were made.

Addressing the public commenters, Chair Lucey said he understood their frustrations and concerns. He asked Mr. Solaro to confirm his understanding that any changes made to the character management area would not make it easier for annexation by the City of Reno. Mr. Solaro said the action would not change annexation laws. Chair Lucey asked whether the property owner had to petition to be annexed into the city. Mr. Solaro commented the fears he had heard from the community were that someone would come in and do this for them, but owners would have to be willing parties in whatever land transactions occurred.

Chair Lucey said the proposed changes were guidelines and policy changes that allowed certain things for the property owner, but it would not necessarily change the status of their properties or rights. Mr. Solaro replied that was correct. Chair Lucey commented this would give them the allowance to change if they chose, but it would not force them to. Mr. Solaro replied Chair Lucey was correct. Chair Lucey asked whether their current rights would be grandfathered to them until a sale occurred. Mr. Solaro answered the rights they currently had as a single-family residential community would stay, even with the proposed changes. He said the changes were policies that would be overlain on top of the property, which would allow the properties to come into conformance with Washoe County's plan.

Chair Lucey stated he wanted to convey the information in a way to better inform individuals of the process. Mr. Cahalane clarified there were character management areas within the master plan which dictated what regulatory zones were allowed. The regulatory zones were what set the specific use and subdivision regulations. He explained the County was trying to remove the character management areas in locations that were non-conforming because the original overlay was created in the past. He stated there would be no land use changes and the existing regulatory zones, which set the uses and entitlements, would not change. The only thing that would change was whether the regulatory zones were conforming or not.

Commissioner Jung asked which agency was responsible for sending the notices to homeowners. Mr. Solaro replied Washoe County sent the notices out pursuant to the noticing requirements under state law. Commissioner Jung thought the format could be changed to a more user friendly and less alarming format. She believed the issue was the confusion over how the message was communicated to residents.

Chair Lucey agreed with Commissioner Jung and mentioned the County's communication regarding noticing was not easy to read. He said the County needed to do a better job with noticing, because he had heard complaints about it in the past.

Vice Chair Hartung asked what the noticing process was. Mr. Cahalane said a courtesy notice was provided at the beginning of the process to let residents know when neighborhood meetings were. Three neighborhood meetings were held, two virtual and one in person. Additional noticing, he explained, was provided for the PC meeting and the Board of County Commissioners meeting. The master plan amendment notice was provided in accordance with state law. His phone number and email address were given to residents, and he got back to them as he received information. He thought communicating something complex in writing was difficult, as opposed to the public outreach meetings that were offered.

Vice Chair Hartung asked whether anyone would be evicted by the County. Assistant District Attorney Nathan Edwards replied no. Vice Chair Hartung asked whether taxes would be changed or affected. Mr. Edwards did not think they would because the use was not changing. Vice Chair Hartung asked whether the analysis would change on the existing residential properties. Attorney Edwards said it would not as he understood it.

Vice Chair Hartung commented he was familiar with the area because he lived there at one time. He believed industrial zoning was far less invasive because it would not add homes that brought residential traffic. He thought industrial development brought jobs and revenue to the valley. He asked how the PC had voted. Mr. Solaro responded it passed unanimously. Vice Chair Hartung said his understanding was the matter would go to regional planning for a conformance review and, if found in conformance with the regional plan, it would go to ratification at the Regional Governing Board. Mr. Solaro responded that was correct.

Commissioner Herman agreed with Commissioner Jung regarding the notices, and she thought residents were unaware of what they were being noticed about. She felt there was no guarantee taxes would not go up; taxes usually went up when things changed on properties. She pointed out grading was happening in the area and thought more improvement could happen, which would cause more expenses. She thought there should be a second chance at meetings to make residents feel more at ease with changes.

Mr. Edwards asked how many notices were sent out for the meetings. He thought it was important for the Board to have a count of the notices sent. Mr. Cahalane responded 376 notices went out for the Board of County Commissioners meeting and 540 notices went out for the PC. Horizon Hills was dropped from the affected area between the PC and Board of County Commissioners meetings. Vice Chair Hartung felt the matter had gone through the public process and was vetted by the PC.

On motion by Vice Chair Hartung, seconded by Chair Lucey, which motion duly carried on a 4-1 vote with Commissioner Herman voting no, it was ordered that agenda item 11 be adopted and approved. The Resolution pertinent to agenda item 11 is attached hereto and made a part of the minutes thereof.

21-0874 **AGENDA ITEM 12** Presentation by Washoe County COVID-19 response Incident Commander Dave Solaro on COVID-19 Delta variant data and information in Washoe County to include an update on impacts, vaccination status, State Directives in place, and general information for the community. Manager's Office. (All Commission Districts.)

Mr. Solaro conducted a PowerPoint presentation, a copy of which was placed on file with County Clerk Jan Galassini, and reviewed slides with the following titles: Current COVID by the numbers (4 slides); Current Vaccination status in our community; Masking rules in Washoe County; Tips for our community; and How to use the COVID Risk Meter.

Mr. Solaro commented the risk meter went down to the high range in October but had since jumped back into the very high range. He thought it would be interesting to see what the State did with their dashboard now that children ages 5 through 11 were being vaccinated. While staffing was still a concern for the months of October and November, he mentioned it was not necessarily COVID-19 (C19) related impacts but also standard uses of the hospital. He said staffing issues in hospitals were a nationwide

problem; however, the hospital association was not too concerned about C19 staffing issues.

He stated the County was averaging 1,300 first vaccine doses a week. He recalled boosters were approved in September by the Food and Drug Administration (FDA) and the Centers for Disease Control and Prevention (CDC), and he noted the large increase in the number of booster doses since then. He encouraged the unvaccinated to consider getting the vaccine. He said Washoe County had no say in the masking requirement; it was a governor directive based on CDC transmission levels. He commented Washoe County was still in the elevated range, and the mask mandate would remain in place until the County was below 50 cases per 100,000 people for two consecutive weeks. He summarized the best plan was to continue to vaccinate and wear masks.

Commissioner Jung asked why the community did not receive localized outbreak information like other states did. Mr. Solaro recalled that during the latest surge, contract tracers focused on school-aged children in an effort to keep schools open. While going through the disease investigation, he explained, the data was skewed because it went towards events children frequented. There was not a clear pattern to pinpoint business types that would help determine if one type of activity was riskier than another.

Commissioner Jung said the County had been working on revamping their events to make sure locals felt they had a place at them. She received information that different demographics had been spending their money in the Bay Area due to their vaccination requirements and a higher compliance with mask mandates. She thought the Board needed to find a way to communicate to the public that the best practices were being followed and people should feel safe to eat in Washoe County.

Commissioner Jung was concerned about the amount of recreational money the County was losing because people did not feel safe, and she thought something should be done to increase vaccinations to allow people to carry on with their quality of life. If the case numbers went down, she thought, the data would be more manageable and the County might be able to keep the public more informed. She felt the chair, Mr. Solaro, and the district health officer had the most difficult jobs in the County during the pandemic, and they had been on top of delivering crucial information to the public. She stated she would not be at any indoor public meetings until Washoe County was back in the moderate transmission rate.

Commissioner Hill asked whether booster shots were open to the general public. Mr. Solaro responded boosters were recommended for people 65 years of age and older or those 18 years of age or older who worked with high-risk populations or had underlying health conditions. He relayed that Pfizer recently provided information to the FDA related to boosters for the public, and that process would continue over the next three to four weeks.

Commissioner Hill mentioned she heard from parents who were having issues with availability of vaccines for their children between the ages of 5 and 11. She

believed a reduction in cases would be seen with the vaccination of children as they were part of the spread issue. Mr. Solaro said another health clinic for 5- to 11-year-olds would be held at the Health District that weekend, and pediatricians also provided them, but he thought they were fully booked with vaccine appointments. He reported the Health District had been working with the State to get more pediatric doses to the community. He believed Renown was planning future pediatric clinics.

Commissioner Jung asked about the barriers to providing pediatric vaccines on Sundays and holiday breaks. She received calls from parents asking where they could get the vaccine for their children, and she thought the process needed to be accelerated if demand was there. She opined parents were dependent on the school infrastructure to be able to work to take care of their families.

Chair Lucey commented the allocation need for the pediatric vaccine was limited and Washoe County was trying to get allocations as quickly as possible for any interested individuals. He suggested meeting with Mr. Solaro and Manager Eric Brown to discuss potential staffing for after-school appointments. He knew there were suggestions for potential pod vaccination events at schools, but there were legal issues that needed to be explored before they could happen. He noted allocation was an issue and the County was in the same position as last February when the vaccine first came out. He spoke about his personal experience with exposure to C19 and reminded everyone the vaccine would not prevent a person from getting C19, but it would help with recovery and boosting the immune system.

Regarding Commissioner Jung's comments on infrastructure, Chair Lucey mentioned his concerns about parents having to take extra time off work due to the long waiting periods for tests. He said hospitals were conducting testing through their own lab, and he asked where the Health District sent their testing. Mr. Solaro replied the tests went to the State Public Health Lab at the University of Nevada, Reno. He thought masks could be inhibitory towards individuals and opined the mandate did not adequately address the needs of the community. He believed the vaccine was important to get to a status of herd immunity as C19 was not going away.

Chair Lucey voiced his frustration that the transmission rate requirement by the governor was 8 percent while the CDC requirement was 5 percent. Mr. Solaro believed the CDC requirement was a transmission rate below 50 per 100,000 of the population. He thought that would be equivalent to a positivity rate below 5 percent, but he would investigate the matter and provide that information in the next update. That transmission threshold would need to be reached for two weeks before the mask mandate would be removed. The current number, according to the dashboard, was 211 per 100,000.

Chair Lucey said Washoe County was experiencing several respiratory diseases, including pediatrics respiratory syncytial virus (RSV). He asked whether there had been studies on people with the vaccine titers who contracted RSV or influenza, and he wondered about the impact on polymerase chain reaction testing. Mr. Solaro said he would have to consult someone on that matter.

Chair Lucey commented he received calls from people who were still very concerned about C19, and he wondered if people were being provided enough data to move forward. He said the vaccination rate exceeded his expectations, but it was a challenge to relay the information to people so they felt safe. He opined there were people who got sick and did not take the test because they did not want to contribute to the positivity rate.

Chair Lucey pointed out San Francisco might be stricter with their vaccine verifications, but those were not statewide and California did not have the mask mandate Washoe County had at the state level. He felt Washoe County still had an influx of visitors. He noted he had not seen any pediatric deaths in the recent months and attributed that to the mask mandates. He asked Mr. Solaro to confirm that information. Mr. Solaro replied he would investigate the matter and follow up with that information.

Mr. Solaro addressed the struggle in the community as some of the population was taking C19 very seriously and others were not. He thought it was best to provide data for people to make their own informed decisions. Addressing Commissioner Jung's point, he said it was equally easy for San Francisco residents to travel here as it was for Washoe County residents to travel to San Francisco.

Chair Lucey noted the September average daily rates and occupancy rates continued to rise, which showed Washoe County was seeing aggressive tourism. He felt the community looked to the County for leadership and direction, and the County was not providing constructive data because they were unable to convey it to the public. He thought a step needed to be taken to make sure people felt comfortable within the community. How they chose to live their life, he explained, was not something he would decide, but he wanted to be sure they were given every resource available to make educated decisions. For people to make informed decisions, they needed to be provided with every piece of information, and not just numbers.

Vice Chair Hartung asked for clarification on the percentages of new cases. Mr. Solaro replied the equation was complicated, acknowledging this disparity between the test positivity percentage and the percent of the population with C19. Chair Lucey said the number of actual tests performed was missing. Vice Chair Hartung agreed with Chair Lucey's previous point that not everyone with C19 was being tested, and he thought that influenced the accuracy of the numbers. He said it was interesting that a mask had to be worn everywhere but could be taken off inside a restaurant. He expressed his frustration over the local plan the Board created which the governor never allowed them to follow.

21-0875 **AGENDA ITEM 13** Pursuant to Article 4, Section 12 of the Nevada Constitution and NRS chapter 218A, recommendation to nominate a qualified individual to be considered to fill a vacancy in Nevada Senate District 16, comprised of portions of Washoe County and Carson City, recently vacated by Benjamin Kieckhefer, for the remainder of his term to expire upon the swearing in of the successful candidate at the next regular election in 2022. The list of possible nominees is as follows: Melissa T Clement, Jessica Glover, Rew Robert Goodenow, Steven Guerrazzi, Ronald

W Haslem, Lisa Krasner, Maxine Nietz, Heidi Palmer, Larry Peyton, Tracy Dawn Smith, Donald Tatro, Jeffrey Thiede and Robert L Weise. Manager's Office. (All Commission Districts.)

Government Affairs Liaison Jamie Rodriguez stated the following applicants requested that they be withdrawn from consideration: Mr. Ronald Haslem, Ms. Heidi Palmer, Mr. Larry Payton, Ms. Tracy Dawn Smith, and Mr. Jeffrey Thiede. She mentioned staff could not verify Ms. Jessica Glover's eligibility based on the address she provided. She listed the applicants by the order they signed in pursuant to the process outlined to the applicants: Mr. Rew Robert Goodenow, Ms. Lisa Krasner, Ms. Melissa Clement, Ms. Jessica Glover, Mr. Donald Tatro, and Mr. Robert Weise. Two additional applicants, Ms. Maxine Nietz and Mr. Steven Guerrazzi, had not yet signed in.

Chair Lucey expressed appreciation for the six applicants present in Chambers, saying they would each be given three minutes to share their qualifications, their understanding of the position, and why they wished to serve in the Senate District 16 (SD16) seat. The Board would then be allowed to ask follow-up questions. The intent of this item was for Washoe County to decide which individual they felt was the best to represent SD16 for the following 14 months. He asked for cell phones to be silenced. Once he finished explaining the rules, Chair Lucey continued, staff would lead the candidates to a private room where they would remain until they were called. Once a candidate spoke, they were welcome to stay in Chambers. He mentioned no interviews would be conducted via the Zoom application, though two commissioners were attending the meeting by telephone.

Chair Lucey invited Ms. Glover to the podium and asked about her current residence. It was determined her address was not within the district and she was not eligible as a candidate. Ms. Glover indicated she would be moving, but Chair Lucey explained applicants would have needed to reside in the district for 30 days to be eligible.

Mr. Goodenow spoke about his love for Nevada, saying he hoped his two grandchildren would come to love it like he did. He emphasized the importance of redistricting, saying they needed someone well qualified to participate in the process. He said he represented a variety of businesses as an attorney over the past 30 years and donated his time and legal expertise to local public governance causes. He listed his service as parliamentarian for the local Republican party, general counsel for the state party, and as a delegate at the national convention where he served on the platform committee. He provided a history of the boards he presented to and cases he argued throughout the state, including one that resulted in the process for the second congressional district election. He felt the right candidate needed the ability to start immediately and understand constitutional requirements. He mentioned some examples of his involvement in the community.

Vice Chair Hartung disclosed he had a personal relationship with Mr. Goodenow as the candidate's son dated his daughter in high school. He asked why Mr. Goodenow considered himself the best candidate. Mr. Goodenow believed this was a unique appointment, adding he did not see this as an opportunity to advance his political

career. He felt northern Nevada needed someone who argued tough cases against people who did not agree with them, not someone with a compromising legislative point of view. Additionally, they needed to be able to understand Supreme Court decisional law as well as State and election law, and they needed the ability to think on their feet. He felt the right candidate had to be able to understand complex facts and use the new computer software the State bought to address redistricting. He summarized he could do the job better than the other candidates.

Chair Lucey stated he had interacted many times with Mr. Goodenow, who he described as a strong advocate for the community. He inquired about Mr. Goodenow's understanding of the legislative process, asking if he had participated in or observed a special session. Mr. Goodenow said he had never been a legislator, though he was a former president of the State Bar Association and had also acted as an unpaid lobbyist. He remarked he had participated in writing legislation and was one of the lawyers who wrote the state's Limited Liability Company Act. He was hired and later rehired by the secretary of state to work in connection with that. He cited his work with Senator William Raggio's office in drafting legislation that led to the caucus system as an example of his work relevant to the legislative process. He added that he advised elected officials regarding election law.

Ms. Krasner introduced herself as the sitting assemblywoman for Nevada State Assembly District 26, having served on the 2017, 2019, and 2021 legislative sessions. She stated she was currently an adjunct professor who taught courses on the United States and Nevada Constitutions, as well as an unpaid lobbyist. She listed a number of boards and commissions on which she sat, adding she had a doctorate in law and a bachelor's degree. She opined being a Nevada legislator was a full-time responsibility and she said she was good at what she did. She said the candidate needed to be accountable to the people with extensive legislative experience and have knowledge of the law and budgets. She said she was the only applicant with all those qualifications and could begin working immediately. She indicated she was the only candidate with redistricting experience and was uniquely qualified to serve during the special session and on interim committees. She asked the Board to choose the most qualified person and, as the most qualified, she said she would fight for the people of SD16.

Chair Lucey stated Assemblywoman Krasner's experience spoke for itself as she had been a representative for years.

Ms. Clement said she was a 40-year resident of Washoe County and a graduate of Reno High School and the University of Nevada, Reno. She spoke about the frustration of people who felt like they had no representation and about how the commissioners' hands were tied by many decisions made by the governor. Her goal in applying for the seat was to return to a three-branch system of government, meaning the Legislature should make decisions about suicide funding and the judiciary should also provide input. She thought one person should not make all medical decisions, tell people how to raise their children, or fix education problems. She acknowledged redistricting was

important, but those decisions had already been made. She felt factors other than race needed to be considered.

Vice Chair Hartung asked Ms. Clement why she felt she was the best candidate and how she would approach the distinct needs of the two different communities. She responded Carson City was geographically closer to her. She thought she was the best candidate because she moved here as the third-generation member of a mining family. She had lobbied at the State Legislature since she was 20 years old and had relationships on both sides of the aisle. Selecting her would not require the selection of another assemblyman to take her place. Even though the session would only last a week, she said she would use the position for fifteen months for residents of Carson City, Incline Village, and Washoe County. She planned to host open house events to gather input from SD16 residents to leave Nevada a better place for her children and grandchildren.

Chair Lucey pointed out that Ms. Clement acted as a lobbyist for Nevada Right to Life, for which she was also the current executive director. If appointed to the SD16 seat, he stated, she would not be able to lobby for 12 months after her term ended. Ms. Clement responded that Assemblywoman Jill Dickman looked into this for her, and if that were to happen, Ms. Clement would only operate as an unpaid lobbyist. Chair Lucey asked whether she had ever participated in any special legislative sessions. Ms. Clement answered she participated remotely in the last special session and had attended in person many years prior. She stressed she was aware of the process. Responding to another query, she said she had no intent to run for re-election, which would free her up to continue advocating without having to worry about campaigning.

Mr. Tatro stated he spent nearly all his life in the district, and he would do all he could to fulfill the obligations of the office. He said he would draw on his experience in the United States Senate where an understanding of federal, state, and local parliamentary procedure was required. He spoke about working with current legislators to help build new homes to give all Nevadans access to housing. Other issues on which he worked with legislators included modernizing regulations and increasing solar usage. He said his position as sales manager with Northpointe Bank gave him an understanding of the consequences of legislation at all levels of government. He listed some of the community activities he participated in as well boards and commissions on which he sat. He noted his active relationships with present officials and staff would be a benefit during the redistricting session and the remainder of the term.

Chair Lucey thanked Mr. Tatro and said he clarified any questions the Board might have.

Mr. Weise expressed concern about the outcome of the special legislative session, saying he felt he could do the best job for the citizens of Washoe County. He said he was a 60-year County resident who represented Washoe County in a number of capacities including in the State Legislature and as a four-year Army veteran. He thought they would not vacate Assembly District 26's seat, making him the most experienced politician with legislative experience. He said he served three terms in the State Legislature

as well as on the Interim Finance Committee, though he would not run for re-election. He believed southern Nevada would be aggressive in moving the sphere of influence from northern Nevada to the south. The session would begin in a week, so he felt the candidate needed to be seasoned to craft the best possible outcome. He spoke about some of the potential concerns with redistricting, particularly in southern Nevada, emphasizing the importance of gaining the support of Republicans and rural senators. He pointed out Carson City unanimously voted for him, and he received the endorsement of Senator James Settelmeyer. He asked for the Board's confirmation.

Chair Lucey asked whether Mr. Weise participated redistricting sessions when he was in the State Legislature. Mr. Weise replied he was elected in 1975, 1977, and 1979, but redistricting occurred at the beginning of the decade. He spoke about a bill he introduced regarding redistricting. He confirmed he participated in the 1979 special legislative session about the Tahoe Regional Planning Agency as a legislator and he was aware of the process for a special session. Chair Lucey asked about Mr. Weise's recent interactions with the Legislature. Mr. Weise responded he lobbied as a director for First Interstate Bank on banking issues and on behalf of Harvey's Casino on special interest issues. While he had not participated in recent sessions, he pointed out the process had not changed and he had been in contact with all major lobbyists over the prior month. He felt he was fully qualified to begin immediately.

Chair Lucey said public comment would be heard and the Board would then deliberate, at which time the voting process would take place. He explained how the vote would be taken.

On the call for public comment, County Clerk Jan Galassini said she received four emails: one from Mr. Neil Rombardo in support of Mr. Tatro, one from Mr. Tom Dunn in support of Ms. Krasner, one from Mr. Roger Edwards in support of Ms. Clements, and one from Ms. Mari Hutchinson in support of Mr. Tatro.

Chair Lucey noted he received over 100 emails in support of Ms. Clement, Ms. Krasner, Mr. Weise, and Mr. Tatro. He expressed appreciation for their commitment to the community. He noted a good portion of SD16 was within Commission District 2, and the Senate district was responsible for over 150,000 individuals. He pointed out Senator Kieckhefer would have termed out anyway, so it was up to the people to select who represented them.

Chair Lucey said each applicant was capable of representing those constituents as well as the entire state. He listed his specific requirements for the candidate: that they reside in Washoe County since 62 percent of SD16 was in Washoe County; that they have a strong understanding of the needs of the business community; that they understand the legislative process; and that they were not currently in office. He said the special session about redistricting would be difficult and the Board would not have time to send out applications. He acknowledged Ms. Krasner had a strong argument for the position since she would be a strong advocate, but he did not want to lose strong representation in the Assembly by moving her to a different house. He felt connectivity

was a large portion of the decision; sending a divisive individual would not be a benefit. He admitted much of the process would be predicated on decisions made by southern lawmakers, but it appeared to him that SD16 stayed the same, if not gaining more representation from Storey County.

Vice Chair Hartung stated this was a difficult decision. He listed each of the applicants, what he felt their greatest assets were based on their interviews, and any fears he had about their capability to do the job. He said he was ultimately prepared to make a decision.

Commissioner Herman praised the chair and the vice chair about their comments. She felt each candidate was a great example of the County's citizenry. She indicated it was a difficult choice, but she was ready to vote. Commissioner Jung thanked everyone who applied including Ms. Glover, saying it was not easy to give a three-minute pitch. Commissioner Hill added her gratitude, saying she was impressed by what they had done for the state and the community.

The ballots were distributed, filled out, and collected. Ms. Galassini read the results: Chair Lucey voted for Mr. Tatro; Vice Chair Hartung voted for Mr. Tatro; Commissioner Herman voted for Ms. Clement; Commissioner Jung voted for Mr. Tatro; and Commissioner Hill voted for Mr. Tatro. Chair Lucey indicated Mr. Tatro would move forward as the applicant for Washoe County and would be confirmed the following day in a joint meeting with the Carson City Board of Supervisors.

On motion by Vice Chair Hartung, seconded by Chair Lucey, which motion duly carried on a 5-0 vote, it was ordered that Don Tatro be Washoe County's nominee to fill the vacancy in Nevada Senate District 16.

Mr. Tatro thanked the Board for its support and said he would do his best to represent the district in the upcoming session.

21-0876 AGENDA ITEM 14 Public Comment.

Ms. Valerie Fiannaca felt the COVID-19 (C19) vaccine should be referred to as a flu shot and said there was distrust of it for a number of reasons. She thought debate was healthy yet she had been banned from a social media site for posting a screenshot of the Centers for Disease Control and Prevention's website. She spoke about the threat of job loss and told a story about a librarian scolding a child for wearing a mask improperly.

Mr. Wayne Gordon expressed consternation that the Board thanked veterans for freedoms then spoke about C19, which he felt involved taking away freedoms. He insisted there were no laws on C19, yet masks were enforced. He said some people wanted the freedom to take ivermectin or hydroxychloroquine, but doctors could not prescribe them. He claimed millions of people were coming across the border, many of whom had C19.

County Clerk Jan Galassini said emails from Ms. Janet Butcher and Ms. Chiarra Macellaio would be placed on the record.

21-0877 **AGENDA ITEM 15** Announcements/Reports.

County Manager Eric Brown requested the ability to place an item on the next meeting's agenda for the County and the Sheriff's Office to update the Board on Quartz Lane.

Commissioner Herman requested an end to the public health emergency to get the County back to normal.

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2:17 p.m. There being no further business to discuss, the meeting was adjourned without objection.

BOB LUCEY, Chair
Washoe County Commission

ATTEST:

JANIS GALASSINI, County Clerk and
Clerk of the Board of County Commissioners

*Minutes Prepared by:
Evonne Strickland and Derek Sonderfan, Deputy County Clerks*