

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

TUESDAY

10:00 A.M.

DECEMBER 14, 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:

**21-0920      AGENDA ITEM 3 Public Comment.**

Ms. Nicole Atcheson King, Vice President of Community Solutions for Silver Summit Health Plan, said Manager Eric Brown had a unique appreciation for the power of public and private partnership. She explained he called together the managed care organizations because he recognized the County's shared vested interest in ensuring citizens had access to the care they needed. She wholeheartedly supported Manager Brown on his performance evaluation.

Ms. Melanie Sutton noted it had been almost one year since 150 public commenters asked for an end to the public health emergency, and she was pleased to see the Board would be discussing the matter. She demanded an end to the public health emergency.

Ms. Cindy Martinez announced she was a survivor of Covid-19 (C19) without needing the experimental vaccination. She opined a Board that refused to protect the constitutional rights of its citizens was derelict in its duty. She commented the Board claimed to have not called the police on anyone and she informed that information was false. She said one of her contingents had a pending trespass citation, and another was accosted after a meeting for not wearing a mask. She mentioned Chair Lucey was running for re-election, and she revealed there was nothing on his website about protecting constitutional rights.

Mr. Nicholas St. Jon said he demanded a lot of things from the Board and none were addressed. He expressed his appreciation for the agenda item to terminate the state of emergency for Washoe County. He said the Board voted to put Washoe County under a state of emergency in March 2020, and he wondered why it took so long for the Board to take action to end it. He hoped the Board would vote to terminate. He stated public commenters would continue to come to the chambers because they were concerned about loopholes that would allow an unelected person to reinstate lockdowns or mandates.

Mr. Roger Edwards commented that Manager Eric Brown was a breath of fresh air and he thought it was great that Mr. Brown was involved in the community. He opined the health emergency had been over for some time and he thought the County needed to end the health emergency to get back on track. He explained in 1994 he put together a recharge program in Golden Valley, which led to five recharge wells. As a result, he said, the homeowners in the lower part of the neighborhood started flooding and the recharge program was shut down six years ago. The water level in the aquifer had risen, even with the recharge shut off. He explained the County continued charging the fee to approximately 630 homeowners, despite his contact with the County regarding the matter. There was over a million dollars in the account that was collected from the homeowners, he communicated.

Ms. Susie Howell commented there was plenty of evidence that masking children was insanity when there had been zero deaths of C19 in children. She opined Commissioner Lucey was rude for not looking at her when she was talking. She did not understand why a mask had to be worn when entering a restaurant but could be taken off when sitting down. She said it should be the choice of the individual to wear a mask, and she remarked many politicians had been filmed not wearing masks.

Ms. Janet Butcher thanked and honored the essential workers who risked their lives and were subjected to forced experimental injections. She thought her comments had been ignored by the Board. She requested a moment to applaud those who lost their lives, businesses, or jobs due to C19.

Mr. Dan Herman expressed his concerns with the changes made to the Citizen's Advisory Board (CAB) which excluded developers from attending the boards. He said boards were set up to inform the citizens and it was not in the interest of the citizens if developers did not have to go before the CAB. He thought the notification requirements for developers was antiquated and needed to include a larger radius. He expressed his concern regarding Agenda Item 10C4 because his property was located nearby. He opined the Washoe County Planning Department was catering to the developers on the Village Green project when their primary interest should be the citizens.

Ms. Laurel Allen said her Golden Valley home was currently zoned as open land but, the area had an open parcel tentative map for 90 homes. The homes located in the area had dirt roads that, she opined, should be private roads; the roads were open to the public due to easement conflicts. She commented there was an uptick in speeding off-road vehicles, horse traffic, and dogs off leash; this caused her to no longer enjoy where she

lived. She said the Washoe County Sheriff's Office told her they went by the two-mile rule, however code enforcement told her they followed the 1,000-foot rule. She thought the two conflicting laws needed clarification.

Mr. Karl Sweder thought the Board should follow the staff recommendation and end the emergency regulations. He said mandates requiring vaccinations and masks were unconstitutional and should be banned. He asked the Board to recognize that anyone who had the virus had a natural immunity that surpassed the vaccination. He thought many people ignored the mask mandate and few businesses enforced it.

Mr. James M. Benthin provided documents, copies of which were placed on file with the clerk. He opined the Board was losing public trust and confidence. He asked that the mask mandate and the science behind it be investigated. He read part of an article about the ineffectiveness of masks. Masks, he thought, had become a fashion statement instead of virus protection. He commented businesses and schools should decide whether to use masks.

Ms. Julie Osburn asked the Board to address why the Department of Transportation (DOT) was removing the flashing yellow lights at the intersections on Pyramid Highway. She thought it was a safety issue and wanted to know how the DOT, who were not elected officials, could have them removed. She asked the Board to stop the public health emergency as it had been 21 months to slow the spread, and nothing had changed. She thought there was natural immunity because so many people had gotten C19. She asked that the vaccination of children stop because children would die from the vaccination but not from C19.

Ms. Ann Sweder said she agreed with the staff report to terminate the declaration of emergency and she thought it was clear there was no emergency. She opined the commission should ban vaccine passports and mask mandates to protect the constitutional rights of people.

Dr. Layne Linebaugh thanked her friends for speaking out and fighting for constitutional liberties and freedoms. She talked about work done by Dr. Thomas S. Cohen which showed C19 did not exist. She opined people became sick from sugar, toxins, water supply, food supply, vaccinations, and medications. She asked the Board to be heroes and ban vaccine mandates and passports because they were discriminatory and lead to segregation.

Ms. Erin Massengale said she was happy to see item 42 on the agenda but wondered why a resolution had not been drafted. She asked that a resolution be passed to ban vaccine passports and mask mandates, and she opined the same protocols would not be acceptable for any other medical condition. She explained at the end of the year there was a review process done by businesses to determine whether goals had been met. She was not sure how the Board graded themselves but thought they should ask if they had done the will of the people.

Ms. Katherine Snedigar appreciated the County answering her letter declaring she was not an employee and that Washoe County had no financial interest or ownership of her. This, she opined, meant the County could not tell her what to do. She did not agree with the Board insisting children get vaccinated at school. She thought the Board ignored citizens and acted like doctors.

Ms. Debbie Tayler thanked Commissioner Herman for making eye contact with every speaker. She thought the mask mandate was illegal and tyrannical. She said medical science proved masks did not work and the vaccine killed people. She instructed the public to research Peter McCullough, a C19 expert. She urged the Board to stop the push towards communism.

Mr. Wayne Gordon read the first amendment to the Constitution, and said he thought the government was using the pandemic as an excuse to stop people from assembling. He opined people were slowly losing their freedoms, and he thought the U.S. would eventually become like China. He said the Sheriff's office should enforce the rights of the citizens according to the Constitution. He informed that Florida had removed all considerations of C19 and had one of the lowest rates of C19.

Ms. Darla Lee felt the emergency declaration caused what it was supposed to avoid, and she noted citizens had been pleading for an end to the declaration for a year. She thought the entire Board, except Commissioner Herman, had shown a lack of attentiveness and had missed meetings. She asked the Board to follow the science that had been laid out regarding vaccines and masks and end the emergency declaration. She mentioned her family had C19 and managed to survive with therapeutics, like many others had done.

Mr. Charles Elliott thought C19 had been perpetrated by officials that were bought and paid for. He opined C19 caused segregation to come back. He said it was proven the vaccines and face masks did not work and asked the Board to let the citizens live. He warned people like him were not going away.

Mr. George Lee commented the Board always had the opportunity to deactivate the emergency. He opined the curve had been flattened two years ago and he thought the inefficacy of the vaccine was proven.

Ms. Val White said she came to the meetings knowing her comments would not change the minds of the Board because they failed to look at the citizens and disregarded facts they were given. She asked if the Board signed an agreement with the federal government to follow their recommendations to receive money. She thought, except for Commissioner Herman, the Board lacked common sense and did not deserve the seats they held. She expressed her support for Commissioner Lucey's challenger, Michael Clark.

Ms. Victoria Myer commented she did not consent to be governed by irrational, primitive, and anti-science-based leadership. She thought the removal of the state of emergency would show some return to sanity. She demanded the emergency be

ended to restore faith and trust in the County and to end the division surrounding C19. She asked what federal strings were attached to the money from the federal government.

Ms. Lorraine Dougherty thanked the Board for putting the important issue on the agenda, and she urged the Board to bring the declaration of emergency to an end. She opined C19 was not a pandemic, but an endemic like the flu or cold. She commented that Washoe County Code lacked a clear definition of an emergency, and she believed a time limit was needed in the code. She mentioned the growing homeless problem in South Reno and by the Peppermill, which she had previously brought to the attention of the Board. She brought up the speeding and racing problem on South Lakeside.

County Clerk Jan Galassini stated an email received from Elise Weatherly would be placed on file.

**21-0921      AGENDA ITEM 4 Announcements/Reports.**

Manager Eric Brown recalled the Black Springs community built the Black Springs Volunteer Fire Department in 1970; the garage currently sat on Martin Luther King, Jr. Memorial Park. He introduced board members from R Story, Inc., and he noted agenda item 10C3 would allow R Story Inc. to convert the garage into a museum. He said Washoe County looked forward to the partnership with R Story, Inc. Chair Lucey expressed his gratitude for the work R Story, Inc. had done.

Commissioner Herman thanked the speakers who had shown up for public comment, and said she appreciated their comments. She compared face masks to a piece of clothing, and she asserted she did not want anyone to tell her what to wear. She opined people should wear a mask if they chose to, but she thought nobody should be forced to wear one. She thought public commenter Mr. Herman had some interesting views that she would be discussing with Manager Brown. She said the public comment regarding all-terrain vehicles was a widespread issue in the county and she felt it was the Board's responsibility to address the problem.

Vice Chair Hartung informed he would be leaving at 2:30 p.m. for a personal issue and he would return after a short time. He congratulated Sheriff Darin Balaam on the Northern Nevada Law Enforcement Academy graduation. The biggest concern at the recent Citizen's Advisory Board (CAB), he explained, was the Nevada Department of Transportation's (NDOT) removal of the advance warning system on Pyramid Highway. He said he was vehemently opposed to the removal and had expressed his opposition to NDOT. NDOT, he opined, was adamant to take the signals out to follow national guidelines.

Vice Chair Hartung thought the signals made Pyramid Highway safer, but NDOT claimed people sped up when they saw the light change. He stated there were only two people who had the authority to stop the removal of the signals, the governor and NDOT Director Kristina Swallow. Referencing a public comment from Mr. Dan Herman, he disagreed with the removal of developmental projects from the CAB. He commented

the light at Sunset Springs and Pyramid was on track for next year. He mentioned complaints received about access to Lazy Five and said he had pleaded with NDOT regarding the matter in the past.

Vice Chair Hartung, with respect to off-road vehicles speeding on public streets, said he had many conversations with the sheriff's office regarding the matter. He thought the laws needed to be changed regarding off-road vehicles and speeding. He was unsure how to stop off-road vehicles from entering private property, but he thought a property owner would have to formalize a complaint. He assured there would be discussion regarding the matter.

Speaking about the homeless issues mentioned in public comment, Vice Chair Hartung advised the area mentioned was in the City of Reno's jurisdiction. He said calls could be made to 311 and they would be transferred to Reno for action. The homeless issue on Frost, he explained, was in Washoe County; he asked the sheriff's office to investigate the issue.

Vice Chair Hartung addressed the issues brought up in public comment regarding recreational vehicles (RVs), and he said the County needed a regional team to remove RVs from properties. He thought it might be appropriate to have a place where people could park their RVs for a period if they were enrolled in a Washoe County program. He mentioned he saw RVs parked all over the County and thought it was a nuisance for the residents.

Vice Chair Hartung requested conversations with Assistant County Manager Dave Solaro about the recharge program and the associated fees. He opined a stay be put on the program as Washoe County was not currently recharging. He advised if eye contact was not made with public commenters, it was due to him taking notes.

Commissioner Jung expressed her concern about the NDOT issues and asked to work with Vice Chair Hartung on the matter. She thought the advance warning light systems should be everywhere in America. In her own experience, it did not make her speed up; it warned her to turn off her cruise control.

Chair Lucey asked that the Sheriff's office work with the Reno Police Department to address the homeless issues at Grove Street and South Meadows. Other areas his constituents brought up to him were at the base of Zolezzi and Arrowcreek Parkway and the marsh area in South Meadows Parkway off Double Diamond. He commented NDOT helped with the issues along the I-80 corridor at Wells and he thought their assistance might be needed again.

Chair Lucey welcomed Commissioner Hill's new baby to the family. Asking for patience, he explained the meeting was the last of the year and would be long. He asked for a more robust meeting to discuss how to improve fire services in the coming year.

Regarding the advanced warning systems, Vice Chair Hartung said NDOT claimed there were very few places with limited sight distance. He felt the advance warning systems assisted him in knowing when to reduce his speed while he was behind large vehicles. Chair Lucey recommended a presentation from NDOT be put on the agenda.

**21-0922**      **AGENDA ITEM 5** Recommendation to acknowledge receipt of the Washoe County Annual Comprehensive Financial Report (ACFR), auditor's report, and report on internal control for the fiscal year ended June 30, 2021 as presented; approve the re-appropriation of [\$35,090,102] for the fiscal year 2022 budget, consisting of [\$9,813,597] for purchase order encumbrances committed in fiscal year 2021 and [\$25,276,505] for spending of restricted contributions and fees; and, authorize the Comptroller to proceed with distribution of the ACFR for public record, as required by law. Comptroller. (All Commission Districts.)

Comptroller Cathy Hill thanked the departments for their assistance with the audit and expressed her appreciation to everyone for adapting to the new auditing firm and audit approach. She thanked BDO USA for working with the County as a new client. The County's net position increased by \$103 million, which was due in large part to a reduction in other post-employment benefits liability and an increase in tax revenues. The general fund total revenues exceeded budget by \$68 million, which was an increase from fiscal year 2020 revenue. Tax revenues exceeded the budget by \$2.3 million, and total expenditures were \$11 million less than budgeted. The stabilization fund was replenished to \$3 million, and \$3 million was returned to the risk fund. The general unassigned fund balance ended at \$122 million, which was an increase of \$53 million from the previous fiscal year.

BDO USA Assurance Partner Heidi Schumann said the company issued an unmodified opinion, which meant the County's financial statements were free of material misstatement. She thanked everyone for their assistance with BDO in performing the audit. She commented BDO USA had no issues with the quality of management's reports.

Chair Lucey thanked BDO USA for taking Washoe County as a client. He thought the report was extensive and he appreciated the time and effort put into it. He thanked Comptroller Hill and her team for putting together a comprehensive understanding of where the County stood.

There was no response to the call for public comment.

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

21-0923

**AGENDA ITEM 6** Presentation by HR of certificates honoring the following Washoe County employees who have completed essential employee development courses--Human Resources  
Certificates will be sent to the employees.

Judy Avila, Legal Secretary Supervisor, Juvenile Services, Essentials of High Performing Teams

Alicia Berkbigler, Program Assistant, RPTSC/WCSO, Essentials of Personal Effectiveness

Sarah Berry, Animal Services Dispatcher, Animal Service, Essentials of Support Staff

Brenna Bull, Legal Secretary, District Attorney, Essentials of High Performing Teams

Jessica Cabrales, Office Support Specialist, Health District, Essentials of High Performing Teams

Lisa Cairns, Deputy Clerk III, Reno Justice Court, Essentials of Support Staff

Alicia Christensen, Family Support Specialist, District Attorney, Essentials of Personal Effectiveness

John Crockett, Branch Manager, Library, Essentials of Management Development

Irene Dominquez, Account Clerk II, Sheriff's Office, Essentials of Personal Effectiveness

Beau Duc, Civil and Utility Inspector Supervisor, Community Services Department, Essentials of Personal Effectiveness

Ann Ebner, Library Assistant II, Library Essentials of Personal Effectiveness

Gabriela Falcon, Human Services Support Specialist, Human Services Agency, Essentials of High Performing Teams

Christina Felix, Family Support Specialist, District Attorney, Essentials of Personal Effectiveness

Veronica Garcia, Office Assistant II, District Attorney, Essentials of High Performing Teams

Emily Giles, Library Assistant III, Library, Essentials of High Performing Teams and Essentials of Personal Effectiveness

Brianda Gomez, Legal Secretary, Public Defender, Essentials of Personal Effectiveness

Jessica Haro, Legal Secretary, Public Defender, Essentials of Support Staff

Sarah Harvey, Library Assistant II, Library, Promote Yourself Mini Certificate Program

Monica Kirkendall, Office Assistant II, Human Services Agency, Essentials of Support Staff

Joyce Lehigh, Family Support Specialist, District Attorney, Essentials of High Performing Teams and Essentials of Support Staff



Jennifer Leiker, Media Production Specialist, WCSO, Essentials of High Performing Teams, Essentials of Personal Effectiveness and Essential of Support Staff

Laura Martinez, Administrative Assistant I, Juvenile Services, Essentials of Personal Effectiveness and Essentials of Support Staff

Rick Martinez, Case Worker II, Human Services Agency, Essentials of Personal Effectiveness

Cole McBride, Human Resources Analyst III, Human Resources, Essentials of Management Development

Kelly Parson, Office Assistant II, Health District, Promote Yourself Mini Certificate Program

Samantha Pfisterer, Court Clerk I, Reno Justice Court, Essentials of Support Staff

Breanna Tavener, Animal Services Field Supervisor, Animal Services, Essentials of Management Development

Nathan Vohland, Family Support Supervisor, District Attorney, Essentials of High Performing Teams and Essentials of Personal Effectiveness

Chair Lucey thanked the staff who put forth the extra effort to expand their careers with the county. He felt the courses brought a greater effectiveness to the County and gave employees a chance for advancement.

There was no public comment or action taken on this item.

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Chair Lucey requested Agenda Item 5 be reopened to clarify and ensure the motion stated to accept the financial report, reapportion \$35 million, and authorize the comptroller. Vice Chair Hartung restated his motion as a motion to approve as listed in the staff report.

The restated motion is noted under Agenda Item 5.

**PROCLAMATIONS**

**21-0924**      **7A1** Proclaim December 14, 2021 as Marsy Kupfersmith Day. (All Commission Districts.)

Ms. Marsy Kupfersmith thanked the Board for the honor and said she would continue to advocate for seniors to ensure they were not forgotten. She expressed her gratitude to Commissioner Jung for being with her every step of the way. She thanked Sparks City Councilman Donald Abbott for the Senior Citizen of the Year nomination.

Councilman Abbott said he received 30 letters of support for the nomination of Ms. Kupfersmith. Vice Chair Hartung thanked Commissioner Jung for all the work she put into the seniors, and he said he presented the award on her behalf. Chair Lucey thought

Ms. Kupfersmith brought energy and light to the senior population in Washoe County. He felt privileged to sign the proclamation honoring her.

There was no public comment or action taken on this item.

### **DONATIONS**

- 21-0925**      **8A1** Recommendation to accept a donation [\$38,780.00] from Lifestyle Homes for the Community Services Department’s Engineering Division to improve pedestrian safety along certain Washoe County roadways within the Woodland Village in the Cold Springs area; and direct the Comptroller’s Office to make the necessary budget amendments. Community Services. (Commission District 1.)
- 21-0926**      **8B1** Recommendation to retroactively accept a donation from Lennar Foundation, Inc. in the amount of [\$25,000.00] to support the Washoe County Human Services Agency’s Family Engagement Center with exterior and interior property improvements; and direct the Comptroller’s Office to make the necessary budget amendments. Human Services Agency. (All Commission Districts.)
- 21-0927**      **8C1** Recommendation to accept a donation [\$1,500.00] from the Reno Air Racing Association, Inc., to the Washoe County Sheriff’s Office for the Citizen Corps Program (CCP), including funds to be used for food & equipment purchases, and, if approved, authorize Comptroller’s Office to make appropriate budget amendments. Sheriff. (All Commission Districts.)
- 21-0928**      **8C2** Recommendation to accept a donation of [\$1,743.75] from the Hot August Nights Inc. to the Washoe County Sheriff’s Office for the Citizen Corps Program (CCP), including funds to be used for food purchases, and, if approved, authorize Comptroller’s Office to make appropriate budget amendments. Sheriff. (All Commission Districts.)

There was no response to the call for public comment.

On motion by Chair Lucey, seconded by Vice Chair Hartung, which motion duly carried on a 5-0 vote, it was ordered that agenda items 8A1 through 8C2 be accepted.

- 21-0929**      **AGENDA ITEM 9** Presentation and discussion by Gabrielle Enfield, regarding a status update and recommendation to approve allocation of American Rescue Plan Act funds through the Coronavirus State Fiscal Recovery Fund and Coronavirus Local Fiscal Recovery Fund in a total amount of \$40,201,764.00, and possible approval of recommended allocations of the funds and direction to the Comptroller’s Office to make necessary net zero cross-fund and cross-functional budget appropriation transfers, as well as authorization to Human Resources, per Job Evaluation

Committee (JEC) evaluation as applicable, to create necessary positions to the 23 proposed projects as follows:

1. Washoe County Safe Camp Capital \$4,500,000
2. Washoe County Cares Campus Capital \$21,468,706 (Includes \$4,000,000 approved by BCC 7-20-21)
3. Cares Campus - Facilities Operations FY22 \$1,861,112
4. Homeless Management Information System - Case Management \$250,000
5. WellCare Living Supports and Services Pilot Project (amount correction) \$661,500
6. Kids Kottage Emergency Beds FY22 \$800,000
7. Critical CPS Personnel \$527,133
8. Human Services Agency Vehicles (9) \$283,500
9. Our Place - Enhancements \$450,000
10. Our Place - Community Garden Fence \$130,000
11. Public Defender's Office - Court Case Backlog Personnel & Workstations \$1,316,195
12. District Attorney's Office - Court Case Backlog Personnel & Workstations \$2,423,414
13. Sparks Socially Distanced Courtroom \$380,900
14. Sparks Justice Court- JAVS Audio Visual Upgrade \$138,638
15. Reno Justice Court Courtroom A Remodel \$500,000
16. Self-Help Center \$90,675
17. Sheriff's Office Deputy Sheriff's Positions \$1,956,096
18. Sheriff's Office UVC Sanitation \$140,000
19. Clerk's Office Clerk Staffing for CHAB and Clerk's Office Administrative \$58,895
20. Medical Examiner Contract Staff, Pooled Positions, Overtime, PPE & Supplies \$190,000
21. District Court Courtrooms Audio Visual Upgrade \$1,285,000
22. Health District Mobile Outreach Vehicle/Command Post \$490,000
  
23. Health District Improvements to Public Health Technology Infrastructure \$300,000

The proposed projects fall within the American Rescue Plan Act (and the Coronavirus State Fiscal Recovery Fund and Coronavirus Local Fiscal Recovery Fund) eligible uses, include a proposed implementation process, and come with extensive compliance and reporting requirements. Final allocations may vary from those proposed based on information developed during this item. Manager's Office. (All Commission Districts.)

Community Reinvestment Manager Gabrielle Enfield conducted a PowerPoint presentation and reviewed slides with the following titles: Washoe ARPA Projects; and Urgent Projects Recommended (2 slides).

She mentioned a grants and community analyst had been hired and would start in January, at which time the development of the community-based grant program would begin. The position, she remarked, would assist with the implementation of the urgent projects that had been identified. She reported the accounting practices and processes had been put in place.

The Comptroller's office hired a temporary part-time accountant for the American Rescue Plan Act (ARPA) funding. Ms. Enfield had been working with departments on the review and evaluation of their applications, as well as verifying the recommended projects for eligibility within ARPA requirements.

Vice Chair Hartung was thankful the money would allow for critical needs to be met but expressed his concerns on maintaining the projects after the money ran out. Chair Lucey asked how many proposed positions would be created through the projects, and whether the positions would be temporary or ongoing. Ms. Enfield replied none of the positions in the staff report were to be funded by ARPA for more than 24 months. She said the positions were identified as funded for the term of the award, if the positions were continued then other funding would have to be identified. She noted many of the positions would attrition out because they were specifically for managing case backlogs. She thought approximately 35 positions would be created through the projects.

Chair Lucey asked whether the money would go to another municipality if Washoe County did not use it. Ms. Enfield stated that was correct. She informed the County had until December 24 to obligate projects with the ARPA funds, and until December 26 to expend them. Chair Lucey asked if the recommendation was for the allocation \$40,201,764, which, he stated, was 44 percent of the total funding the County had been allotted out of the \$91.5 million. He asked if the County would receive the second set of funds in May. Ms. Enfield said the Treasury department stated the second tranche would arrive in May.

Chair Lucey said the County had 24 months to utilize the funds. He shared the concerns of Vice Chair Hartung, stating the funds would provide 24 months of reprieve but would not provide funds long term. He asked if Ms. Enfield was working with budget staff to identify paths forward for the affected departments. Ms. Enfield replied yes.

Vice Chair Hartung acknowledged the Sheriff's Office had been understaffed, and they had other inequities that needed to be addressed. He was concerned about how the County would pay for the staffing on an ongoing basis. He thought the County had to have good fiscal policy.

Commissioner Jung echoed the concerns of Chair Lucey and Vice Chair Hartung and thought sustainability was crucial for the future management of Washoe County. This kind of help from the federal government, she said, had never been experienced. She thought it was not the standard operating procedure of the County and thought the situation was similar to grants received after the market crash. She commented the County's position was to accept the money but maintain fiscally conservative.

The argument, Commissioner Jung opined, against giving the money back was it would go to California and Washoe County citizens would still pay for it through their income taxes. She thought it was important to prevent absorbing future costs through personnel. She recalled the proposals had to be transformative, and she opined the numbers showed they were. She commented it was important to keep in mind that resources were not never-ending.

As the second largest county in the State, Washoe County received the second highest amount of money. Addressing immediate needs, Chair Lucey said, was common among different counties and cities; most entities were holding back a good chunk of the money. He agreed with Commissioner Jung and Vice Chair Hartung that through the downturn of the economy, Washoe County was fiscally conservative and had maintained a significant end-year balance for many years. He asserted in his seven years of tenure he had not seen cuts made to any department.

Chair Lucey wanted to provide to the departments so services could be given to the community; however, he did not want to do it as an expense. He asked for a future conversation about where funds would go when the next injection came in. He said he had no problems with any of the funds listed in the staff report because they were needed updates to all the departments listed. He commented the County grew by 66,000 people since the last census was taken. Thanking Ms. Enfield for her work in managing the grant, he acknowledged the extensive amount of work that would come later in her reporting of the funds.

Commissioner Herman thanked Ms. Enfield for her help and said she was grateful there would be more sheriffs on duty, which was what she pushed for.

On the call for public comment, Ms. Melanie Sutton was called to speak but was not present.

Ms. Cindy Martinez said she received her assessment notice, which showed an increase in the buildings and improvement and land value. She commented this would cause her taxes, home insurance, and utilities to increase. She said almost 75 percent of the money detailed in the list was for homeless support and stated she did not benefit from the money being spent that way. She thought the people footing the bill with their property and sales taxes were the ones directly impacted; she no longer supported the scope and goal of the homeless camp. She said this would bump up budgets with money the County did not have. She asked the Board vote consistent with their comments.

On motion by Vice Chair Hartung, seconded by Commissioner Herman, which motion duly carried on a 5-0 vote, it was ordered that Agenda Item 9 be approved and authorized.

**CONSENT AGENDA ITEMS – 10A1 THROUGH 10K9**

- 21-0930** **10A1** Approval of minutes for the Board of County Commissioners' regular meetings of November 9, 2021 and November 16, 2021, and concurrent meeting of November 10, 2021. Clerk. (All Commission Districts.)
- 21-0931** **10B1** Recommendation to 1) approve roll change requests, pursuant to NRS 361.765 and/or NRS 361.768, for errors discovered on the 2018/2019, 2019/2020, 2020/2021 and 2021/2022 secured and unsecured tax rolls 2) authorize Chair to execute the changes described in Exhibits A and B and 3) direct the Washoe County Treasurer to correct the error(s). [cumulative amount of decrease to all taxing entities \$15,068.61]. Assessor. (All Commission Districts.)
- 21-0932** **10C1** Recommendation to: (1) approve the purchase of a new Caterpillar model 308-07 Excavator from Cashman Equipment Company, 600 W. Glendale Ave, Sparks, NV 89431 [\$130,800.00] utilizing Sourcewell contract #032119-CAT, pursuant to the joinder provision of NRS 332.195; and (2) authorize the Purchasing and Contract Manager to execute the Sourcewell contract usage agreement. Community Services. (All Commission Districts.)
- 21-0933** **10C2** Recommendation to approve an Indemnification Agreement for the acquisition of Hunter Creek Parcels between Washoe County and the United States of America, and its assigns, by and through the U.S.D.A Forest Service, Intermountain Region, to facilitate the United States' acquisition of Parcels identified as the Hunter Creek Parcels 1 (APN 041-650-08), and 2 (APN 041-021-07 and 041-021-08) respectively [no cost to Washoe County]. Community Services. (Commission District 1.)
- 21-0934** **10C3** Recommendation to approve a Lease Agreement between Washoe County and Our Story, Inc., as authorized under NRS 244.284, for lease of the garage structure, located at Martin Luther King Jr. Memorial Park, 218 Kennedy Drive, Reno, Nevada, commencing on December 14, 2021 and through December 14, 2026, with option to renew for an additional five year term [at no cost] to provide for charitable or civic purposes, specifically to chronicle and preserve by way of an exhibit and museum the efforts of the Black Springs Volunteer Fire Department. Community Services. (Commission District 5.)
- 21-0935** **10C4** Recommendation to: (1) approve a Consent to Use Agreement between Washoe County and Syncon Homes, a Nevada corporation, which states that Syncon Homes, as manager and trustee of Shadow Ridge 192, LLC, a Nevada limited liability company, agrees that the following easements would not be in conflict with the deed restriction placed on Assessor's Parcel Number (APN) 534-450-05 when the parcel was granted

to Washoe County by Shadow Ridge 192, LLC in 2007; (2) adopt a Resolution of Intent (R21-077) to execute the following easement deeds between Washoe County and the Truckee Meadows Water Authority: an exploratory well easement totaling  $\pm 4$  square feet, a conditional water facilities easement totaling  $\pm 10,000$  square feet for a production well and wellhouse, and a temporary construction easement totaling  $\pm 22,415$  square feet on APN 534-450-05, part of Sugarloaf Peak Open Space [at the appraised value of \$3,450.00]; and (3) set a public hearing on the matter for January 11, 2022. Community Services. (Commission District 4.)

- 21-0936**      **10D1** Recommendation to reappoint Washoe County Chief Financial Officer Christine Vuletich as a Trustee on the Washoe County Other Post-Employment Benefits (OPEB) Trust Fund Board of Trustees for a two-year term, retroactive to October 24, 2021 and ending October 23, 2023. Manager. (All Commission Districts.)
- 21-0937**      **10E1** Recommendation to accept a Court Improvement Program (CIP) FY21 Supplemental Grant for the District Attorney’s Office in the amount of [\$20,000, no match], from the Nevada Administrative Office of the Courts (AOC) to pay for a contracted attorney; retroactive from October 1, 2021 through September 30, 2022, and if approved, direct the Comptroller’s Office to make the necessary budget amendments, and retroactively authorize the District Attorney to sign the grant agreement. District Attorney. (All Commission Districts.)
- 21-0938**      **10E2** Recommendation to accept a renewed Traffic Safety Resource Prosecutor (TSRP) grant to the District Attorney’s Office in the amount of [\$231,000, \$57,750 cash match], from the State of Nevada Department of Public Safety Office of Traffic Safety to continue funding a Deputy District Attorney IV; retroactive from October 1, 2021 through September 30, 2022, and if approved, and direct the Comptroller’s Office to make the necessary budget amendments, and retroactively authorize the District Attorney to sign the grant agreement. District Attorney. (All Commission Districts.)
- 21-0939**      **10F1** Recommendation to acknowledge the grant award and University-Organization Agreement (“Agreement”) between the Board of Regents of the Nevada System of Higher Education on behalf of the University of Nevada, Reno and the Second Judicial District Court, to create a paid intern position in the amount of \$1,440 and up to \$5,760.00 maximum (no match required), effective January 21, 2022 through June 30, 2026; acknowledge the creation of one Case Compliance Intern position for up to four (4) semesters; and direct the Comptroller’s Office to make the necessary budget amendments. District Court. (All Commission Districts.)

- 21-0940**      **10G1** Recommendation to approve budget amendments totaling an increase of [\$54,740.00] in both revenue and expense to the FY22 Family Planning Program retroactive to April 1, 2021 through March 31, 2022 and direct the Comptroller's office to make the appropriate budget amendments. Health District. (All Commission Districts.)
- 21-0941**      **10H1** Recommendation to approve cross-fund budget appropriation transfers [total \$90,000.00] from the Other Restricted Fund to the Indigent Tax Levy Fund and direct the Comptroller's Office to make the necessary budget appropriation and cash transfers. Net impact is zero. Human Services Agency. (All Commission Districts.)
- 21-0942**      **10H2** Recommendation to authorize Human Services Agency (HSA) Contractors and hired temporary service employees to drive Washoe County vehicles to conduct Washoe County Human Services Agency business activities. Human Services Agency. (All Commission Districts.)
- 21-0943**      **10I1** Recommendation to approve Organizational Agreement for Service-Learning, Internships or Field Study Placements between the Board of Regents of the University of Nevada System of Higher Education (University of Nevada, Reno) and Washoe County, through its Department of Juvenile Services, to establish a cooperative program for students to earn school credit and enhance their career development. The Agreement shall be effective upon board approval through June 30, 2026. Juvenile Services. (All Commission Districts.)
- 21-0944**      **10J1** Recommendation to approve Commission District Special Fund disbursement in the amount of [\$10,000] for Fiscal Year 2021-2022; District 5 Commissioner Jeanne Herman recommends a [\$10,000] grant to the Washoe County 4-H Youth Development Program of the University of Nevada Extension to support the 4-H Large Livestock and Horse programs; approve Resolution necessary for same; and direct the Comptroller's Office to make the necessary disbursement of funds. Manager's Office. (Commission District 5.)
- 21-0945**      **10J2** Recommendation to approve Commission District Special Fund disbursement in the amount of [\$10,220] for Fiscal Year 2021-2022; District 5 Commissioner Jeanne Herman recommends a grant to the Community Service Department (CSD) of Washoe County to install two auto door paddles for the Cold Springs Community Center for the purpose of assisting those with physical disabilities to easily access the Center; approve Resolution necessary for same; and direct the Comptroller's Office to make the necessary disbursement of funds. Manager's Office. (Commission District 5.)
- 21-0946**      **10J3** Recommendation to approve Commission District Special Fund



disbursement in the amount of [\$20,000] for Fiscal Year 2021-2022; District 5 Commissioner Jeanne Herman recommends a grant to the Food Bank of Northern Nevada (FBNN) to support and provide for families in need through more than 145 partner agencies across northern Nevada; approve Resolution necessary for same; and direct the Comptroller's Office to make the necessary disbursement of funds. Manager's Office. (Commission District 5.)

**21-0947**      **10J4** Recommendation to approve Commission District Special Fund disbursement in the amount of [\$1,000] for Fiscal Year 2021-2022; District 1 Commissioner Alexis Hill recommends a [\$1,000] grant to Incline Village Crystal Bay Community & Business Association (IVCBA) to install lighting along the trees of Tahoe Boulevard for the holiday season and in support of North Lake Tahoe's "main street" area; approve Resolution necessary for same; and direct the Comptroller's Office to make the necessary disbursement of funds. Manager's Office. (Commission District 1.)

**21-0948**      **10J5** Recommendation to approve Commission District Special Fund disbursement in the amount of [\$10,000] for Fiscal Year 2021-2022; District 1 Commissioner Alexis Hill recommends a [\$5,000] grant to the Tahoe Fund to support a billboard campaign centered around issues that advocate for the preservation of the Lake Tahoe Basin and a [\$5,000] grant to Tahoe Prosperity Center to support the Washoe Tahoe Housing Needs Assessment by which to identify strategies to add more local housing options for the areas of Incline Village and Crystal Bay; approve Resolutions necessary for same; and direct the Comptroller's Office to make the necessary disbursements of funds. Manager's Office. (Commission District 1.)

**21-0949**      **10J6** Recommendation to correct the terms of the four public members Appointed to the Audit Committee as allowed in the Audit Committee Charter to staggered years and re-appoint Denise Jacobsen and Barbara Kinnison for a 3-year term retroactively beginning 07/01/2021 and ending 06/30/2024 and re-appoint Randy Brown and Matthew Buehler to serve for a 2 year term retroactively 07/01/2021 and ending 06/30/2023. Manager's Office. (All Commission Districts.)

**21-0950**      **10J7** Recommendation to approve an amendment to subgrant of Emergency Rental Assistance funding from the United States Department of the Treasury to the Housing Authority of the City of Reno for the Washoe Housing Assistance for COVID Relief Program; with an extended grant period from February 23, 2021 through September 30, 2022 (original term February 23, 2021 through December 31, 2021), and if approved, authorize the County Manager to execute the grant documents and authorize the County Manager to sign the amendment to the Sub Grant Agreement

between Washoe County and the Housing Authority of the City of Reno. Manager's Office. (All Commission Districts.)

- 21-0951**      **10J8** Recommendation to approve a FFY21 Homeland Security Grant Program (HSGP) Award stating that the State of Nevada, Division of Emergency Management (NDEM) is awarding [\$75,000.00, no County match required] retroactive from September 1, 2021 through August 31, 2023; If approved, authorize the County Manager or his designee to sign the grant award documents; This grant award funding partially supports 1.0 full-time benefitted Program Assistant; if grant funding is reduced or eliminated, the position hours will be reduced and/or the position abolished accordingly unless additional funding is secured; and direct the Comptroller's Office to make the necessary budget amendments. Manager's Office. (All Commission Districts.)
- 21-0952**      **10J9** Recommendation to approve Community Support grant awards for FY 21-22 for Silver State Fair Housing Council (SSFHC) to support fair housing in the amount of \$10,000; for the Nevada Tahoe Conservation District in the amount of \$25,000 to provide conservation and resource management in the Tahoe Basin; and approve the grant award and grant agreement for the Sun Valley General Improvement District in the amount of \$90,000 for parks and recreation, and approve Resolutions necessary for same. Manager's Office. (All Commission Districts.)
- 21-0953**      **10K1** Recommendation to accept a Nevada Division of Emergency Management grant award [amount not to exceed \$80,353.00, no County match required] as administered through the State of Nevada, Department of Public Safety, Division of Emergency Management, Federal FY 2021 project number 97067.21, to the Washoe County Sheriff's Office Community Emergency Response Team (CERT) for payment of one intermittent position as well as equipment and supplies for the retroactive grant term of September 1, 2021 through August 31, 2023 and if approved, authorize Sheriff Balaam to execute grant award documentation, and direct the Comptroller's Office to make the necessary budget amendments. Sheriff. (All Commission Districts.)
- 21-0954**      **10K2** Recommendation to approve acceptance of 2021 HIDTA Northern Nevada Interdiction Task Force funding [amount not to exceed \$90,000.00, no County match required] to be used for overtime, investigative, and travel expenses from High Intensity Drug Trafficking Areas (HIDTA) as administered through Las Vegas Metro Police Department, for the retroactive grant period of January 1, 2021 to December 31, 2022, and direct Comptroller's Office to make the necessary budget amendments. Sheriff. (All Commission Districts.)

- 21-0955**      **10K3** Recommendation to accept a Nevada Division of Emergency Management grant award [amount not to exceed \$100,000.00, no County match required] as administered through the State of Nevada, Department of Public Safety, Division of Emergency Management, Federal FY 2021 project number 97067.21, to the Washoe County Sheriff's Office Bomb Unit for the purchase of equipment for the Consolidated Bomb Team for the retroactive grant term of September 1, 2021 through August 31, 2023 and if approved, authorize Sheriff Balaam to execute grant award documentation, and direct the Comptroller's Office to make the necessary budget amendments. Sheriff. (All Commission Districts.)
- 21-0956**      **10K4** Recommendation to accept a Nevada Division of Emergency Management grant award [amount not to exceed \$140,570.00, no County match required] as administered through the State of Nevada, Department of Public Safety, Division of Emergency Management, Federal FY 2021 project number 97067.21, to the Washoe County Sheriff's Office Bomb Unit for the purchase of equipment and supplies for the Consolidated Bomb Team for the retroactive grant term of September 1, 2021 through August 31, 2023 and if approved, authorize Sheriff Balaam to execute grant award documentation, and direct the Comptroller's Office to make the necessary budget amendments. Sheriff. (All Commission Districts.)
- 21-0957**      **10K5** Recommendation to accept a Nevada Division of Emergency Management grant award [amount not to exceed \$75,000.00, no County match required] as administered through the State of Nevada, Department of Public Safety, Division of Emergency Management, Federal FY 2021 project number 97067.21, to the Washoe County Sheriff's Office Northern Nevada Regional Intelligence Center (NNRIC) for the purchase of software enhancements for the retroactive grant term of September 1, 2021 through August 31, 2023 and if approved, authorize Sheriff Balaam to execute grant award documentation, and direct the Comptroller's Office to make the necessary budget amendments. Sheriff. (All Commission Districts.)
- 21-0958**      **10K6** Recommendation to accept the FY 2022 Office of Traffic Safety award from the State of Nevada Department of Public Safety, Office of Traffic Safety [amount not to exceed \$30,000.00, 25% In-Kind county match required] as administered through the State of Nevada Department of Public Safety Office of Traffic Safety, to cover overtime costs related to conducting DUI saturation patrols, for the retroactive grant term of October 1, 2021 through September 30, 2022 and if approved, direct Comptroller's Office to make the necessary budget amendments and authorize Sheriff Balaam to execute grant award documents. Sheriff. (All Commission Districts.)

- 21-0959**      **10K7** Recommendation to approve the 2021 Justice Assistance Grant (JAG) Program Award (15PBJA-21-GG-01710-JAGX), Office of Justice Programs, Bureau of Justice Assistance through the City of Reno, Reno Police Department [\$77,956.00, no County match required] for purchase of Law Enforcement equipment and supplies, Law Enforcement related training and travel and seek approval of non-county personnel training and travel for the retroactive grant term of October 1, 2020 - September 30, 2024 and if approved, authorize the Sheriff Darin Balaam to sign all award documents and direct the Comptroller's Office to make the necessary budget amendments. Sheriff. (All Commission Districts.)
- 21-0960**      **10K8** Recommendation to accept a Nevada Division of Emergency Management grant award [amount not to exceed \$132,104.00, no County match required] as administered through the State of Nevada, Department of Public Safety, Division of Emergency Management, Federal FY 2021 project number 97067.21, to the Washoe County Sheriff's Office Special Operations Division Cyber Crimes Unit for the purchase of forensic software and licenses for the retroactive grant term of September 1, 2021 through August 31, 2023 and if approved, authorize Sheriff Balaam to execute grant award documentation, and direct the Comptroller's Office to make the necessary budget amendments. Sheriff. (All Commission Districts.)
- 21-0961**      **10K9** Recommendation to accept Treasurer's status report for the period ending November 30, 2021, of payment of refunds and interest since last update in the amount of \$2,834,734 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.)

Vice Chair Hartung said he was in support of 10C4; however, he requested a brief explanation on the matter. He asserted the Truckee Meadows Water Authority (TMWA) had done a great deal of reinjection into the aquifer in Spanish Springs, which benefitted the residents who had private wells and the private water company. Eric Crump, Community Services Division Director, explained the item did two things: granted TMWA an easement for an exploratory well and a production well, and approved a Consent to Use Agreement to ensure the easement was compliant with the deed restriction on the property.

TMWA Hydrogeologist Christian Kropf said the Donovan well, located in the north part of Spanish Springs, was an old well in need of replacement. He explained the existing site was small, and a larger site would allow more room for a drilling rig to fill an exploration or production well. Vice Chair Hartung noted TMWA owned substantially more water rights than they extracted in Spanish Springs. Mr. Kropf agreed. Vice Chair Hartung asked whether the water system was being stabilized as best as it could with

injection. Mr. Kropf replied TMWA had a significant recharge program.

Chair Lucey thanked Commissioners Hill and Herman for their continued service regarding their donations and support of projects throughout the community.

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 10A1 through 10K9 be approved. Any and all Resolutions or Interlocal Agreements pertinent to Consent Agenda Items 10A1 through 10K9 are attached hereto and made a part of the minutes thereof.

**BLOCK VOTE – 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21 &  
23, 24, 25, 26, 27 & 29 & 34**

**21-0962**      **AGENDA ITEM 11**      Recommendation to approve a Participating Agreement Interpretive Services between the Great Basin Institute, Washoe County Regional Parks and Open Space and the U.S. Department of Agriculture Forest Service Humboldt-Toiyabe National Forest for continued cooperative visitor services and programming at the Galena Creek Visitor Center and Recreation Area, [a non-cash value of \$102,911], and authorize the Director of the Community Services Department to sign the Agreement on behalf of Washoe County; and further authorize the Operations Division Director of the Community Services Department to annually approve the Annual Operating Plan on behalf of Washoe County. Community Services. (Commission District 1.)

There was no response to the call for public comment.

On motion by Vice Chair Hartung, seconded by Commissioner Herman, which motion duly carried on a 5-0 vote, it was ordered that Agenda Item 11 be approved and authorized. The Interlocal Contract for same is attached hereto and made a part of the minutes thereof.

**21-0963**      **AGENDA ITEM 12**      Recommendation to approve an Agreement for Professional Services between Washoe County and National Plant Services, Inc., to provide inspection services and incidental repairs for certain portions of the South Truckee Meadows sanitary sewer collection system [\$182,250]. Community Services. (Commission District 2.)

There was no response to the call for public comment.

On motion by Vice Chair Hartung, seconded by Commissioner Herman, which motion duly carried on a 5-0 vote, it was ordered that Agenda Item 12 be approved.

**21-0964**      **AGENDA ITEM 13** Recommendation to: (1) approve the purchase of nine (9) model year 2022 BMW R1250 RT-P police motorcycles from Sierra BMW Motorcycle, 1380 Kleppe Ln., Sparks, NV, 89431 [\$246,003.39] utilizing State of Nevada bid number 65DPS-NV20-3728 pursuant to the joinder provision of NRS 332.195; and (2) authorize the Purchasing and Contract Manager to issue a purchase order. Community Services. (All Commission Districts.)

There was no response to the call for public comment.

On motion by Vice Chair Hartung, seconded by Commissioner Herman, which motion duly carried on a 5-0 vote, it was ordered that Agenda Item 13 be approved and authorized.

**21-0965**      **AGENDA ITEM 14** Recommendation to: (1) approve two Quitclaim Deeds authorized by the City of Reno to accept donation of two parcels of land, APN 008-211-47 located at 1498 E. 7th Street, Reno, NV 89512 [assessed value of \$36,742 ] and APN 008-211-51 located at 1800 Threlkel St., Reno, NV 89512 [assessed value of \$873,903], pursuant to Amendment No. 2 and Extension of Interlocal Cooperative Agreement for Shelter Operation and Other Homeless Services Among the City of Reno, Washoe County and the City of Sparks; and authorize the Chair to act on behalf of Washoe County to execute and deliver any and all documents as may be necessary or appropriate to accomplish the acceptance of this land donation. If approved, this item will result in ownership of the two parcels being transferred from the City of Reno to Washoe County and added to Washoe County's capital assets; and (2) approve an Assignment and Assumption of Sign Location Lease and Electrical Agreement to assume existing agreements between the City of Reno and The Lamar Companies for continuation of an illuminated existing outdoor advertising structure (billboard) [revenue to Washoe County is approximate \$1537 per month]. Community Services. (Commission District 3.)

There was no response to the call for public comment.

On motion by Vice Chair Hartung, seconded by Commissioner Herman, which motion duly carried on a 5-0 vote, it was ordered that Agenda Item 14 be approved and authorized.

**21-0966**      **AGENDA ITEM 15** Recommendation to approve the Interlocal Agreement to Implement the Lake Tahoe Total Maximum Daily Load - Water Years 2022-2026, between Washoe County and the Nevada Division of Environmental Protection to continue Washoe County's commitment to participate in an urban stormwater pollutant load reduction program (Program) at Lake Tahoe. The primary goal of the Program is to construct and manage the required infrastructure to reduce the amount of fine

sediment particles that enter the Lake and reduce water clarity. The Agreement includes the obligations of Washoe County including five-year pollutant load reduction milestones. Community Services. (Commission District 1.)

There was no response to the call for public comment.

On motion by Vice Chair Hartung, seconded by Commissioner Herman, which motion duly carried on a 5-0 vote, it was ordered that Agenda Item 15 be approved. The Interlocal Contract for same is attached hereto and made a part of the minutes thereof.

**21-0967**      **AGENDA ITEM 16** Recommendation to: (1) accept the Nevada Department of State Lands and the Fund to Protect Lake Tahoe funding agreement in the amount of \$2,021,257.00 with a Washoe County cash/in-kind match in the amount of \$673,753.00 [Tahoe Regional Planning Agency Mitigation match funds of \$592,903.00 and Washoe County in-kind match funds (project management) in the amount of \$80,850.00], for the purpose of planning, design, and construction for the second phase of a Water Quality Improvement Project (WQIP) in Incline Village to improve water quality and aid Washoe County in achieving Total Maximum Daily Load (TMDL) load reductions. This project is an extension of Lower Wood Creek WQIP Phase I, and has a design, planning, and construction component. Water quality design and construction elements for the Lower Wood Creek Phase II WQIP may include storm drainpipes and manholes, concrete curb and gutter, shoulder stabilization, channel improvements, infiltration chambers, catch basins, water quality treatment basins, culvert improvements, rock slope protection and revegetation to control erosion and improve water quality.; (2) approve the funding agreement with a grant period retroactive from October 18, 2021 through March 31, 2023; (3) direct the Comptroller's Office to make the necessary budget amendments. Community Services. (Commission District 1.)

There was no response to the call for public comment.

On motion by Vice Chair Hartung, seconded by Commissioner Herman, which motion duly carried on a 5-0 vote, it was ordered that Agenda Item 16 be accepted and approved.

**21-0968**      **AGENDA ITEM 17** Recommendation to authorize change order (CO) #8 for Lower Wood Creek Phase I Water Quality Improvement Project, in the amount of \$348,965.99 [total construction contract increase from \$2,133,964.00 to \$2,387,374.95] for the required additional roadway paving along Southwood Boulevard. Community Services. (Commission District 1.)

There was no response to the call for public comment.

On motion by Vice Chair Hartung, seconded by Commissioner Herman, which motion duly carried on a 5-0 vote, it was ordered that Agenda Item 17 be authorized.

**21-0969**      **AGENDA ITEM 18** Recommendation to accept a renewed Violence Against Women Act (VAWA) grant to the District Attorney's Office in the amount of [\$198,058; \$19,806 indirect; \$72,709 required match], from the State of Nevada Attorney General's Office to provide funding for a Deputy District Attorney III retroactive from July 1, 2021 through July 30, 2022 and direct the Comptroller to make the necessary budget amendments and retroactively authorize the District Attorney or his designees to sign the grant agreement. District Attorney. (All Commission Districts.)

There was no response to the call for public comment.

On motion by Commissioner Vice Chair Hartung, seconded by Commissioner Herman, which motion duly carried on a 5-0 vote, it was ordered that Agenda Item 18 be accepted, directed, and authorized.

**21-0970**      **AGENDA ITEM 19** Recommendation to approve budget amendments totaling an increase of [\$200,000.00] in both revenue and expense to the FY22 Air Quality Management EPA EN (Environmental Protection Agency Environmental Information Exchange Network) Grant retroactive to October 1, 2021 through September 30, 2024 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 Herman, which motion duly carried on a 5-0 vote, it was ordered that Agenda Item 19 be approved and directed.

**21-0971**      **AGENDA ITEM 20** Recommendation to approve the FY22 COVID-19 Health Disparities Grant Subaward retroactive to October 8, 2021 through May 31, 2023 and direct the Comptroller's office to make the appropriate budget amendments totaling an increase of [\$1,241,516.00] in both revenue and expense. Health District. (All Commission Districts.)

There was no response to the call for public comment.

On motion by Vice Chair Hartung, seconded by Commissioner Herman, which motion duly carried on a 5-0 vote, it was ordered that Agenda Item 20 be approved and directed.



**21-0972**      **AGENDA ITEM 21** Recommendation to retroactively approve purchases not to exceed [\$3,000,000.00] in FY22 from My Next Career Path temporary staffing in support of the COVID-19 response efforts and the COVID-19 vaccination events. Health District. (All Commission Districts.)

There was no response to the call for public comment.

On motion by Vice Chair Hartung, seconded by Commissioner Herman, which motion duly carried on a 5-0 vote, it was ordered that Agenda Item 21 be approved.

**21-0973**      **AGENDA ITEM 23** Recommendation to accept a FY22 subgrant award from the State of Nevada, Department of Health and Human Services, Division of Public and Behavioral Health (DPBH) in the amount of [\$175,175; no county match] retroactive from October 1, 2021 to September 30, 2022 to support the position and activities of the Regional Behavioral Health Coordinator; authorize the Director of the Human Services Agency to execute the grant award documents; and direct the Comptroller's Office to make the necessary budget amendments. Human Services Agency. (All Commission Districts.)

There was no response to the call for public comment.

On motion by Vice Chair Hartung, seconded by Commissioner Herman, which motion duly carried on a 5-0 vote, it was ordered that Agenda Item 23 be accepted, authorized, and directed.

**21-0974**      **AGENDA ITEM 24** Recommendation to approve the engagement of Sherman & Howard L.L.C. for the provision of services for bond counsel of up to \$110,000 and special counsel regarding disclosure of up to \$110,000 for a combined total of not-to-exceed \$220,000 for the proposed Washoe County General Obligation (Limited Tax) Refunding Bonds Series 2022A and Series 2022B. Manager's Office. (All Commission Districts.)

There was no response to the call for public comment.

On motion by Vice Chair Hartung, seconded by Commissioner Herman, which motion duly carried on a 5-0 vote, it was ordered that Agenda Item 24 be approved.

**21-0975**      **AGENDA ITEM 25** Recommendation to award Request for Proposal (RFP) No. 3169-22 for Facility Operator - Safe Camp to the lowest, responsive, and responsible bidder, Karma Box Project, in an amount not to exceed [\$847,893.21 for professional services initial nineteen-month term; tail coverage required to supplement policy coverage of an amount not to exceed \$100,000; and \$535,511.50 annually for subsequent one year renewals] and if approved, authorize the Purchasing and Contracts Manager to execute the contract beginning retroactively December 12, 2021 through

June 30, 2023 with the option to renew for three (3), one-year periods thereafter. Item supports the Safe Camp, located at located at 598 Line Drive, Reno NV 89512, a secure, stable location for people experiencing homelessness to live temporarily while they engage in housing focused case management to assist them in securing permanent housing. Manager's Office. (All Commission Districts.)

There was no response to the call for public comment.

On motion by Vice Chair Hartung, seconded by Commissioner Herman, which motion duly carried on a 5-0 vote, it was ordered that Agenda Item 25 be awarded, approved, and authorized.

**21-0976**      **AGENDA ITEM 26** Recommendation to approve a FFY21 Department of Homeland Security (DHS) grant passed through the State Homeland Security Program (SHSP) awarding [\$180,000.00 (no County match required)], for a Continuity of Operations and Continuity of Government project; authorize food purchases for Planning and Training events; retroactive from September 1, 2021 - August 31, 2023; If approved authorize the County Manager or his designee to sign the grant award documents when received; and direct the Comptroller's Office to make the necessary budget amendments. Manager's Office. (All Commission Districts.)

There was no response to the call for public comment.

On motion by Vice Chair Hartung, seconded by Commissioner Herman, which motion duly carried on a 5-0 vote, it was ordered that Agenda Item 26 be approved, authorized, and directed.

**21-0977**      **AGENDA ITEM 27** Recommendation to approve a request to initiate proceedings to amend Washoe County Code (Chapter 25) pursuant to Senate Bill 389 from the 81st Legislative Session; and direct the County Clerk to submit the request to the District Attorney for preparation of a proposed ordinance to impose a fee to be charged and collected when a passenger car is shared through a peer-to-peer car sharing program, pursuant to Washoe County Code Section 2.030 and 2.040. Manager's Office. (All Commission Districts.)

There was no response to the call for public comment.

On motion by Vice Chair Hartung, seconded by Commissioner Herman, which motion duly carried on a 5-0 vote, it was ordered that Agenda Item 27 be approved and directed.

**21-0978**      **AGENDA ITEM 29** Recommendation to approve the attached resolution to augment the Capital Improvements Fund in the amount of [\$2,561,234.91], and the Parks Capital Projects Fund in the amount of [\$525,096.98] to increase revenue, expenditure, and transfer authority for capital projects for fiscal year 2022 in accordance with Nevada Revised Statute (NRS) 354.598005; and direct the Comptroller to make the appropriate budget amendments. Manager's Office. (All Commission Districts.)

There was no response to the call for public comment.

On motion by Vice Chair Hartung, seconded by Commissioner Herman, which motion duly carried on a 5-0 vote, it was ordered that Agenda Item 29 be approved and directed. The Resolution for same is attached hereto and made a part of the minutes thereof.

**21-0979**      **AGENDA ITEM 34** Recommendation to approve the reimbursement of costs incurred by the City of Reno, the City of Sparks, and Truckee Meadows Fire and Rescue for expenses related to and in support of the Enhanced 911 Emergency Response System and portable event recording devices, as recommended by the 911 Emergency Response Advisory Committee on November 18, 2021, in an amount not to exceed [\$1,309,643.64] as specified within the adopted Enhanced 911 Fund's operating budget. Technology Services. (All Commission Districts.)

There was no response to the call for public comment.

On motion by Vice Chair Hartung, seconded by Commissioner Herman, which motion duly carried on a 5-0 vote, it was ordered that Agenda Item 34 be approved.

**12:36 p.m.**      **The Board recessed.**

**1:20 p.m.**      **The Board reconvened with Vice Chair Hartung absent.**

**21-0980**      **AGENDA ITEM 28** Discussion and possible approval of a resolution to establish a list of fees to be charged to cover the actual costs of providing copies of public records in accordance with Washoe County's public records policy and NRS Chapter 239, including but not limited to NRS 239.052. Among other things, the proposed resolution establishes a fee to cover personnel costs for staff time that exceeds 10 hours in filling any particular request, establishes a reduced hourly rate for staff time that can be charged, and provides an ability to waive all or a portion of fees. Manager's Office. (All Commission Districts.)

Chair Lucey said Assistant District Attorney Nathan Edwards and Deputy District Attorney Lindsay Liddell were present to address concerns brought up in a previous meeting on the matter.

Assistant District Attorney Nathan Edwards commented the item had been brought back from a meeting in October. The matter was adjunct to the adoption of the public records policy by the Board in response to the 2019 amendments, which allowed the departments to charge for actual costs. The resolution was the implementation piece to establish the actual costs, and it had been recrafted due to the questions and input from the October meeting.

Attorney Edwards explained a key feature of the resolution was a waiver of the first ten hours of staff time, which was consistent with the policies of cities in Southern Nevada. He noted the Washoe County School District used a two-hour cut-off, but the County opted for the higher end of hours based on concerns expressed. Another key point of the resolution, he believed, included a standing waiver of any staff costs that exceeded an office assistant staff level pay rate of \$18.71 an hour.

Chair Lucey asked Attorney Liddell to articulate the changes made from the presentation in October. Attorney Liddell responded that a primary change was the waiver for up to ten hours. The idea behind the change was to ensure general requests would be processed without a fee for staff time; only the extremely large requests would incur staff time charges. The other primary change was the waiver of any staff time beyond the office assistant level. This, she explained, would ensure the public could anticipate what rates would be charged, regardless of who was fulfilling the request.

Chair Lucey asked whether the changes would be uniform across the County or at the discretion of each department head. The changes, Attorney Liddell explained, would be uniform across the County unless a department already had a fee schedule in place. She commented the changes would not necessarily apply to elected officials, but those departments could choose to adopt the same fee schedule.

Commissioner Hill thanked the District Attorney's Office for providing clarity to the concerns of the Board. Commissioner Jung echoed Commissioner Hill's comment and thought it was amazing what could be done when everyone was accommodated. Chair Lucey asked if each department had the ability to waive fees for education and the press. Attorney Liddell replied that the language regarding the waivers had been removed; instead, the resolution gave a blanket ability to waive.

Chair Lucey asked if the District Attorney's office would assist with the implementation of the policy. Attorney Liddell answered the District Attorney's office would provide legal advice regarding implementation and training on public records law. County Manager Eric Brown proposed 311 become the central repository for public records requests; 311 had been the central repository during the past year, apart from some departments of elected officials. He envisioned a process where 311, the affected department, and the District Attorney's office would work together to fulfill the records

requests. He opined this process would ensure requests were tracked.

Chair Lucey said he wanted to make sure that citizens maintained access to records; however, large requests took resources away from other projects. He thanked the District Attorney's office for their work on the issue.

There was no response to the call for public comment.

On motion by Commissioner Hill, seconded by Commissioner Herman, which motion duly carried on a 4-0 vote with Commissioner Hartung absent, it was ordered that Agenda Item 28 be approved. The Resolution pertinent to agenda item 28 is attached hereto and made a part of the minutes thereof.

**21-0981**      **AGENDA ITEM 30** Recommendation to adopt an Ordinance Authorizing the Issuance of the Washoe County, Nevada, General Obligation (Limited Tax) Refunding Bonds, Series 2022A in the maximum principal amount of \$15,000,000; specifying the terms and conditions of such bonds and their form; providing for the levy and collection of an annual ad valorem tax for the payment of the bonds; providing for adoption as if an emergency exists and providing other details in connection therewith. This item is proposed in accordance with NRS 350.684 to take advantage of favorable interest rates by refunding and refinancing currently outstanding Washoe County, Nevada, General Obligation Bonds, Series 2012A and General Obligation Bonds, Series 2019. Manager's Office. (All Commission Districts.)

The Chair opened the public hearing.

Janis Galassini, County Clerk, read the title for Ordinance No. 1675, Bill No. 1866.

Chief Financial Officer Christine Vuletich explained the ordinance would issue the general obligation refunding bond, Series 2022A. NRS 350.684 provided the County may issue refunding bonds to affect a lower interest rate. Interest rates, she informed, continued to be at historical lows and the County wanted to take advantage of savings by refunding the bonds. The 2012A and 19 bonds carried interest rates between 2.6 and 4 percent. The bonds were paid from general obligation ad valorem taxes. She noted the refinancing would not extend the term of the bonds. An interest rate below 2 percent could be anticipated, she explained, which would be a savings of \$1.2 million for the County.

Ms. Vuletich explained the bonds would be sold January 12. She expected ratings from Standard & Poore and Moody's in the near future. Chair Lucey asked what rating the County was. Ms. Vuletich replied the County was an AA+ and an AA2, which was just below an AAA rating. Chair Lucey asked if the County had ever been AAA rated. Ms. Vuletich responded the County had never been AAA rated; the County received an upgrade in the last several years to AA. Chair Lucey asked if the rating helped with interest

rate and ability to sell the bonds. Ms. Vuletich said the rating helped with ability to sell, marketability, and the interest rate.

On motion by Chair Lucey, seconded by Commissioner Hill, which motion duly carried on a 4-0 vote with Commissioner Hartung absent, it was ordered that Ordinance No. 1675, Bill No. 1866, be adopted, approved, and published in accordance with NRS 244.100.

There was no response to the call for public comment.

**21-0982**      **AGENDA ITEM 31** Recommendation to adopt an Ordinance Authorizing the Issuance of the Washoe County, Nevada, General Obligation (Limited Tax) Consolidated Tax Refunding Bonds (Additionally Secured by Pledged Revenues) Series 2022B in the maximum principal amount of \$12,000,000, for the purpose of refunding certain outstanding bonds secured by consolidated tax pledged revenues; providing the form, terms and conditions of the bonds and other details in connection therewith; and adopting it as if an emergency now exists. This item is proposed in accordance with NRS 350.684 to take advantage of favorable interest rates by refunding and refinancing currently outstanding Washoe County, Nevada, General Obligation (Limited Tax) Refunding Bonds (Additionally Secured by Pledged Revenues), Series 2012B Bonds. Manager's Office. (All Commission Districts.)

The Chair opened the public hearing.

Janis Galassini, County Clerk, read the title for Ordinance No. 1676, Bill No. 1867.

Chief Financial Officer Christine Vuletich commented the County planned to sell the 2022B bonds in conjunction with the 2022A bonds. That process would enable the County to refinance the 2012 series B bonds that were outstanding and had a different revenue source than the 2022A bonds. The current bonds carried interest rates between 2.75 to 3 percent. She said the refinancing would not extend the term of the bonds; they would mature based on their original issuance date. She anticipated additional savings of \$550,000. The process, she commented, would streamline three separate issues that needed to be accounted for and roll them into one.

Chair Lucey asked when the bonds would be sold. Ms. Vuletich responded they would be sold January 12.

There was no response to the call for public comment.

On motion by Chair Lucey, seconded by Commissioner Herman, which motion duly carried on a 4-0 vote with Commissioner Hartung absent, it was ordered that Ordinance No. 1676, Bill No. 1867, be adopted, approved, and published in accordance with NRS 244.100.

**21-0983**      **AGENDA ITEM 32** Recommendation to adopt an ordinance authorizing the issuance by Washoe County, Nevada of its General Obligation (Limited Tax) Sewer Bond (Additionally Secured by Pledged Revenues) Series 2022 in the maximum principal amount of \$23,000,000 for the purpose of financing sewerage projects for the County; providing the form, terms and conditions thereof and covenants relating to the payment of said bond; and providing for its adoption as if an emergency exists; and providing other matters relating thereto. Manager's Office. (All Commission Districts.)  
There was no response to the call for public comment.

The Chair opened the public hearing.

Janis Galassini, County Clerk, read the title for Ordinance No. 1677, Bill No. 1868.

Chief Financial Officer Christine Vuletich said the item was an issuance of new debt and the second phase of financing on the South Truckee Meadows Water Reclamation Plant project. In 2020 the County was authorized \$50 million through the State revolving fund program. The first phase of \$27 million was previously issued and this item was the remaining balance of \$23 million. The funds, she explained, were passed from the State through the Clean Water Act at low interest rates and with good terms. She asserted the County would draw down on the 30-year loan to pay back interest; however, the principal would not need to be paid back until the project was completed or the full amount was drawn down. She explained it was different than a regular bond because the County issued it, but the State was the sole investor. She calculated the interest rate to be 1.47 percent for 30 years.

Chair Lucey asked why the County was waiting until January to do the two refundings and issue the new debt. Ms. Vuletich replied the bond would close on December 21 and was not subject to the ratings because it was not being sold to the public. Chair Lucey commented the Board initially supported the bond in 2019 for the first phase issuance.

There was no response to the call for public comment.

On motion by Chair Lucey, seconded by Commissioner Herman, which motion duly carried on a 4-0 vote with Commissioner Hartung absent, it was ordered that Ordinance No. 1677, Bill No. 1868, be adopted, approved, and published in accordance with NRS 244.100.

**21-0984**      **AGENDA ITEM 35** Recommendation to adopt the Washoe County Regional 911 Master Plan Update, prepared by Federal Engineering, Inc., as recommended by the Emergency Response Advisory Committee on September 28, 2021. Technology Services. (All Commission Districts.)

Information Technology Manager Quinn Korbolic conducted a PowerPoint presentation, a copy of which was placed on file with the Clerk. He reviewed slides with the following titles: Washoe County 911 Five-Year Master Plan Update & Recommendations; Master Plan Overview; Recommendations - Backup Plan; Recommendations - Funding; Recommendations - Legislative; Recommendations; FCC Guidance; Spending & Fund Balance; Summary; and Questions.

Mr. Korbolic said State law required the County to maintain a 5-Year Master Plan (MP) to collect and use the 911 surcharge. The current MP was updated in 2018, but substantial changes in developments related to 911 prompted staff to recommend changes to it. Staff hired Federal Engineering, Inc. as a consultant to help update the MP. He noted that current State law authorized expenditures for body cameras, which the Federal Communications Commission (FCC) identified as a diversion of 911 surcharge funds. He said there was a potential move to modify State law so the funds could no longer be diverted for body cameras. He indicated that non-compliance with FCC regulations prevented the County from taking advantage of 911 grant funding.

Government Affairs Liaison Jamie Rodriguez clarified there were two reasons why Nevada entities were ineligible for the federal grants: Nevada was listed as an FCC state which diverted funds, and the lack of a statewide 911 coordinator. She said changing State law to remove the diversion of funds would not guarantee eligibility for grant funding.

Mr. Korbolic mentioned the 911 fund balance at the end of the prior fiscal year (FY) was above the \$5 million statutory maximum. The new MP included a spending plan to spend down the fund balance overage and maintain the fund balance in future years.

Chair Lucey asked whether the Board already approved the \$7.6 million budgeted amount for FY 2021-2022. Mr. Korbolic replied the Board had not approved all of the budgeted amounts. He said the approved expenses totaled \$5.4 million, and agenda item 34 would add to that amount. The \$7.6 million included approved and potential expenses. Ms. Rodriguez explained the existing contracts totaled \$5.4 million, and the amount listed below “Existing Approved Expenses and Contracts” on the Spending & Fund Balance slide were expansions not included in the budgeted plan. She said some of those amounts had already been reimbursed. She noted the City of Sparks fire station alerting had already been approved by the Board. The Truckee Meadows fire station alerting was approved in another Agenda Item, but the items listed under “Regional Projects” had not been approved. She said some of the listed amounts were waiting for the Board’s approval. She explained the County had always funded dispatch or Public Safety Answering Points, but the federal government indicated it was permissible to help fund



those being dispatched to a degree such as mobile data terminals. The advisory committee was recommending some expenditures that were now permissible based on federal guidelines, but those proposed expenses had not yet been approved by the Board.

Chair Lucey asked about the likelihood of the State adjusting Nevada Revised Statutes, which would make it possible for the County to receive federal funding. Mr. Rodriguez replied the likelihood was difficult to determine; Nevada had been on the FCC's list of states that diverted 911 funds since 2017. She noted the strike force report recommended penalties for states that diverted funds. She explained the two recommendations regarding those penalties, noting it was possible the County would incur fiscal impacts if the entities were penalized instead of the states. She said the second consideration was that the State would not be eligible for federal grants to help establish the 988 program, which could be an incentive to removing Nevada from the FCC list of states that diverted funds. She noted Congress would need to pass a bill to enforce the FCC's recommendations.

There was no response to the call for public comment.

On motion by Commissioner Hill, seconded by Commissioner Herman, which motion duly carried on a 4-0 vote with Vice Chair Hartung absent, it was ordered that Agenda Item 35 be adopted.

**21-0985**      **AGENDA ITEM 36** Public Hearing to: (1) consider objections to Resolution (R21-066), declaring Washoe County's intent to convey property located at 1905 E. 4th Street, Reno, Nevada, (APN 008-382-01) to Nevada Hopes a 501(c)(3) organization, for charitable or civic purposes and in support of a clinic to serve the Cares Campus and surrounding area as authorized in NRS 244.284; and (2) possible action to approve a Purchase and Sale Agreement between Washoe County and Nevada Hopes to outline the terms and conditions for the conveyance; and if the property ever ceases being used for charitable or civic purposes, it will revert automatically to Washoe County; and (3) authorize the County Manager to execute any and all required documents necessary for the property transfer. Community Services. (Commission District 3.)

The Chair opened the public hearing.

There was no response to the call for public comment.

On motion by Commissioner Hill, seconded by Commissioner Jung, which motion duly carried on a 4-0 vote with Vice Chair Hartung being absent, it was ordered that agenda item 36 be approved. The Resolution pertinent to agenda item 36 is attached hereto and made a part of the minutes thereof.

Later in the meeting, after Agenda Item 37, Chair Lucey requested Agenda Item 36 be reopened to clarify the motion to authorize the County Manager to execute any and all required documents for the property transfer.

On motion by Commissioner Hill, seconded by Commissioner Jung, which motion duly carried on a 4-0 vote with Vice Chair Hartung being absent, it was ordered that agenda item 36 be approved and to authorize the County Manager to execute any and all required documents for the property transfer. The Resolution pertinent to Agenda Item 36 is attached hereto and made a part of the minutes thereof.

**21-0986**      **AGENDA ITEM 37** Public Hearing and possible adoption of an ordinance amending the Regional Road Impact Fee (RRIF) General Administrative Manual (GAM) and the RRIF Capital Improvement Plan (CIP) with revised fees. The RRIF is an NRS chapter 278B impact fee designed to generate revenue for the construction of regional roads and associated improvements in the community that was first passed in 1996 and has since been periodically amended upon the adoption by the Regional Transportation Commission (RTC) of updated versions of the GAM, CIP and fees. The amount of the fees is based on the most recent version of the CIP in effect and is calculated according to the formula set forth in the GAM. The current amendments to the GAM consist of the 7th Edition RRIF GAM that has been approved by RTC for recommendation to governing bodies of the county and cities, as well as associated updates to the CIP and fees. Revised fees range from a 0.70% decrease to a 6.19% increase; and for other matters necessarily connected therewith and pertaining thereto. Community Services. (All Commission Districts.)

The Chair opened the public hearing.

Janis Galassini, County Clerk, read the title for Ordinance No. 1678, Bill No. 1865.

Chair Lucey commented the RRIF program had been in use in the County since 1996 and was beneficial for developers, but he thought it had been used inappropriately at times. He noted the County was focused on managing the program as best as possible.

There was no response to the call for public comment.

On motion by Chair Lucey, seconded by Commissioner Herman, which motion duly carried on a 4-0 vote with Vice Chair Hartung absent, it was ordered that Ordinance No. 1678, Bill No. 1865, be adopted, approved, and published in accordance with NRS 244.100.

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Chair Lucey requested Item 36 be reopened to clarify the motion to authorize the County Manager to execute any and all required documents for the property transfer. Commissioner Hill added to her motion to authorize the County Manager to execute any and all required documents necessary for the property transfer.

The re-stated motion is noted under Agenda Item 36.

- 21-0987**     **AGENDA ITEM 38**     Public Hearing: Master Plan Amendment Case Number WMPA21-0002 (Village Green Commerce Center Specific Plan): (1) To acknowledge receipt of the Planning Commission’s report on the Board of County Commissioners’ proposed modifications to the Planning Commission’s action of September 7, 2021 approving WMPA21-0002; and (2) For hearing, discussion and possible action to adopt an amendment to the Village Green Commerce Center Specific Plan, which is located in Appendix D of the Spanish Springs Area Plan, a component of the Washoe County Master Plan, and consists of APNs 534-561-06, 534-561-07, 534-561-08 and 534-561-10. If approved, the amendment will add clarifying language and include the following:
1. Remove Goal Five, Infrastructure;
  2. APN: 534-561-10 is exempted from the Spanish Springs Area Plan, Appendix A including the building site coverage requirements;
  3. Update building setback requirements along the western property line of the Plan boundary from 5 feet to 50 feet when adjacent to residential zoned parcels;
  4. Add requirement addressing trash enclosures adjacent to any residential zoned parcels;
  5. Remove sidewalk required along Calle de la Plata frontage;
  6. Add color and evergreen trees as options for 50 feet in length of building walls;
  7. APN: 534-561-10 is exempted from the following Architecture provisions: General Guidelines, Energy Efficient Tenant Criteria, Building Massing and Form, Mechanical Equipment, and Building Materials; the following Landscaping provision: Site Grading; and the following Sustainability provisions: Low Impact Development (LID) Standards, and Environmental Sustainability Standards of the Village Green Commerce Center Specific Plan;
  8. Clarify that illuminated signs will only be allowed when not adjacent to residential property;
  9. Remove security lighting section and parking lighting requirements;
  10. Clarify that effluent water is only required when available in the area;
  11. Clarify that no loading docks are allowed to be adjacent to residential property;
  12. Remove Figure D-5: Business Park Buffering;

13. APN: 534-561-10 is exempted from Low Impact Development (LID) Standards and Environmental Sustainability Standards;
14. Clarify roadway improvements as required by Washoe County Engineering and Capital Projects; and
15. Remove current equestrian easement and add a public trail easement on the east side of the Washoe County owned parcels (APN: 534-561-06 & 07).

The Board of County Commissioners may adopt the proposed amendment, may further modify the proposed amendment and refer the matter back to the Planning Commission for its report in accordance with NRS 278.220(4), or may deny the proposed amendment after the public hearing. If adopted, the master plan amendment will take effect after a determination of conformance with the Truckee Meadows Regional Plan by the Truckee Meadows Regional Planning Agency.

AND

If approved, authorize the Chair to sign the resolution to that effect. Community Services. (Commission District 4.)

The Chair opened the public hearing.

**2:21 p.m. Vice Chair Hartung returned.**

Community Services Planner Julie Oleander conducted a PowerPoint presentation and reviewed slides with the following titles: Request (2 slides); Village Green Area; Request; and Possible Motion.

On the call for public comment, Mr. Dan Herman said the Spanish Springs residents had been dealing with the property for the last ten years. He opined the property was inappropriate for a residential community, and he said the property was in a specific plan that was pushed by a developer. He commented the property had set standards attached to it when it was resold, but the developer changed things and asked for several exemptions. He thought the Planning Commission and the Board were not enforcing what was in the specific plan, and he wondered why the County was aiding the developers and not the citizens. He opined the County needed to enforce the codes and zoning standards.

Vice Chair Hartung said he agreed with Mr. Herman on some of his points. Regarding the sidewalks, he thought the neighborhood was not walkable. He informed he was present when the design standards were put into place; the design standards were only applied to the Village Green complex. The area, he reminded, was supposed to be a green industrial complex with solar panels and a wind farm. He thought one of the standards the Board should look at in the future was to make the industrial complexes put solar panels on roofs to offset their footprints. He said a change from the original configuration was the truck bays being located inside the building. He informed he had conversations with the west side residential property owner who was fine with the 50-foot setback.

Commissioner Herman opined the property was unwalkable because it had flooded many times during storms. She said it sounded like the department had worked hard on the project, and she noted the Planning Commission approved the project.

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 38 be acknowledged, adopted, and authorized. The Resolution pertinent to agenda item 38 is attached hereto and made a part of the minutes thereof.

**21-0988**      **AGENDA ITEM 39** Public Hearing: Appeal of the denial, by the Washoe County Planning Commission of Amendment of Conditions Case Number WAC21-0005 (Truckee Meadows Water Authority) which sought to amend condition number 2 of Special Use Permit Case No. SW07-017 and condition number 1 of Variance Case No. VA07-021 in order to further extend the expiration dates of these approvals from the current expiration date of December 4, 2021 to December 4, 2023. The approved special use permit allowed the construction of a booster pumping facility to convey potable water through the Mogul area, as authorized by Table 110.302.05.2 of the Washoe County Development Code. The approved variance allowed for varied grading standards within Washoe County Development Code Sections 110.438.45(b)(1) and (2), as those subsections existed in 2007, allowing for 2:1 slopes instead of 3:1 slopes, and allowing fills higher than 48 inches within fifty (50) feet of a shared property line; and to vary the front yard setback standards of Section 110.406.50(b), allowing a retaining wall of up to 8 feet in height, approximately 8 feet from the front property line. The grading for the project approved in 2007 includes approximately 540 cubic yards of excavation, 400 cubic yards of exported material and a retaining wall ranging from 3 feet to 8 feet in height. The proposed project is located at 10040 Timberwolf Drive, between Timberwolf Drive and West 4th Street, at the northern terminus of Tanager Court, approximately 400 feet west of Cliff View Drive. The proposed project is in the Verdi Area Plan, has a master plan designation of Suburban Residential and is within the Medium Density Suburban regulatory zone (Assessor's Parcel Number 038-461-06). The Board may affirm, reverse, or modify the decision of the Planning Commission. In doing so, the Board may directly grant all or part of the amendment of conditions request. Community Services. (Commission District 5.)

The Chair opened the public hearing.

Vice Chair Hartung said Senior Planner Roger Pelham wrote the staff report and recommended the denial to the Planning Commission. He asked to hear from Mr. Pelham to understand his position on the matter, as Vice Chair Hartung felt this was a unique situation.

Mr. Pelham conducted a PowerPoint presentation, a copy of which was placed on file with the Clerk, and reviewed slides with the following titles: Appeal of Denial; Request; Previous Approvals; Vicinity Map; Site Plan; Cross Sections; Overview-History; Overview - Development Code; Overview - General Area; Overview - City of Reno Jurisdiction; Planning Commission Action; and Possible Motions (two slides).

Mr. Pelham commented the project was originally approved 14 years ago and it allowed a booster pump station on an easement area within a residential zone. He said when looking to mitigate the impact of a project on its surrounding area they looked at steep slopes, slopes going up to a property line, and elimination of landscaping. He noted during an amendment of conditions, the planners were not allowed to look at the whole project. He explained the only thing the planners could look at was the one condition of approval that involved the expiration date. He said there were more dwellings in the surrounding area now than there were in 2007, but he was unable to say if that was significant because they were not allowed to review the project in that regard.

Mr. Pelham informed, in his experience, a special use permit had never been extended for 14 years. He opined after 14 years the matter should be reviewed to take current code, standards, and conditions of approval into consideration. He said building permits had not been pulled on this project in 14 years, and he thought that showed a lack of progress by the Truckee Meadows Water Authority (TMWA).

Vice Chair Hartung said he was in a unique position because he also served on the TMWA board. He said TMWA was in a different situation because it was a government agency that responded to growth. He commented the project was part of the backbone infrastructure to get surface water to Verdi, which would take pressure off the waning groundwater supplies in Verdi and Mogul. Addressing Mr. Pelham's comment that no work had begun on the project, Vice Chair Hartung explained there had been numerous holdups in growth and permits. He said the conditions had not changed on the site and the project was a unique situation. He indicated he wanted to better understand what landscaping the staff would require.

Vice Chair Hartung said the Planning Commission staff report mentioned there had not been any traffic studies done. He did not think that was an issue because TMWA would not visit the station more than once or twice a week. His guess was TMWA would not go to the site except for maintenance or an emergency, which would mean there would be no significant impacts to the neighborhood besides the building. He commented the buildings were designed so the pumps could not be heard running. He thanked Mr. Pelham for his thorough review on why the extension should not be allowed, but he thought the extension needed to be allowed for TMWA to provide surface water to growing areas.

Mr. Pelham said the landscaping code of the Washoe County Development Code was recently updated to recognize the County was in a high desert environment and to help mitigate the visual impact on a project in the surrounding area. He informed the site was a civic use site, and therefore was required to meet the same standards as any commercial use types. He explained that meant 20 percent of the project area would need

to be landscaped, one tree planted for every 300 square feet of required landscaping, six shrubs planted per tree, and rock or bark mulch would be required. He commented the required landscaping would obscure the civic use type from the traveled way.

Commissioner Herman asked if the landscaping could be waived for a pump station. She wondered if the noise factor would be an issue if the buildings were insulated. She asked if Mr. Pelham was able to review dimensions of the building to ensure it would not block views in the neighborhood.

Mr. Pelham answered the variance that was approved 14 years ago eliminated all landscaping, which was different than what would currently be approved. He said the pump station would be a constant noise; however, the noise ordinance would limit it to a particular number of decibels. It was his understanding the pump station noise would be substantially less than the noise ordinance limit. He said because they were limited to looking at only the expiration date as the condition of approval, he was unsure if sound mitigation could be added.

Commissioner Herman asked if the landscaping and the potential blocking of views for the neighborhood were the issues that would need to be overcome. Mr. Pelham replied those were two of his three main concerns with the project, as the project was currently approved. His third concern was the grading because there were steep slopes that went up to the neighbor's property line, rather than being inset from the property line. He wondered if the applicant offered conditions that perhaps could be a way around the grading issue. He asked Assistant District Attorney Nathan Edwards for his input on the matter.

Attorney Nathan Edwards said the item the Board was voting on was solely the extension; the Board could discuss the reasons it was denied as it related to the decision to grant the extension. He thought conditions could be done as part of the extension, but they would need to relate to the time extension. The special use permit and the variance itself were not open for changes and modifications, he said. He informed if the applicant voiced a willingness to put forth conditions, that would be a voluntary undertaking and would not be part of the Board's decision.

TMWA Engineering Manager Daniel Rotter conducted a PowerPoint presentation, a copy of which was placed on file with the Clerk, and reviewed slides with the following titles: Site Plan; Parcel and Easements; I-80 Mogul Offramp looking North; and Significant Actions.

Mr. Rotter said he understood extending beyond a 14-year window was unique, but he noted that critical regional water supplies had to be planned for years in advance. He commented TMWA had to plan in perpetuity to provide the community with safe drinking water, which meant they had sites in place that were waiting for growth to occur.

Mr. Rotter described the site was close to Fourth Street, away from other homes, and the parcel was narrow and skinny with the back half by Fourth Street unusable. He said there was a 20-foot slope from the power pole on the left down to the drainage way, which constituted the grading needed for the area. Mr. Rotter said to make the parcel usable the slope on the left would need to be cut down, and the slope on the right would need to be filled. He noted the same actions would need to be taken to use the parcel for any means, otherwise the parcel would need to be left as it was.

Regarding the lack of progress made by TMWA on the parcel, Mr. Rotter said it was important for TMWA to be ready for growth. He explained TMWA was currently getting their permitting for right-a-ways for the rest of the mains. He believed it would be in the public's benefit to extend the special use permit and variance for another two years. TMWA acquired the easement under the past circumstances, and he noted TMWA would still need a variance to meet the grading requirements as it stood presently. He commented the conditions had been found for an extension before, and he thought the conditions could be found currently.

Vice Chair Hartung asked if the subject site was the backside of a residential site. Mr. Rotter replied that was correct. Vice Chair Hartung asked how TMWA acquired the site. Mr. Rotter responded TMWA purchased the easement. Vice Chair Hartung said the easement was purchased and eminent domain was not used. He asked if the homeowner agreed to TMWA's acquisition of the property. Mr. Rotter confirmed the homeowner agreed to it and was compensated by TMWA.

Vice Chair Hartung reminded the Board that TMWA was at a 91 percent approval rating by its customers, and he added TMWA worked hard to make sure they were giving a high-quality product. He said pieces of infrastructure, like the pump station being discussed, assisted with conjunctive use. Mr. Rotter replied that was correct. Vice Chair Hartung asked Mr. Rotter to explain what conjunctive use was. Mr. Rotter responded conjunctive use was the process of maximizing the use of surface water, when available, and filling in the gaps with groundwater. Vice Chair Hartung asked whether someone knew if they were using surface or ground water. Mr. Rotter said no. Vice Chair Hartung indicated pump stations, such as this one, were crucial to the uninterrupted delivery of water. Vice Chair Hartung acknowledged it was a unique situation, but he did not think the extension TMWA asked for was unreasonable.

Mr. Rotter believed no landscaping was anticipated, but TMWA had not looked at whether landscaping could be fit on the site. Vice Chair Hartung thought if TMWA was forced to put landscaping on the site, it may block the view of residents. He thought if landscaping was put on the front side, it would only benefit the resident who sold the parcel. Mr. Rotter was unsure if there would be any benefit to landscaping, but he mentioned TMWA was ready to be a good neighbor.

Commissioner Herman opined if the Board approved the extension, then progress could move forward for TMWA providing water to the west side. She hoped there would be new developments for quieter pumps by the time the site was developed.



Chair Lucey addressed the concerns about the noise level of the pumps and said the pump stations were not very loud. Mr. Rotter recalled receiving a question from a neighbor regarding the noise level of the pumps; after receiving a reply from Mr. Rotter the neighbor had no further questions. TMWA did not receive sound complaints about the approximately 120 pump stations and 80 wells with pump stations, he explained.

Chair Lucey said a pump house could not be built without other steps being done first, and he felt TMWA had shown progression from a global view. He thought the homeowners concerned about landscaping and noise should take into consideration the property backed up to I-80 and had a fire station down the street. He opined noise would not be a huge issue for those homeowners. He mentioned the large reinjection well and pump station TMWA built off Mt. Rose highway; he thought the building and landscaping were beautiful. He felt TMWA was cognizant of aesthetics and did their best to acclimate any building to its surroundings. He felt confident TMWA had done their legwork on this project, and he disagreed with the Planning Commission's decision.

Commissioner Herman asked if the landscaping could be put on the neighbor's property next to the site; she thought this would benefit the neighbor. Mr. Rotter answered TMWA was limited to action on their easement property only. Chair Lucey thought that issue should be taken up between TMWA and the neighbor, and he reminded the intent of the Board was the allowance of timing.

Mr. Pelham clarified the variance eliminated all landscape requirements, if the project was extended there would be no landscape requirements. He explained if the project was new then current code and standards could be looked at. Chair Lucey confirmed that no landscaping was required, but he reminded the appellant verbally stated on record TMWA would be willing to work with the homeowners.

Commissioner Jung commented she was not worried about the job TMWA was doing, and she thought the Planning Commission was incorrect in their denial of the extension.

Commissioner Hill said she thought she could find for the conditions, and she moved to extend the variance.

On the call for public comment, Mr. Roger Edwards mentioned he was a former Washoe County Planning Commissioner. He said he was familiar with the pump stations and said they could put one next to his house anytime. He opined the Planning Commission would not have denied the extension unless there were items that needed to be reviewed. He said variances could not be carried around for years when regional plans were constantly updated. He asked that the extension be denied, and that the project be submitted again so current codes could be followed.

On motion by Vice Chair Hartung, seconded by Commissioner Hill, which motion duly carried on a 5-0 vote, it was ordered that after giving reasoned consideration to the information contained in the staff report, the attachments hereto, and information received during the public hearing, the Board of County Commissioners reverse the PC's decision, and approve Amendment of Conditions Case Number WAC21-0005 (Truckee Meadows Water Authority), amending only condition number 2 of Special Use Permit Case No. SW07-017 and condition number 1 of Variance Case No. VA07-021 to extend the expiration dates of those approvals from December 4, 2021 to December 4, 2023, and subject to all other existing conditions of approval, being able to make all five findings in accordance with Washoe County Code Section 110.810.30 and all five findings in accordance with Washoe County Code Section 110.804.25, as stated in the staff report.

**21-0989**      **AGENDA ITEM 40** Public Hearing: Second reading and adoption of an ordinance amending the Washoe County Code at Chapter 110 (Development Code), Article 406, by adding a new section which allows the Director of the Planning and Building Division to approve a modification of standards (Director's Modification) to reduce the front yard setback (as otherwise required by the underlying regulatory zone) by up to 10 feet when the edge of pavement or curb of the adjacent public right-of-way (ROW) of a local residential street is more than 20 feet from the property line. The Director's Modification must include a finding that the adjacent ROW is not planned for a future road expansion and must consider roadway safety and snow storage. Additionally, the County Engineer may request that Washoe County be released from any liability relating to street maintenance operations; and other matters necessarily connected therewith and pertaining thereto. Community Services. (All Commission Districts.)  
The Chair opened the public hearing.

Janis Galassini, County Clerk, read the title for Ordinance No. 1679, Bill No. 1864.

There was no response to the call for public comment.

On motion by Vice Chair Hartung, seconded by Commissioner Herman, which motion duly carried on a 5-0 vote, it was ordered that Ordinance No. 1679, Bill No. 1864, be adopted, approved, and published in accordance with NRS 244.100.

**21-0990**      **AGENDA ITEM 41** Presentation by Washoe County COVID-19 response Incident Commander Dave Solaro on COVID-19 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 the Clerk, and reviewed slides with the following titles: What we will cover today; Current Covid by the numbers (4 slides); Current vaccination status; Masking

rules; Tips; How to use the Covid risk meter; and Questions.

Mr. Solaro thanked the Nevada National Guard who began their deployment on April 15, 2020, and ended December 13, 2021. He said the Nevada National Guard had been integral in the local response to Covid-19 (C19).

Mr. Solaro informed the lower vaccination rate from November to December was because the pool of those available for vaccination had grown with the addition of the 5+ year old age group. In general, he said, the numbers were improving over the last month; the risk meter went from very high to high. He told the Board that the previous night had increased the number of deaths to over 1,000, and he added the additional five deaths were unvaccinated individuals. Staffing issues continued to be problematic for the local hospitals, he commented.

Several agencies, Mr. Solaro said, were in the middle of providing 14 vaccination pods for children ages 5 to 11. He informed the health district had expanded hours at their outside location at the Livestock Event Center through December 17; after the 17 they would transition to indoor vaccinations by appointment. The community-based pods and homebound vaccinations, he stated, would continue because they were popular. He remarked Washoe County had the highest administered doses per 100,000 of the C19 vaccination in Nevada.

Mr. Solaro reminded Governor Sisolak's mask mandate was still in effect, and he said the mandate was tied to the numbers associated with the Centers for Disease Control and Prevention (CDC). He said for the County to change the masking requirements, Washoe County would need to get below 50 new cases per 100,000, or a test positivity rate below 8 percent.

Vice Chair Hartung asked if Washoe County had a mask mandate. Mr. Solaro answered that Washoe County had not instituted a mask mandate. Vice Chair Hartung clarified the mask mandates were the Governor's mandates based on CDC guidelines; Washoe County was not requiring people to wear masks.

Vice Chair Hartung communicated a personal story about taking a C19 home test, and he asked where his negative result would show in the test positivity rates Mr. Solaro provided. Mr. Solaro informed that data was not captured. Vice Chair Hartung said his point was the test positivity rate numbers were erroneous, and he expressed his frustration with Governor Sisolak and his staff. He explained he trusted the numbers seen in the sewage samples because it was a cross section of the public.

Vice Chair Hartung asked for clarification on the number of people in the hospital. Mr. Solaro advised the number he provided was for C19 patients in all Northern Nevada hospitals. Vice Chair Hartung opined the Board was frustrated because they had received numerous emails from constituents asking for a release from the mandates. He explained the Board did not have the authority to remove the mandates. He asked Assistant District Attorney Nathan Edwards what authority was given to the Board. Attorney

Edwards replied that the Board did not have the authority to override Governor Sisolak.

Chair Lucey thanked Mr. Solaro for his work in tracking and following the C19 numbers. He shared Vice Chair Hartung's frustration, and said he felt the requirements kept changing. He advised the State of Nevada had 52 directives from the Governor's office, which was quite a few more than any other state had issued. He opined the governor put forth the requirements regarding positivity rates without any guidance from the counties. Telling a personal story about his family's exposure to C19, he relayed his disappointment in the delay of contact tracing. He opined the money spent for contract tracers was a waste of money. He thought contract tracing was essential prior to the vaccine, but he commented it was a waste of money when the County could not turn the information around in a timely manner.

The choice to wear a mask or get a vaccine, Chair Lucey opined, should be the decision of the individual. He thought onerous restrictions were being placed on employers to test and on the County to remove the mask mandate. He opined it was difficult to rely on the numbers when those who were sick were the only ones being tested. He explained he tried to stay consistent in his decisions, but he felt the Governor was not consistent. He asserted he chose not to follow the Governor's mask mandate, because he did not feel it addressed his needs.

Commissioner Herman commented none of the restrictions ever made sense to her, and she wanted to get rid of them from the beginning. She told a story of her childhood experience of being quarantined due to a supposed epidemic. She said both vaccinated and unvaccinated friends of hers had passed away from C19.

Commissioner Jung thanked Mr. Solaro for bringing the data to the Board. Chair Lucey reminded people had different situations and opinions on the matter, but he urged everyone to show compassion and refrain from judgment.

There was no public comment or action taken on this item.

**21-0991**      **AGENDA ITEM 42** Discussion and possible termination of the March 16, 2020, Declaration of Emergency Concerning COVID-19 pursuant to Washoe County Code section 65.230. Manager's Office. (All Commission Districts.)

Chair Lucey asked Assistant District Attorney Nathan Edwards to convey what was discerned under the emergency declaration by Washoe County and how it differed from the directives issued by the State. Attorney Edwards explained the emergency declaration, ratified by the Board and issued by the County Manager, was under the County's authorities concerning emergencies outlined in Chapter 65 of the Washoe County Code. He stated the emergency declaration dealt primarily with expediting and dispensing related to purchase order and contracting requirements. The idea was to enable the County to acquire whatever necessary to respond to an emergency. He explained if an emergency was underway the County needed to be able to act with dispatch and without going through

the Request for Purchase process.

Chapter 414, Attorney Edwards said, granted considerably more extensive authorities to the Governor. He informed the County Code did state a list of measures that could be taken by the County in the face of an emergency, such as matters related to gasoline and crowd control. The County, he remarked, had not sought to implement any of those measures. The primary effect of the County's emergency declaration was to assist with acquisition of things like personal protective equipment, masks, gloves, gowns, ventilators, and to assist with funding for the building out of treatment space in area hospitals.

Chapter 65, Attorney Edwards advised, also empowered the Board to terminate an emergency declaration when the emergency passed. He advised if the Board agreed with the staff report, then they were free to terminate the emergency declaration. He reminded the action would not override the Governor's directives or the authorities the Governor had under Chapter 414 of the Nevada Revised Statutes. He said there were larger questions in debate within the State and the Country regarding what the scope of emergency authorities should be, but the Board was strictly voting on Washoe County's declaration of emergency.

Chair Lucey said he wanted to restate that the proposed action was solely to discuss the termination of the declaration of emergency regarding Covid-19 (C19), pursuant to Washoe County Code 652.30. The State's oversight would remain in place. He commented the proposed action would take the decision making from the County Manager and give it back to the Board; further C19 related issues would go through the regular general process.

Vice Chair Hartung asked whether the Cities of Sparks and Reno had emergency declarations. Attorney Edwards said it was his understanding that both cities still operated under declarations of emergency. Vice Chair Hartung asked if the termination of the Washoe County declaration of emergency would affect the declaration of emergencies for the Cities of Sparks and Reno. Attorney Edwards replied the agencies had their own sphere of jurisdiction, and he said the Board's jurisdiction was the unincorporated County.

Vice Chair Hartung asked if the action would have any effect on the school district. Attorney Edwards said the action would not impact the school district's decision making under any state of emergency they may have declared, or that they were directed to comply with. He noted the Board of Trustees for the school district had direct authority over the operations of the schools, although they were subject to any directives from the State education authorities and the Governor's office.

Vice Chair Hartung opined the mistake made by the Board when instituting the declaration of emergency was failing to include an automatic termination date. He clarified the action proposed was only the removal of the County Manager's authority to spend money in an emergency without coming to the Board. Attorney Edwards stated that

was correct. Vice Chair Hartung recalled County Manager John Slaughter was given a similar declaration during the Lemmon Valley flood. Attorney Edwards commented that was correct.

On the call for public comment, Ms. Cindy Martinez displayed a document, a copy of which was placed on file with the Clerk. She opined there was no emergency, and she said no emergency could replace the Constitution and the Bill of Rights. She commented mandates the Governor invoked illegally, unlawfully, and unconstitutionally under Nevada Revised Statutes 414 were not laws. She thought the Board, except for Commissioner Herman, was remiss in its duty and lacked the courage to challenge the Governor. She commented the citizens did not have the resources to sue the Governor, but the Board did. She opined the Board only felt comfortable revoking the declaration of emergency because money from the federal government was coming in.

Mr. Nicholas St. Jon commented he brought documents to the Board regarding ways to mitigate C19. He said nobody had the authority to override the Constitution or create an emergency and take away the rights of the citizens. He said the hierarchy was backwards and people should be first, then the County, and lastly the State. He opined the Board had more power than they knew, and he asked the Board to utilize their power to pass a resolution.

Mr. Roger Edwards asked the Board to take whatever steps they could as they were all on the same side. He thought the Board should have Attorney Edwards figure out some creative action to take against the State to help the constituents. He commented the Board did a lot of good work and could come up with a solution.

Ms. Lorraine Dougherty, Mr. Brian Spoon, Ms. Debbie Hudgens, and Ms. Melanie Sutton were called to speak but were not present.

Ms. Janet Butcher displayed a document, a copy of which was placed on file with the Clerk. She showed pictures of masks left on the ground around town, and she said the trash was disgusting. She found it interesting that sewage was being researched, but she had concerns about the accuracy of it as there was no way to determine how many people it came from. She commented Washoe County was a very transient area with many visitors and wondered how that affected the sewage research. She talked about the residual effects of Agent Orange, and she said the residual effects from the experimental injection were unknown.

Ms. Julie Osburn noted she had not heard objections to the termination of the declaration of emergency. She appreciated it was put on the agenda and asked the Board vote to terminate the declaration. She informed other counties in Nevada came up with ways to override the governor's mandate, and she asked Washoe County to do the same.

She opined the vaccination was harmful to children because they did not get, transmit, or die from C19.

Mr. George Lee said the Centers for Disease Control and Prevention (CDC) watched people die in hospitals because they refused to acknowledge therapeutics. He thought the Board was doing harm by following the CDC and the Governor. He asked that the Board tell the CDC and the health department their actions were killing people and therapeutics needed to be allowed for use in the hospitals. He opined the numbers would go down if therapeutics were used.

Mr. Wayne Gordon talked about the definition of an emergency and said Washoe County did not have an emergency. He wondered how the County would ever reach the guidelines set out by the Governor when the requirements kept changing. He did not agree with the Board members who thought they could not go against the Governor and said the Board had an obligation to defy the Governor.

Ms. Victoria Myer displayed a document, a copy of which was placed on file with the Clerk. She read an excerpt from the CDC regarding the 2017-2018 flu season. She commented laws were changing across the country, and she said she was going to make sure this never happened again. She felt C19 had been politicized and was causing segregation.

County Clerk Jan Galassini stated emails received from Cynthia Sassenrath, DeAnna Bragg, Matthew Riddle, Chiarra Macellaio, Patricia Toone, Bev Stenehjem, Amber Hart, Angela Smith, Dayna Hernandez, and Mike Kozlowski would be placed on file.

On motion by Chair Hartung, seconded by Commissioner Herman, which motion duly carried on a 3-2 vote with Commissioners Hill and Jung voting “no”, it was ordered to terminate the March 16, 2020, Declaration of Emergency Concerning COVID-19 pursuant to Washoe County Code 65.230.

**21-0992**      **AGENDA ITEM 22**      Recommendation to conduct a performance evaluation of Washoe County Manager Eric Brown including a discussion of the results of the 2021 Performance Feedback Survey and adoption of priorities and expectations for the County Manager; and possible increase in base salary, lump sum bonus, and other amendments to employment agreement, and direct the Comptroller’s Office and Human Resources to make all necessary adjustments. Human Resources. (All Commission Districts.)

HR Director Patricia Hurley conducted a PowerPoint presentation, a copy of which was placed on file with the Clerk, and reviewed slides with the following titles: Timeline; Survey Groups/Participants; Leadership Integrity Communication; Survey Results-Overall Performance; and Questions.

Chair Lucey asked if the department heads and elected officials were reminded multiple times to respond. Ms. Hurley responded they were reminded between two to three times. Chair Lucey opined it was disconcerting that some individuals could not take the time to respond.

County Manager Eric Brown conducted a PowerPoint presentation, a copy of which was placed on file with the Clerk, and reviewed slides with the following titles: Enhanced Commissioner Support Program; Strong Financial Management (2 slides); Key Organizational Wins; Covid-19 Response and Management; Covid-19 success stories; On-Going Regional Management; Washoe County Strategic Plan; Moving the Strategic Plan Forward (5 slides); Regional Dashboard; Awards (2 slides); The Year Ahead 2022; Continued Recovery and Expansion; 2022 Key Goals; and Questions.

Mr. Brown commented in his two years with the County his relationships with the Board had grown significantly. He said he truly enjoyed his job, and he considered it a calling that his past experiences had led him to. He looked forward to continuing to serve the Board and the community. He believed his accomplishments over the last year were either at the direction of the Board or the needs of the community. He thanked the Board for the opportunity to learn from them and the time they invested in him. He thanked his team in the Office of the County Manager, the County department and division heads, and the elected officials for their welcoming attitude towards him. He thought an open and honest dialog had been established with the employee base.

Addressing concerns brought up in the meeting, Mr. Brown clarified the County was not doing away with the development discussions regarding the Citizen's Advisory Board (CAB). He noted one of the most prevalent complaints he had heard from communities where CABs were in place was the communities wanted the agendas to be broadened beyond development. To address those complaints, Mr. Brown said, the process was bifurcated to provide for a development process. He explained the outcomes of that updated process would be communicated with the CABs.

Mr. Brown said employees had spent a lot of time on bonding and debt management for the County and the stakeholder agencies. He commented the employees had been diligent at locking in favorable interest rates to save the County money. Mr. Brown said he understood the concerns of the Board regarding the American Rescue Plan Act (ARPA) funds, and he assured diligence in making sure the funds were dispersed in an intelligent fashion.

Mr. Brown said in many cases, employees were more productive working from home. He thought remote work was an integral part of the benefits the County offered. He mentioned Western Nevada Development District was working on the utilization of infrastructure and using ARPA money for broadband deployment. He informed he was working with the Washoe County Health Department, REMSA, Renown, St. Mary's, and Northern Nevada to improve emergency medical services response. The County was collaborating with the Pyramid Lake Paiute tribe to expand broadband access near Empire and Gerlach.



Mr. Brown reported the changes to the Washoe County Sheriff's Office crime lab interlocal agreement would generate over a million dollars. He informed as of September 1 the County took a lead role in the management of the homeless shelters. He noted there would be opportunities for infrastructure money related to storm and flood water mitigation.

Mr. Brown commented the initiated technology planning was a shared governance model that involved department heads and division leaders. He noted the implementation of the Vonage phone system was crucial during times of emergencies when employees could not get to the ninth street offices; Vonage would enable employees to answer calls remotely. He added the Vonage phone system reporting would enable the County to staff more intelligently by using call volume reports.

At the request of the Board, Mr. Brown commented, the Citizen's Academy program would be launched soon. Commissioner Jung shared her excitement for the Citizen's Academy program. Mr. Brown said an employee fitness center would be launched in vacant space at the ninth street complex. There were plans, he said, to work with different departments to experiment with the workplace of the future. Noting another infusion of ARPA funds would be arriving in May, Mr. Brown assured the funds would be used carefully. He informed the homeless services agreement would expire in June, and he suggested the Board discuss their vision at the strategic plan workshop in January. He welcomed input from the Board regarding his 2022 key goals, and he thought that could be discussed at the strategic plan workshop in January.

Chair Lucey thanked Mr. Brown for his commitment, dedication, stewardship, and calm resolve. He thought what Mr. Brown accomplished over the past years showed who he was as a person. He expressed his pleasure and reassurance that Mr. Brown led the organization with a level of ownership and detail. He said Mr. Brown had exceeded his expectations, and he thought Mr. Brown's actions in a time of emergency were handled with art and grace. He said it was astonishing what had been accomplished in such a short time. He asked that Mr. Brown continue his job with Washoe County and said he looked forward to continuing to work with him.

Vice Chair Hartung said he had grown close with Mr. Brown, and he noted Mr. Brown's calm resolve had impressed him. He commented everyone in the community had good things to say about Mr. Brown due to his warm and engaging personality. Mr. Brown's strategic thinking impressed Vice Chair Hartung, and he said he had learned a lot from Mr. Brown. He noted Mr. Brown did not discount anyone and was willing to listen to all sides. He expressed his concern over the homeless issue, and he remarked he wanted to see results regarding the matter. He opined Mr. Brown's job had not been easy, but he thought Mr. Brown had done the job with skill and grace. He said Mr. Brown was a true leader to his staff, which led to their accomplishments. He did not think the County could have found a better fit for County Manager than Mr. Brown.

Commissioner Herman said Mr. Brown was an amazing county manager, and she felt hiring him was one of the best decisions the Board had ever made.

Commissioner Jung echoed everything said by the Board about Mr. Brown. She thought Mr. Brown's presentation should have included the many people he met and the meetings he attended. She said people remembered Mr. Brown and felt respected when he attended meetings. She explained people believed the County was transparent because Mr. Brown was the face of the County. She credited the harmony among Washoe County and the Cities of Sparks and Reno to Mr. Brown. She thought Mr. Brown was a joy and delight to work with, and she hoped he stayed with the County forever.

Commissioner Hill agreed with the comments the rest of the Board made about Mr. Brown. She thought it was amazing to have a county manager who loved the community and wanted to make it better, and she thought his love for the community was where his motivation came from. She mentioned she was excited to continue the good work that was being done.

On the call for public comment, Mr. Roger Edwards said he had never seen a county manager come to a CAB or homeowners association meeting. He noted Mr. Brown came to all the meetings, and he asked the Board to do whatever they could to keep Mr. Brown. He reminded two years ago he was the first one to badmouth Mr. Brown because he was a California transplant, and he admitted he had been wrong.

Vice Chair Hartung asked Ms. Hurley what was in the Board's purview for action. He asked what Mr. Brown's salary was in comparison to like positions. Chair Lucey said the Board was allowed to adopt the priorities Mr. Brown brought forward, increase his base salary, make changes to the lump sum bonus, and make amendments to his employment contract as previously agreed upon.

Chair Lucey said Reno City's base salary for their city manager was \$349,253, with a budget of \$751 million. The base salary for the Sparks city manager was \$271,128, with a budget of \$400 million. Clark County manager's base salary was \$278,658, with a budget of \$2.5 billion. Washoe County manager's base salary was \$256,589, with a budget of \$858 million. The Reno City manager oversaw 1,500 employees. The Washoe County manager oversaw 2,554 employees. The Sparks City manager oversaw 707 employees. The Clark County manager oversaw 9,052 employees.

Chair Lucey asked for a salary increase for Mr. Brown due to his achievement of the goals set out for him. He noted Mr. Brown's salary was tempered upon his entrance because of his lack of experience in municipal government. He proposed a 10 percent increase to Mr. Brown's base salary, and he suggested Mr. Brown be offered a 5 percent merit bonus based on his accomplishments in the prior year.

Chair Lucey asked Ms. Hurley to inform the Board what Chair Lucey's proposals would equate to. Ms. Hurley said the amount would equate to a \$282,256 salary and a \$14,112.80 bonus. Mr. Brown asked for another year in his term. Chair Lucey said

another year would extend Mr. Brown's contract through November 20, 2024.

On motion by Chair Lucey, seconded by Vice Chair Hartung, which motion duly carried on a 5-0 vote, it was ordered that Agenda Item 22 be conducted, adopted, increased, and directed.

**21-0993**      **AGENDA ITEM 33** Pursuant to Washoe County Code (WCC) Sections 2.030 and 2.040 and NRS 258.010(3), recommendation to approve a request to initiate proceedings to amend the WCC Chapter 5 by adding a provision to abolish the office of constable in Incline Village-Crystal Bay effective at the conclusion of his current term in office, and direct the County Clerk to submit the request to the District Attorney for preparation of a proposed ordinance reflecting the amendment. Manager's Office. (All Commission Districts.)

Chair Lucey commented the Board had discussed this matter for a great deal of time. He said the office of constable was a long-standing office that served many areas in the State of Nevada for the past 150 years; the office had been created to supplant the needs of the sheriffs and courts. He noted the region had grown and become more effective through communication and access, and he opined the office of constable was no longer needed in Incline Village. He informed the Incline Village office of constable was the last standing office of constable in the State.

The action, Chair Lucey commented, would create a more functional way of doing business and provide increased services to Incline Village. Chair Lucey and Vice Chair Hartung had researched the matter and took into consideration the addition of new deputies from the Sheriff's office and input from Captain Corey Solferino, who would be stationed in Incline Village on a permanent basis. The change, he opined, would allow the Department of Alternative Sentencing to have a more committed role in Incline Village. He noted the action was the initial process and it would go through the standard procedure for ordinances, which included first and second readings and community outreach.

Vice Chair Hartung asked how many constables were left in the State. He opined the constable in Incline Village was left over from a time when the County did not have sheriffs throughout the State. Chair Lucey responded the constable office in Incline Village was the last in the State of Nevada. Commissioner Herman asked if the people affected by the change would have an opportunity to talk in any of the upcoming three meetings. Chair Lucey responded yes.

Commissioner Hill said she preferred more public meetings and input before making decisions. She commented she would like to see a staff report on the budget and how staffing would look. She stated she was not prepared to vote on this today, and she requested to hear from the public. Commissioner Jung expressed her support for the consolidation but understood Commissioner Hill's position. She said the Board had been working on the matter for 14 years, but it was only when Chair Lucey and Vice Chair Hartung got into office that the Board moved forward on the action.

Chair Lucey corrected information he provided earlier about the number of constable offices in Nevada. He stated there were still 14 constables in Nevada; 11 of the constable offices were in Southern Nevada. Vice Chair Hartung asked if any of those offices were in Washoe County. Chair Lucey responded none of the offices were in Washoe County, except for the Incline Village constable office.

On the call for public comment, Incline Village Justice Court Judge E. Alan Tiras voiced his opposition, and said he thought the matter was not right for consideration at the meeting. He said he did not believe Nevada Revised Statute had been met because the Board had not determined that the office of constable was not necessary, nor had the item been properly agendaized and noticed. He expressed his sadness at the lack of courtesy afforded to the Incline Constable, the Incline Justice Court, and to the community of Incline Village and Crystal Bay. He said the Board relayed the matter had been ongoing for some time yet the community only found out the week prior. He said there was no time for the community to respond, and he opined that was poor governance.

County Clerk Jan Galassini stated emails received from Ms. Yolanda Knnak, Ms. Nancy Carlson, Ms. Diane Becker, Ms. Laura Petrucci, Ms. Elizabeth O'Brien, Mr. John Congistre, Ms. Joyce Beck, Ms. Kathryn Kelly, Ms. Jerrie Katz, Ms. Kathleen Congistre, Ms. July Zaleski, Ms. Linda L. Smith, Ms. Pam Wright, and Ms. Kathie M. Julian would be placed on the record.

Vice Chair Hartung asked Assistant District Attorney Nathan Edwards if the office was being abolished that day. Attorney Edwards responded the action was a function of Chapter 2 of the County Code where the ordinance process was initiated.

On motion by Vice Chair Hartung, seconded by Chair Lucey, which motion duly carried on a 3-2 vote with Commissioners Herman and Hill voting "no", it was ordered that Agenda Item 33 be approved and directed.

**21-0994**      **AGENDA ITEM 43** Public Comment.

**5:30 p.m.**      Commissioner Lucey left the meeting.

Ms. Cynthia Martinez displayed a document, a copy of which was placed on file with the Clerk. She told the Board what she discussed during public comment was nothing personal, it was just business. She noted her sense of urgency and grave concern about the way government was moving against the citizens. While researching how the government works, she said she discovered the only person she could hold responsible was herself. She noted the difficulties of attending meetings for those with children and families. She mentioned how difficult a battle it had been and appreciated the Board for their forbearance with her. She thanked the Board for the vote to end the public health emergency but said it was important to remain engaged because their work was not done.

Mr. Nicholas St. Jon provided documents, copies of which were placed on file with the clerk. He reviewed the notice of massive maladministration he gave the Board and he asked the Board to address the grievances of the public commenters.

Mr. Roger Edwards was called to speak but was not present.

Ms. Janet Butcher thanked the two commissioners who talked about the flashing lights on Pyramid, and said she hoped the lights did not go away because they were lifesavers. She asked what the citizens of Spanish Springs could do to help ensure the lights did not go away. She opined the Planning Commission needed to rethink their process and she wondered why houses were being built prior to the development of the infrastructure to handle them. She congratulated Manager Eric Brown on his performance review. She commented on the drug overdoses and human trafficking that was prevalent in Nevada, and she thought not enough was done about it.

Ms. Julie Osburn thanked the Board for taking the small step to end the health emergency; she thought it was a wonderful first step. She asked the Board to dig deep and find the courage to end the travesty that had been placed on Washoe County. She opined a creative solution would be needed and she asked the Board to find a solution to end the insanity.

Mr. James M. Benthin provided documents, copies of which were placed on file with the clerk. He reviewed the documents he provided.

**21-0995**      **AGENDA ITEM 44** Announcements/Reports.

Commissioner Herman said her constitutional responsibility was to protect and serve the people of Washoe County, and as such she once again requested the Board create and approve a resolution to remove the County from the Governor's illegal grip. She stated she was grateful for the support that day, but she thought the Board's job was only partly done.

Vice Chair Hartung informed the advance signal warning systems would be discussed at the next Citizens' Advisory Board, and he asked the matter be agendized for early January. He requested the Nevada Department of Transportation give a presentation regarding the issue.

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**5:45 p.m.** There being no further business to discuss, the meeting was adjourned without objection.

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**BOB LUCEY**, Chair  
Washoe County Commission

ATTEST:

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

*Minutes Prepared by:  
Evonne Strickland and Carolina Stickle, Deputy County Clerks*