

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

TUESDAY

10:00 A.M.

SEPTEMBER 20, 2022

PRESENT:

Vaughn Hartung, Chair via Zoom

Alexis Hill, Vice Chair

Bob Lucey, Commissioner

Kitty Jung, Commissioner

Jeanne Herman, Commissioner

Catherine Smith, Chief Deputy County Clerk

Kate Thomas, Assistant County Manager

Mary Kandaras, Chief Deputy 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, Chief Deputy County Clerk Cathy Smith called roll and the Board conducted the following business:

Vice Chair Hill assumed the gavel due to Chair Hartung being in attendance on Zoom.

Vice Chair Hill announced the fourth-grade classes from Glenn Duncan Elementary School were present for Career Day and would lead the Pledge of Allegiance.

10:02 a.m. **The Board recessed.**

10:04 a.m. **The Board reconvened with all members present.**

22-0722 **AGENDA ITEM 3** Appearance and Presentation by Dr. Jacob DeDecker, Director of Extension and Associate Dean for Engagement with the College of Agriculture, Biotechnology & Natural Resources, on the role Extension plays in serving Nevada now and in the future.

Commissioner Lucey stated he was honored to be involved in the search process to bring Dr. Jacob DeDecker to Nevada and was excited to have him as part of the University of Nevada, Reno (UNR) and the Cooperative Extension for the entire State.

Dr. DeDecker thanked Commissioner Lucey for his work in the recruitment process and for inviting him to present to the Board. He mentioned he and his wife drove from Michigan with their four children and two bunnies to start their lives in Reno. He conducted a PowerPoint presentation and reviewed slides with the following titles: The role Extension plays in serving Nevada now and in the future; Jake DeDecker, Ph.D.;

Background; UNR Extension; Priorities; Increasing Extension's value to Nevada; Working together; Extension; Jake DeDecker, Ph.D.

Dr. DeDecker said his mother was part of the farm bureau and John Deere, along with being the superintendent of fairs. He believed dealing with issues across the State could be handled by bringing a group of people together for a round table discussion. He noted he was a big supporter of partnership and collaboration and thought these could help solve complicated issues. He said the Extension was a gatherer of information.

Commissioner Lucey said UNR was founded as an agricultural college, but it had expanded and become so much more than that. He noted the University had close to 25,000 students and offered a host of opportunities. He spoke about Clark County being an urban area and said there were 15 rural counties in Nevada. He indicated Washoe County was in the middle, half urban and half rural. He thought the Cooperative Extension was for everyone and was a program that provided outreach to youth and families in the collegiate system. He wondered about integrating urban gardens, economic development, and basic life skills for students. He asked for Dr. DeDecker's thoughts about how the future of the Extension would evolve around science, technology, engineering, and math (STEM) education. He stated counties were the major funding source for the Cooperative Extension; he wanted to ensure the programs in Washoe County were specific to the area.

Dr. DeDecker stated the Cooperative Extension was not the same program everywhere but was based on area-specific needs and collaborative work with schools. He spoke about a program that taught students life skills including leadership, problem-solving, critical thinking, and teamwork. He thought the Extension and supporting school systems had to evolve to provide a wrap-around approach and was not just horticulture and gardening but was teaching students hands-on life skills. He said these programs started at the elementary school level and transitioned to middle and high schools. He mentioned mental health was an important issue and he wanted to support young people and work with them as he had in other states.

Commissioner Lucey said one of the initial projects with the Extension was to work with individuals with mental health issues at Crossroads, Our Place, and the Cares Campus and provide an outlet for them to focus and find a passion to help them move forward to a new chapter in life. He spoke about the operations and budget of the Extension, noting it needed space that was readily accessible since the current location was on the east side of the airport. He wondered about locating the Extension to a place where it would be more accessible to people who needed to use public transportation. He wanted to see the Extension grow and mentioned the 4-H club that Commissioner Marilyn Kirkpatrick was working on in Clark County. He believed after-school and summer programs for kids would be great and would provide opportunities for parents to participate in programs also. He stated he did not want to change the focus from agriculture, but he wanted more programs to be available in Washoe County.

Commissioner Herman welcomed Dr. DeDecker to the community and mentioned she had many years of experience as a 4-H leader with mostly large animals.

She mentioned her great-granddaughter raised goats and rabbits.

Chair Hartung thanked Dr. DeDecker for his hard work and welcomed him to the community. He said the Board had supported a program through the Community Foundation called the Youth Engaged in Service (YES) grant program for students in any educational system who were between the ages of 5 and 24. He encouraged Dr. DeDecker to research the program if he was not familiar with it. Dr. DeDecker stated he was not familiar with the program but would explore it.

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

22-0723 **AGENDA ITEM 4** Staff presentation regarding Washoe County Homeless Services.

Human Services Agency Director Amber Howell conducted a PowerPoint presentation and reviewed slides with the following titles: Our Place; Campus Origin; Campus History; Campus Map; Programming Model (2 slides); Staffing & Capacity; Timeline; Pets; Family Shelter Statistics; Women's Shelter Statistics (4 slides); Family Home; Women's Home; Home 5: Hope Home (Risk Reduction); Our Home: Forever Home; Our Place to Shine Boutique; Soulful Seeds (Broke Ground 4/6/22); Thank you.

Chair Hartung stated the transition rates were impressive and wondered how they compared to the Step 2 program. Ms. Howell explained she was not as familiar with their outcomes and believed that Step 2 was an inpatient substance abuse treatment program for pregnant women. She thought that was a more acute program than the programs at Our Place. She said she could obtain the information and provide it to the Board. Chair Hartung expressed gratitude for the work Ms. Howell did to help people. He wondered whether Our Place sent individuals to Step 2. Ms. Howell said it would depend on the circumstance, but noted Our Place accessed every resource possible. If someone in a County program needed inpatient services for substance abuse that was beyond the services offered, they would be referred to Step 2, Crossroads, or a hospital. She noted that no one was discharged from Our Place without a place to go unless they chose to leave. Chair Hartung said the rates spoke for themselves and he was grateful for the outcomes.

Commissioner Lucey expressed pride for how far the Our Place programs had come. He spoke about the new dining hall that serviced all the families and the children's center. He stated the children's center was extremely important because it provided daycare for the families and gave children access to a playground that was safe. He asserted these programs had assisted 140 families with employment, school or daycare, and housing. He thanked Ms. Howell for her time and diligence, and he looked forward to the continued growth of Our Place. He agreed with Chair Hartung about the impressive transition rates and low recidivism. He said he was happy with all the programs provided.

Vice Chair Hill thought it was important to point out that over 30 percent of individuals being cared for were seniors and said people needed to have compassion for them. She acknowledged a large portion of the men at the shelter were seniors as well. She

spoke about understanding that people were human, and the County encouraged the most vulnerable population to live in shelter and to receive support and help for the next steps in their lives. She asserted the statistics were great, but she also wanted people who left the shelter to remember they could come back if they needed to and would be welcomed with open arms.

Ms. Howell shared the number of children in foster care had decreased by almost 300 since she started working for Washoe County. She stated an analysis had been done and the implementation of the family Crossroads program and the infusion of families into Our Place had changed the process. Children did not have to be removed from their parents because they did not have a home. She expressed excitement that the programs were catching on and positively impacting areas she had not anticipated.

Vice Chair Hill believed no mother or child should be homeless and thought the County was making sure of that.

Division Director of Housing and Homeless Services Dana Searcy conducted a PowerPoint presentation and reviewed slides with the following titles: Cares Campus Priorities; Cares Campus Updates; Cares Campus Updates – Security; Cares Campus Updates – Medical Services; Cares Campus Partnerships; Cares Campus – Construction (2 slides); Cares Campus – Staffing; Cares Campus – Jon DeCarmine Recommendations; Cares Campus – Emergency Shelter Bed Nights; Cares Campus – Emergency Shelter Unique Clients Served; Cares Campus – Emergency Shelter Exits to Permanent Housing; Cares Campus – Emergency Shelter Data.

Ms. Searcy indicated an update was presented at each Community Homelessness Advisory Board (CHAB) meeting. She mentioned the Cares Campus was just a year old and spoke about the issues with staffing due to the pandemic. She indicated a request for quote (RFQ) was run to see who in the community was willing and able to build permanent and supportive housing. She stated one company on the list was a qualified vendor that had submitted to Home Means Nevada and did not need as much funding to get the project off the ground. She noted the project was for 120 units of permanent support and ultra-low-income housing.

Commissioner Jung asked about a new service called patchreno.com that advertised beds available at shelters and wondered whether there were days when no beds were available. Ms. Searcy stated available beds were posted on the website daily and staff was working on centralizing everything for each facility. When that was complete there would be a live count on the website. She said the Cares Campus and Our Place were usually full but there was a change made to determine who was there and whether each bed was full or not. She noted the beds were checked every two hours and the person had to be at the bed three times in a 24-hour period to be able to keep the bed. She indicated this process had reduced the number of full beds and as a result, the Cares Campus was seeing 70 to 80 beds available each day. She mentioned this process was being used in preparation for winter when every bed was full due to the cold. The Cares Campus was planning for overflow that would be available along with the warming center. No one would be turned

away from the warming/cooling center as it was a place to get out of the elements.

Commissioner Jung wondered where people who were not able to care for themselves would go since West Hills closed. She asked about the protocol for law enforcement when a person needed a place to stay if no beds were available at the shelters. Ms. Searcy indicated the person would be brought to the Cares Campus. Commissioner Jung asserted that was not happening. Ms. Searcy explained that since the closure of West Hills, high acuity cases had increased at the Cares Campus. She stated staff worked with those clients as best as possible and worked with other behavioral health partners to assist people in need. Commissioner Jung asserted there was a gap that needed to be filled and if no beds were available at the Cares Campus, law enforcement could not do anything unless an alternative facility was available. She spoke about a recent incident involving a female in distress who was hallucinating, and a local business owner stated law enforcement had already been there to talk to her but did nothing to help her out of the dangerous situation she was in. She noted the female was yelling at people who were not there, and she was in the middle of Keystone Avenue. Commissioner Jung feared a person could have hit the woman while she was running in and out of traffic. She thought people needed to be talking about the closure of West Hills and how to replace the gap in services for the vulnerable population. She asked about the data related to people getting into housing and wondered what changed to help these people with the high cost of shelter in the area. Ms. Searcy stated case managers worked hard to find appropriate affordable housing for individuals. She noted they worked very closely with the Reno Housing Authority (RHA) and housing navigators were brought on board originally to assist with the rental assistance emergency funding the County had received. The focus was currently on Built for Zero and they were developing tenancy support for the region and working towards landlord engagement, which was the next step for the coming year. She said individuals were placed in an apartment, which could work if a case worker and landlord worked together to help stabilize and support that individual. She noted the County had seen success when this happened. Commissioner Jung asked whether the rents were being paid through the government. She thought landlords would appreciate that type of renter where rent was paid on the first of the month without fail. She thanked Ms. Searcy for what she was doing with live bed availability to help people and law enforcement find beds immediately.

Vice Chair Hill acknowledged Ms. Searcy had put Washoe County on the map and the County was seen as a leader in the State. She shared that staff was going to Clark County to speak about the programs for the homeless in Washoe County. She agreed there were still some major issues that needed to be worked on but said Ms. Searcy was doing a wonderful job. She stated the County was working on behavioral health and hoped to have a plan that could be released to the public soon along with a partnership with the State. She thought there were more opportunities for the Board to partner with the RHA. She asserted the County had land that could be given to the RHA to develop workforce housing and free up housing in the community.

Commissioner Herman stated constituents had concerns about the financial aspect of homelessness and wanted a complete budget report that included all costs.

Vice Chair Hill said Commissioner Herman would be excited to see the money that was being saved in the community on emergency room visits and visits to the jail. Commissioner Herman asked for that information to be presented to the public in a Board of County Commissioners meeting. Assistant County Manager Kate Thomas stated the fiscal component could be added to the quarterly report presentation.

Chair Hartung knew staff was working on a gap measure to replace the services from West Hills, but he asked for a breakdown of the age groups of individuals that were at the campus and people that needed or were in rehab. Ms. Searcy stated the website had demographics, ages, and disability information. Chair Hartung wanted the number of people in rehab programs. Ms. Searcy said the website did not have those specific numbers but most individuals at the Cares Campus were in some type of rehabilitation. She noted specific information could be pulled. Chair Hartung asked to talk with Ms. Searcy about specifics offline. He wanted to focus on getting the younger people working and back into society as he thought that was what they wanted, but they were stuck in a vicious circle.

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

22-0724 **AGENDA ITEM 5** Public Comment.

Mr. Nicholas St. Jon provided documents, which were placed on file with the Clerk. He spoke about election integrity and had asked the Board previously to reform the election process and remove the machines to ensure a free and fair election. He said an analysis was performed of the 2020 election between Marsha Berkbigler and Alexis Hill. He showed graphs related to the vote, which depicted a counting of the votes as they came through in sequence. He mentioned that 10 to 27 consecutive votes were recorded 77 times in the first 5,000 votes cast. He opined these statistics were impossible. He believed the voting machines altered the linear graph and counted the votes in order and were not trustworthy. He wanted paper ballots to be hand counted.

22-0725 **AGENDA ITEM 6** Announcements/Reports.

Assistant County Manager Kate Thomas stated Agenda Item 13 would be pulled from the agenda and heard at the next meeting on October 11.

Commissioner Herman expressed concern about phone calls she received on Saturday about the shooting range being closed. She said constituents were told that staff did not know when it would be back open. She asserted it was hunting season and people wanted to practice at the range. She wanted answers about why it was closed. Ms. Thomas stated the shooting range was required to close when the air quality index was above 150. Commissioner Herman said people were not provided information about the air quality, just that the range was temporarily closed.

PROCLAMATION

22-0726 **7A1** Proclaim September 17, 2022 as Constitution Day.

Commissioner Jung read the Proclamation. She stated Ms. Janet Butcher had asked for this, but she was unable to attend. Commissioner Jung said she sent Ms. Butcher a photo of the Proclamation.

On the call for public comment, Mr. Wayne Gordon was not present when called to speak.

On motion by Commissioner Jung, seconded by Commissioner Herman, which motion duly carried on a 5-0 vote, it was ordered that Agenda Item 7A1 be adopted.

DONATIONS

22-0727 **8A1** Recommendation to retroactively approve acceptance of a donation [\$300.00] from an anonymous citizen to the Washoe County Sheriff's Office K-9 program and if approved, authorize Comptroller's Office to make the appropriate budget amendment. Sheriff. (All Commission Districts.)

22-0728 **8A2** Recommendation to accept the Blackbaud Giving Fund award [amount \$1,000, no In-Kind county match required] to support the Washoe County Sheriff's Office Specialized Vehicle Unit, and if approved, direct Comptroller's Office to make the necessary budget amendments. Sheriff. (All Commission Districts.)

There was no response to the call for public comment.

On motion by Commissioner Jung, seconded by Commissioner Lucey, which motion duly carried on a 5-0 vote, it was ordered that Agenda Items 8A1 and 8A2 be accepted, approved, authorized, and directed.

CONSENT AGENDA ITEMS – 9A1 THROUGH 9E1

22-0729 **9A1** Approval of minutes for the Board of County Commissioners' regular meeting of August 16, 2022. Clerk. (All Commission Districts.)

22-0730 **9A2** Acknowledge the communications and reports received by the Clerk on behalf of the Board of County Commissioners, including the following categories: Communications; Monthly Statements/Reports; and Annual Statements/Reports. Clerk. (All Commission Districts.)

- 22-0731** **9B1** Recommendation to 1) approve roll change requests, pursuant to NRS 361.765 and/or NRS 361.768, for errors discovered on the 2018/2019, 2020/2021, 2021/2022 and 2022/2023 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 \$99,663.88]. Assessor. (All Commission Districts.)
- 22-0732** **9C1** Recommendation to approve a Lease Agreement between Washoe County and Marilyn M Chim Family Trust, for continued occupancy of office space for the Incline Justice Court located at 865 Tahoe Boulevard, Incline Village, Nevada, for a 3-month term, effective October 1, 2022 through December 31, 2022 [\$7,836.10 per month October – December 2022] and then on a month to month basis with a 6% increase until Washoe County vacates the current leased property [\$8,306.25 per month]. Community Services. (Commission District 1.)
- 22-0733** **9C2** Recommendation to approve a Grant of Easement for Water Facilities between Washoe County (“Grantor”) and the Truckee Meadows Water Authority (TMWA) (“Grantee”) on a portion of Assessor’s Parcel Number (APN) 008-211-50, 1775 East 4th Street in Reno and on APN 008-211-51, 1800 Threlkel Street, Reno, Nevada. The easement will grant TMWA, its successors, assigns, agents, and licensees a permanent and non-exclusive easement and right-of-way to construct, alter, maintain, inspect, repair, reconstruct, and operate public water system facilities, supplying potable water to the County’s Safe Camp and the Nevada Cares Campus through a new water service connection. Community Services. (Commission District 3.)
- 22-0734** **9C3** Recommendation to: 1) approve a Reimbursement Agreement for Preliminary Engineering Services (Railroad Reimbursement Agreement) between Union Pacific Railroad Company (Railroad) and Washoe County; and 2) approve an accompanying Reimbursement Agreement for Quilici/Santerra Residential Development (Toll Reimbursement Agreement), between Washoe County and Toll North Reno LLC (Toll). The reimbursement agreements are required for a new residential development that is being constructed by Toll within a Washoe County roadway easement located in Verdi, Nevada. Under the terms of a 1961 roadway easement between Washoe County and the Railroad, the County is responsible to fully reimburse the Railroad for all associated costs including improvements or modifications within the easement area(s), as identified in the Railroad Reimbursement Agreement. Toll is responsible to reimburse Washoe County for all project costs required by the Railroad which includes project management and oversight by Washoe County [no fiscal impact to Washoe County]. Community Services. (Commission District 1.)

22-0735 **9D1** Recommendation to accept a FY23 Representative Payee sub-grant award from the State of Nevada, Aging and Disability Services Division (ADSD) in the amount of [\$32,779.00; \$4,917.00 county match] retroactive from July 1, 2022 to June 30, 2023 to provide money management and supportive case management to eligible individuals aged 60 or older in Washoe County; and authorize the Director of the Human Services Agency to execute the grant award documents. Human Services Agency. (All Commission Districts.)

22-0736 **9E1** Recommendation to approve a 2022 Nevada State Emergency Response Commission (SERC), Hazardous Materials Emergency Preparedness (HMEP) Mid-cycle grant for [\$6,045.00, no County match required]. The HMEP grant is intended to provide for planning and training to prevent, mitigate and respond to hazardous materials incidents. Grant Term: Retroactive from September 6, 2022 - September 30, 2022; Grant is including funds to be used for non-employee training for registration for attendance to the Nevada HazMat Conference-FireShows West; If approved, authorize the Local Emergency Planning Committee (LEPC) Chair to execute grant documents; and direct the Comptroller's Office to make the appropriate budget amendments. Manager's Office. (All Commission Districts.)

There was no response to the call for public comment on the Consent Agenda Items listed above.

On motion by Commissioner Lucey, seconded by Chair Hartung, which motion duly carried on a 5-0 vote, it was ordered that Consent Agenda Items 9A1 through 9E1 be approved. Any and all Resolutions or Interlocal Agreements pertinent to Consent Agenda Items 9A1 through 9E1 are attached hereto and made a part of the minutes thereof.

BLOCK VOTE– 11 AND 12

22-0737 **AGENDA ITEM 11** Recommendation to accept the transfer of Water Quality Mitigation Funds from the Tahoe Regional Planning Agency to Washoe County [in the amount of \$592,903.00] to be used as Washoe County's match for the Lower Wood Creek Phase II Water Quality Project; and, if approved, direct the Comptroller's Office to make the necessary Fiscal Year 2023 budget amendments. The Lower Wood Creek Phase II Water Quality Project will reduce sedimentation loading to Lake Tahoe in alignment with Washoe County's long-term commitment to enhance lake water clarity. Community Services. (Commission District 1.)

There was no response to the call for public comment.

On motion by Commissioner Lucey, seconded by Commissioner Jung, which motion duly carried on a 5-0 vote, it was ordered that Agenda Item 11 be accepted.

22-0738 **AGENDA ITEM 12** Recommendation to approve a Sole Source waiver and execute a contract to establish an emergency agreement with Reno Initiative for Shelter and Equality (RISE) to serve as the Operator of the CrossRoads Program for Women and Children retroactive to September 1, 2022 through June 30, 2023 in an amount not to exceed [\$614,433.00] for the initial term of the agreement and an amount not to exceed [\$737,320.00] annually thereafter; with a limited provision for two (2), one (1) year renewal options resulting in Washoe County performing a request for proposal for services; and if approved, further authorize the Purchasing and Contracts Manager to execute the Agreement. Human Services Agency. (All Commission Districts.)

There was no response to the call for public comment.

On motion by Commissioner Lucey, seconded by Commissioner Jung, which motion duly carried on a 5-0 vote, it was ordered that Agenda Item 12 be approved, executed, and authorized.

22-0739 **AGENDA ITEM 13** Recommendation to approve a Professional Services and Funding Agreement Amendment/Extension per one-year renewal between Washoe County, the Cities of Reno and Sparks, the State of Nevada-Northern Nevada Adult Mental Health Services, Northern Nevada Medical Center and Medtrans Casal (Reno) Pllc, DBA Well Care Medical And Behavioral Clinic (Well Care) engaging Well Care to oversee the operation of a twenty-bed Community Triage Center for those in need of crisis psychiatric services, medical and social detoxification from alcohol or other substances, or co-occurring disorders, for individuals who are 18 years of age or older and are not in need of emergency room care for a total amount of [\$1,800,000.00] of which Washoe County is responsible for [\$1,253,934.00], effective retroactive to July 1, 2022 through June 30, 2023; acknowledge the net zero General Fund cross-functional transfer of \$1,650,000.00 needed to support Washoe County's remaining portion of the Community Triage Center agreement, with reimbursements to the County due from partner agencies no later than November 1, 2022, as allowed per NRS 354.5989005(5)(b). Manager's Office. (All Commission Districts.)

Agenda Item 13 was pulled from the agenda.

22-0740 **AGENDA ITEM 10** Recommendation to provide direction to staff on initiation of regulations to allow for cannabis consumption lounges in unincorporated Washoe County as provided in AB 341 (2021). Discussion and possible direction may include but not be limited to whether the Board wants to allow for cannabis consumption lounges, the process for applications for licensing or permitting, locations where lounges would be allowable, site requirements for lounges, and limitations on approvals of lounges. Community Services. (All Commission Districts.)

Community Services Department Planning Manager Chad Giesinger conducted a PowerPoint presentation and reviewed slides with the following titles: Subject; Background (2 slides); Requested Direction; AB 341/CCB Regulations; Retail Consumption Lounges; Location of Existing Retail Dispensaries (2 slides); Independent Consumption Lounges; State/CCB Licensing Parameters; Existing Regulations; Thank you.

On the call for public comment, Mr. William Naylor requested the Board deny the establishment of cannabis consumption lounges. He stated consumption lounges should not be a consideration in Washoe Valley since there was no public transportation and it was more than eight miles to Reno from the cannabis location in that area. He asserted old Highway 395 from the north was considered hazardous and the Nevada Department of Transportation (NDOT) had retained a 50-mile-per-hour speed limit on the road due to wild horses, wild animals, cyclists, and severe traffic accidents. He mentioned there were many commuters from Reno to Carson City, which created high traffic volumes. He stated there was low medical response in Washoe Valley with only one location run by the Truckee Meadows Fire Protection District. He mentioned only one Washoe County Sheriff vehicle patrolled all of Washoe Valley and opined more enforcement would be needed for public safety at a cost to the taxpayers. He expressed concern about the area being on septic systems and believed effluence would need to be contained and trucked to a water treatment facility or the ground could become contaminated.

Mr. Jay Collins said he supported the comments of Mr. Naylor and encouraged the Board to disallow a consumption lounge in Washoe Valley for safety reasons. He expressed concern about impaired drivers and asserted there was not currently an effective way to detect marijuana impairment. He mentioned blood tests could be performed, although results could take up to 72 hours. He spoke about the odors which came from the cultivation facility when products were being grown and processed. He said after he complained about the odor for four years, the Air Quality Department stated he was the only one with issues with the smell. They sent staff to analyze the air during the day, but he explained the only time air was discharged from the facility was at night. He asserted the system designed to mitigate odors which included external discharge with misters did not work for removing odors. He stated the facility had lights on constantly, which was a visual issue for him. He believed the businesses in Washoe Valley were overrepresented and residents were underrepresented, and he wanted the Board to prove him wrong.

Ms. Marilyn Naylor provided documents, which were placed on file with the Clerk. She asked the Board to vote to ban cannabis consumption lounges in unincorporated Washoe County. She expressed concern for the safety of visitors, motorists, bikers, and wildlife on the extremely crowded highway. She spoke about the staff report which stated there was no place for out-of-town visitors to legally consume cannabis. She thought it was unreasonable for visitors to travel long distances to cannabis lounges. She stated no public transportation was available between the lounges and lodging, and she wanted to decrease the chances of injury or death due to impaired driving. She mentioned that in 2018, 43,000 vehicles traveled daily on old Highway 395 through the valleys,

Nevada's wildlife, and historical areas. She asked the Board to follow the decisions of other counties and not allow cannabis consumption lounges in Washoe County.

Ms. Karen Critor expressed concern about allowing cannabis lounges in the unincorporated areas of Washoe County. She wondered how the lounges protected their workers from secondhand smoke and how they would limit impaired driving in areas where no public transportation was available. She stated California had considered these issues which resulted in 58 percent of its cities and counties banning all types of cannabis businesses. She asserted many counties in Nevada had considered the issues which resulted in the following: Carson City outlawed cannabis consumption lounges; the Winnemucca City Council prohibited cannabis lounges; Douglas County banned marijuana establishments; Churchill County disallowed recreational dispensaries; Lyon County prohibited licensing of cannabis consumption lounges. She asked the Board to deny this proposal until there were better solutions to protect the citizens of Washoe County.

Mr. Ed Alexander said decisions about public safety had been brought up and wondered whether the industry's safety track record for the past seven years dealing with regulated cannabis had been considered. He thought the Washoe County Sheriff could confirm there had not been a significant increase in traffic-related incidents. He recommended the Board consider consumption lounges as an opportunity to allow the industry to grow. He believed most of the concerns voiced were about public safety and a lack of public transportation in Washoe Valley. He asserted Washoe Valley had many taverns and opined people were driving in the area impaired either by alcohol or pain medication. He stated there had not been an increase in fatalities because of regulated cannabis. He believed it was the job of law enforcement to work with the industry to establish inebriation from marijuana. He hoped the Board would provide non-restrictive direction to staff as there was no way of knowing what consumption would look like in the future. The more restrictive the direction was, the harder it would be to advance the industry. He noted cannabis was the fifth-largest industry in the State of Nevada. He asked people to consider that mining, gaming, and warehousing were being hampered in the same way cannabis was. He thought the cannabis industry had demonstrated that it operated in a responsible and respectful manner and had been a good partner of Washoe County from a revenue standpoint. He indicated he currently had 32 full-time employees and had no incidents of theft, robbery, or any other incidents people thought would happen with the regulation of cannabis. He asked the Board to allow the cannabis industry to continue on a path toward growth.

Chief Deputy County Clerk Cathy Smith stated an email was received from Ms. Delia Greenhalgh in opposition, which was placed on file.

Commissioner Jung wondered why people were opposed to a cannabis lounge in Washoe Valley and asserted this agenda item was not a site-specific policy decision, it was Countywide. She knew County staff and the cannabis industry needed to work together if there was an appetite for this. The first item for discussion was whether unincorporated Washoe County wanted to move forward to allow cannabis lounges. She opined staff had no business telling the Board which establishments could be allowed to

apply for lounges. She observed this discussion should not be centered around Washoe Valley as this was a high-level Countywide discussion. She stressed the State was only going to allow 20 cannabis lounges and if Washoe County was going to bow out of having any lounges, then it needed to implement a government services tax. She wanted the Reno-Sparks Convention and Visitors Authority (RSCVA) to present to the Board about cannabis tourism and the happenings of high-end restaurants. She reminded people that residents had voted for cannabis. She voiced concern about citizens who did not want the Board to make Countywide decisions when the policy might not pertain to them. The County had the right to collect revenue from tourism and she noted cannabis tourism was extremely large. The casino stakeholders encouraged the County to open a lounge to keep people from consuming cannabis in their locations because it could jeopardize gaming licenses. She mentioned damage fees were being charged to tourists for smoking in their hotel rooms. She thought the County needed to consult with experts to determine best practices for cannabis lounges. She asserted she would not vote against the ability to generate income.

Commissioner Lucey asked Mr. Giesinger whether the State would set health and food preparation standards that would be enforced by the local health department. Mr. Giesinger believed enforcement would be shared by the State and the local health department. Commissioner Lucey understood a lounge could be allowed on abutting parcels. Mr. Giesinger confirmed the parcel had to be adjacent or in common ownership and abut to the parcel. He indicated the Board could be more restrictive and could require a lounge to be physically attached to an existing dispensary.

Commissioner Lucey asked Captain Corey Solferino whether an uptick in marijuana-related issues had been noticed since 2018 when the Board voted to approve recreational marijuana establishments. Captain Solferino said a rise in impaired driving had been seen across the nation. Of the nine western states where marijuana was legalized, Colorado was the first state to legalize and conduct studies about cannabis. He said Colorado had seen a 6 percent increase in fatalities and driving under the influence (DUI) incidents due to marijuana. One of the things that occurred in Washoe County during the 2008 budget recession was that blood samples were taken for DUIs, but the samples were not commonly tested for all drugs. He stated all patrol officers were trained in Advanced Roadside Impaired Driving Evaluation (ARIDE) which was more comprehensive than a standard field DUI sobriety test. He noted there was 50 years of historical data about how alcohol affected the body and how it impaired people's judgment and ability to operate a motor vehicle safely. The ARIDE program allowed the officers to better detect other impairments. He stated the Nevada Highway Patrol had more detailed data on impaired driving instances and indicated DUI arrests had gone down significantly although the number of cases fluctuated. Commissioner Lucey stated impairment was impairment whether it was alcohol or drug-related. He clarified that polydrug use was not specific to marijuana and officers could not identify the detailed presence of drugs during an ARIDE. He expressed concern about the State regulations that required impaired driving incident reports and he wondered how an officer who pulled an individual over near a dispensary or consumption lounge could determine whether the instance was marijuana-related. Captain Solferino said drug recognition was a dying art, noting it required extensive

training and required annual certifications to be a drug recognition expert (DRE). That was why the baseline education to learn the process to detect other types of drug use was raised. He mentioned a roadside test could detect marijuana consumption although it was not 100 percent accurate. When the test was performed it was a good indicator that cannabis was present when one of the individual's eyes kicked out to the right. He remarked it was harder to detect the smell of marijuana from edibles, alcohol, and vape pens, but the sweet smells could indicate that the person might be under the influence of narcotics.

Commissioner Lucey noted his issues included the usage of cannabis in private homes or on private property, indoors or outdoors. He opined people could drive, get cannabis, take it home, consume it, and drive. He thought this was no different from going to a consumption lounge. He agreed with the concerns of citizens and did not want people driving impaired. He thought the location of a consumption lounge did not matter as people could live across the street, go consume at the lounge, and then drive. He thanked Captain Solferino for the clarification of the laws.

Chair Hartung said Commissioner Lucey was not at the August Regional Transportation Commission (RTC) meeting where NDOT conducted a presentation that provided data related to impaired driving. According to the data, in 2021 there were 108 marijuana-related incidents and 114 polysubstance incidents. He did not want to target any dispensary or area but stated he was opposed to putting impaired drivers on the road, whether it was alcohol, marijuana, or a polysubstance. He noted he would provide the presentation from NDOT to the Clerk to be placed on file.

Vice Chair Hill stated she agreed with the comments made by Commissioners Jung and Lucey. She believed the County needed to look at cannabis lounges as being regulated by the State and said the future of these businesses was unknown. She thought the Board should be open-minded about where consumption lounges could go. She indicated her answers to the questions in the staff report were as follows: whether to allow cannabis consumption lounges within unincorporated Washoe County, yes; if allowed, whether to limit them to retail lounges only, no; open to independent and standalone lounges, yes; open to indoor or outdoor lounges, yes. She mentioned the State would limit the number of consumption lounges allowed.

Commissioner Jung wanted a timeline provided to staff for this item to be voted on and wanted it done before January. She thought this area did not have to do what Las Vegas did and noted Washoe County was the first county in the State to put forward dispensary regulations. She stated when citizens voted on dispensaries it was an overwhelming vote. She commented about bar licenses being approved in outlying areas constantly, which put impaired drivers on the road. She opined alcohol should be a schedule one drug considering the number of arrests and people in jail for alcohol offenses. She believed Washoe County missed out on the cannabis rush and should have been involved in it 20 years prior.

Vice Chair Hill asked Mr. Giesinger to clarify whether the specific regulations needed to be in order before people could apply through the State for a cannabis

consumption lounge license if the Board voted to move forward with this item. Mr. Giesinger indicated individuals could apply to the State during the allowed time regardless of whether regulations were in place.

Commissioner Herman stated citizens were told by the government that income from marijuana would come directly to the community and that was the reason it was voted in. She said she voted against it previously and would probably vote against it again but thought it would not make a difference.

Vice Chair Hill asserted marijuana tax and resale license fees did go directly to the communities through the State. She noted money went towards the District Attorney's Office and public safety staff. Commissioner Jung believed Washoe County failed by not being open about where the funds went. She brought up the City of Sparks and said it had a program called Grass for Grass and the marijuana funds were used to build flat fields that could be used for soccer and baseball. She indicated when the marijuana businesses were voted in by the County, the Board wanted to know where the funds were going and that did not happen. She stated detailed distributions of marijuana funds needed to be brought to the Board before January.

Commissioner Lucey wondered about a realistic timeline for staff to bring recommendations back to the Board. Mr. Giesinger said it would depend on the public outreach process the Board wanted. He stated staff could bring back a recommendation fairly quickly but noted the more detailed it was the longer it would take. He asserted an amendment of the Development Code was a lengthy process and thought it could be difficult to have the item ready for adoption by January. He believed a draft presentation on potential regulations could be brought to the Board soon. Commissioner Lucey asked about this item being an ordinance change and wondered whether it would require two readings. Mr. Giesinger stated it would take two readings and the business license code would need to be opened which required a business impact statement.

On motion by Commissioner Lucey, seconded by Commissioner Jung, which motion duly carried on a 3-2 vote with Chair Hartung and Commissioner Herman voting no, it was ordered that the allowance of cannabis consumption lounges in unincorporated Washoe County be approved, and staff be directed to commence drafting amendments to Washoe County Code Chapter 25 and Chapter 110 for potential adoption by the Board.

12:29 p.m. **Commissioner Jung left the meeting.**

22-0741 **AGENDA ITEM 14** Public Comment.

There was no response to the call for public comment.

22-0742 **AGENDA ITEM 15** Announcements/Reports.

Commissioner Herman wanted a fiscal information update about the Cares Campus to be brought to the Board at the next meeting. She stated road maintenance and flooding were always issues in the North Valleys and thought some of the funds received from marijuana could be used to help. She said Mr. Nicholas St. Jon recommended going back to paper ballots and hand counting of votes, which was what she had been advocating for and thought the County should do that at least one time to see the outcome.

Assistant County Manager Kate Thomas replied she would attempt to bring information back for Commissioner Herman at the next meeting.

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12:31 p.m. There being no further business to discuss, the meeting was adjourned without objection.

VAUGHN HARTUNG, Chair
Washoe County Commission

ATTEST:

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

*Minutes Prepared by:
Doni Blackburn, Deputy County Clerk*