

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

TUESDAY

10:00 A.M.

DECEMBER 13, 2022

PRESENT:

Vaughn Hartung, Chair
Alexis Hill, Vice Chair
Bob Lucey, Commissioner
Kitty Jung, Commissioner
Jeanne Herman, Commissioner

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

The Washoe County Board of Commissioners convened at 10:10 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:

22-0883 **AGENDA ITEM 3** Presentation: Glenn Duncan Elementary School Choir.

The Glenn Duncan Elementary School Choir led the Pledge of Allegiance.

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

22-0884 **AGENDA ITEM 6** Recognition of Commissioner Kitty Jung for her years of service to Washoe County.

Chair Hartung read the Proclamation and presented it to Commissioner Jung.

Commissioner Jung thanked Chair Hartung for the Proclamation. She stated she learned something from everyone on the Board. She said Chair Hartung taught her to deal in the gray because not everything was black and white. She noted many of the most profound meaningful changes were made in the gray. She thanked Chair Hartung for the patience she learned from him. She said Commissioner Lucey taught her not to nickel and dime in government, particularly when working with other jurisdictions. She acknowledged there was no reason to quibble over financial details when working toward a major goal with other jurisdictions. She thanked Commissioner Lucey for teaching her how to recognize the proportions of money in government. She expressed appreciation for Commissioner Herman's silent grace, stating she cared very much for her as a person. She said she was excited about Vice Chair Hill's future and had recognized her potential when she met her while working at the City of Reno. She noted all the Commissioners were lucky

to work on the Board. She observed serving on the Board was a labor of love and that measuring happiness and quality of life in the community was important. She expressed gratitude for getting to work with people who cared about improving the lives of other people. She commended staff for all their work, noting the Commissioners provided the ideas while staff executed those ideas accordingly. She asserted County staff included some of the smartest subject matter experts with the most credentials and experience. She thanked everyone for helping her make Washoe County the best County in the United States.

Vice Chair Hill mentioned Commissioner Jung received a True Blue award earlier in the year for two reasons: she was a great friend and she always did what she thought was right for her District, the County, and the State. She said she received the best advice while working with Commissioner Jung. She observed Commissioner Jung knew people very well and could make them feel incredible. She said she wanted to follow Commissioner Jung's example and help people rise to their potential.

The Manager's Office and the Board presented a video showcasing Commissioner Jung's service to Washoe County.

On motion by Vice Chair Hill, seconded by Commissioner Herman, which motion duly carried on a 5-0 vote, it was ordered that Agenda Item 6 be approved.

22-0885 **AGENDA ITEM 7** Recognition of Commissioner Bob Lucey for his years of service to Washoe County.

Chair Hartung read the Proclamation and presented it to Commissioner Lucey. He said Commissioner Lucey demonstrated what it took to make difficult decisions based on data and he provided much wise counsel. He expressed appreciation for the discussions they had and for Commissioner Lucey forcing him to think through issues.

Commissioner Lucey said serving District 2 and Washoe County had been a special experience. He noted he was sworn in while holding his oldest son and he was ending his term while holding his youngest daughter. He observed the County experienced ups and downs during his tenure. He said serving on the Board had been one of the most gracious, humbling, and life-changing experiences he would ever have. He expressed appreciation for the Commissioners and for the opportunity to serve. He said he wanted to continue to serve in any capacity he could and wished the best for the future Board members. He thanked everyone for the opportunity to participate on the Board of County Commissioners.

The Manager's Office and the Board presented a video showcasing Commissioner Lucey's service to Washoe County.

Vice Chair Hill thanked Commissioner Lucey for welcoming her and for ensuring she was welcomed on the Board during a time when people felt very divided and she expressed appreciation for the friendship. She thought Commissioner Lucey

challenged her and taught her humility, noting that few people took accountability. She observed Commissioner Lucey was a good father and husband; he balanced work and life and made his family a priority. She thanked him for his service on the Board.

Mr. Jon Porter and Mr. Chris Porter from the Porter Group, LLC observed this was a celebration and the beginning of the next chapter for Commissioners Lucey and Jung. Mr. Jon Porter expressed admiration for their service and everything they learned and experienced during their tenure. He believed local government was the most important level of government in the Country. He acknowledged it was difficult to serve, which was why the Porter Group wanted to recognize their service on a national level. On behalf of Congressman Mark Amodei, Mr. Jon Porter and Mr. Chris Porter presented Commissioners Lucey and Jung with a certificate and a United States flag flown over the U.S. Capitol Building on October 31, which was Nevada Day. Mr. Jon Porter explained that members of the House of Representatives and the Senate were able to ask for recognition for community heroes, national heroes, international heroes, members of the armed service, and individuals who went above and beyond in serving their Country.

10:39 a.m. **The Board recessed.**

10:41 a.m. **The Board reconvened with all members present.**

On the call for public comment, Ms. Tammy Holt-Still observed she had been appearing before the Board since 2017 and had one-on-one dealings with Commissioner Lucey. She said she celebrated the fact that Commissioner Lucey would no longer be a Board member. She displayed a video in which Commissioner Lucey said he would ensure Washoe County would not rest until every resident of Lemmon Valley was back in their home. She indicated one resident had passed away before he returned to his home. She believed residents had been dismissed many times. She mentioned Commissioner Lucey told her she could not speak at a public hearing during a meeting for the emergency. She said the state of emergency was declared because four residents called the Governor repeatedly. She asserted the Commissioners had not heard the pleas from the residents.

Mr. Christopher Hicks thanked Commissioner Jung and Commissioner Lucey for their service to the community. He expressed appreciation for all the support the Commissioners offered the District Attorney's Office. He said working with Commissioner Jung and Commissioner Lucey had been a privilege. He wished the Commissioners the best in the next chapter of their lives and hoped they had happy holidays with their families.

Ms. Elise Weatherly sang a song for Commissioner Jung. She thanked Commissioner Jung.

On motion by Vice Chair Hill, seconded by Commissioner Herman, which motion duly carried on a 5-0 vote, it was ordered that Agenda Item 7 be approved.

22-0886 **AGENDA ITEM 5** Announcements/Reports.

Chair Hartung requested a moment of silence for the passing of two important community members. The first was Judge Mills Lane who passed away the prior week at the age of 85. He mentioned some of Judge Lane's accomplishments and thanked him for his service to the Country. The second was former Washoe County Commissioner Jean Stoess. She was the first female County Commissioner, serving until 1981. He commended Ms. Stoess for her various achievements and contributions to the community. There followed a moment of silence.

Chair Hartung said the Board would take a break at approximately noon.

22-0887 **AGENDA ITEM 4** Public Comment.

Mr. Ryan Smith, Glenn Duncan Elementary School (GDES) Principal, thanked Washoe County for the support it provided to GDES. He said being the Principal at GDES was a dream come true and the hardest job he ever had. He had worked for the Washoe County School District (WCSD) for 23 years, but working at GDES for the past four months was the best experience of his life. He thanked County staff for everything they did for the school.

Mr. John Firestone, Executive Director of The Life Change Center (TLCC), a non-profit organization that assisted individuals seeking recovery from addiction, noted over 100,000 Americans died the prior year from overdose. He said fentanyl was settling into the community at a rapid pace. He stated 70 percent of individuals presenting for intake at TLCC tested positive for fentanyl. He noted fentanyl was 50 times stronger than heroin, saying it impacted the safety of citizens as well as the outcomes of other services. He indicated the TLCC submitted a proposal to work with the County to develop a novel program in the United States called the Opioid Treatment Induction Services Team (OTIS). He explained the OTIS group would include nurses and peer recovery support specialists who would work closely with individuals for the first two months of treatment which would result in better success of sobriety.

Mr. Adrian Lawry spoke against Item 19 which he asserted would criminalize people for using shelters when they were unhoused. He thought poverty should not be criminalized. He believed people would need to decide whether to freeze from the elements or risk arrest if this item was passed. He asked the Board to vote against the item.

Ms. Adrienne Santiago provided a document that was distributed to the Board and placed on file with the Clerk. She spoke about the Northern Nevada Literacy Council (NNLC) and how the Community Reinvestment Fund (CRF) would support the NNLC's work throughout the community. She reviewed the various services provided by the NNLC, noting it currently had over 350 adult learners enrolled. She observed the NNLC supported the efforts of the WCSD by working with school staff. She said the NNLC was an alternative to ensure youths earned a high school equivalency, entered training, and secured a career path. She thanked the Board for supporting the efforts of the NNLC.

Ms. Elise Weatherly mentioned Sparks City Mayor Ed Lawson was upset with her because of her band preference. She spoke about Ms. Peggy Lee, posting things on Facebook, her personal motto, listening, caring about each other, telling the truth, and doing your best.

Ms. Tammy Holt-Still mentioned an agenda item that would give the County Manager and other staff a raise, which she understood was submitted by Commissioner Lucey. She questioned whether those raises would result in some type of influence. She wished the Commissioners would work with Commissioner Herman to help repair the North Valleys, remove effluent from Swan Lake, and make it a nice place to live. She indicated the water level started to rise again and anticipated flooding issues in the future. She spoke about development that did not fit the community. She urged the Board to change.

Mr. Spencer Banda expressed disapproval of Agenda Item 19. He asserted the proposal was essentially fascism and anyone who entertained it would be supporting fascism. He said the shelter was not a viable solution for most people living on the streets. He stated the shelter was understaffed, in poor condition, would not accept everyone, and was full. He said hundreds of people had only one choice of where to stay. He opined officials had failed to provide a community shelter and private landowners had no incentive to care for unhoused neighbors. This proposal would take away the last resort. He questioned the benefit of imposing a \$500 fine on people who did not have the ability to pay. He urged the Board to consider historical periods when people were treated as problems rather than human beings with problems.

Mr. Gordon Gossage observed that people thought about the community during the holiday season and asked what would happen if awareness happened year-round. He said regenerative thinking was where awareness and interconnection began; it involved thinking about any human activity that benefitted all participants and the planet. He said regenerative thinking was not another term for sustainability, it was about the relationships between the environment, economy, and society. He stated regenerative thinking would engage stakeholders early in the development process and create a harmonious and equitable environment that continued to give to the region over time. He outlined the set of factors involved in regenerative development. He suggested starting with regenerative conversations before any development plans, budgets, and limitations were presented to the community.

Mr. Alex Cherup thanked the Board for the opportunity to speak about Nevada Legal Services (NLS) and for the consideration of NLS's proposal for the CRF. He explained NLS was a non-profit public interest law firm with a mission to strengthen the community by ensuring fairness and providing equal justice for low-income Nevadans. He noted NLS was Nevada's only statewide legal services organization funded through federal, State, and local sources. He spoke about access to justice, the justice gap, and the services provided by NLS. He said NLS's proposal was for holistic layering and would embed NLS in the community. The grant would allow NLS to expand legal services in Washoe County with a client-centered approach.

Ms. Bridget Tevnan expressed disapproval of Agenda Item 19 and asked the Board not to approve the amendments proposed by the Sheriff's Office (WCSO). She observed the community faced complex public health and affordable housing crises which manifested as homelessness. She empathized with the challenges faced by elected officials in addressing an issue that she opined was a symptom of multi-system breakdown. She stated homelessness was not an issue for the criminal justice system to solve and criminalizing homelessness through fines and sentences were ineffective, expensive, and exacerbated the issues faced by homeless individuals. She indicated cities that adopted this approach risked civil rights lawsuits, wasted public tax dollars, and placed an undue burden on those experiencing homelessness. She encouraged the allocation of American Rescue Plan Act (ARPA) funds to sub-grants that incentivized the development of affordable housing, bolstered workforce development programs, provided legal assistance, and funded wraparound support services.

Mr. Mark Neumann said he attended the North Valleys Citizen Advisory Board (CAB) meeting and was asked whether snow removal services for disabled seniors were available. He suggested discussing filling that gap through the WCSO's inmate work program or volunteer services. He wished Commissioners Lucey and Jung the best in any future endeavors and thanked them for their service. He spoke about the various boards that reviewed a development application. He noted the Board approved developments despite the disapproval or suggestions of the various boards that reviewed the proposal first. He suggested the Board needed to make changes and start listening to the other review boards.

Ms. Wendy Firestone of Note-Able Music Therapy Services (NMTS) expressed gratitude for the receipt of a CRF grant. She stated NMTS bridged the gaps between disability services, rehabilitation, mental health, and the arts. She said NMTS provided services to as many as 2,000 people per year, but its goal was to reach 5,000 people per year by 2026. She spoke about music therapy and the services provided by NMTS. She said the grant would allow NMTS to provide up to 15 hours of free music therapy every week to the most vulnerable people in the community. The funding would also support the renovation of a new facility purchased earlier in the year.

Mr. Jake Maynard expressed opposition to the proposed amendment in Agenda Item 19. He opined the proposal was a blatant attempt to criminalize the poorest and most vulnerable people in the Board's constituency. He noted people currently sleeping on the streets or in vehicles had no other options. He said there were few beds available in shelters throughout the community. He believed people would die if their personal belongings, such as tents and sleeping bags, were confiscated because they would lack basic protection from the elements. He asked whether the WCSO did not have enough to do and asserted this was not the way to serve the community. He said many of the people currently sleeping in tents or vehicles did not have the means to pay a \$500 fine and he thought a jail sentence of up to six months was an extreme punishment for trying not to freeze.

Ms. Hang Talbot said she was a small business owner in Incline Village (IV) and depended on seasonal commerce in IV. She expressed support for the 947/941 Tahoe Boulevard project which would increase half-time and full-time residency and improve the economy in the IV community.

Mr. Ryan Rollings expressed opposition to Agenda Item 19. He believed the amendment would essentially criminalize poverty. He thought resources should be dedicated to fighting the root causes of poverty instead of criminalizing it. He believed kindness and compassion could go further than writing tickets or incarcerating an already vulnerable population. He said the Cares Campus had 18 beds open as of that morning. He asked the Board to vote down Item 19.

Ms. Reese Daughtler, a member of Family Soup Mutual Aid (FSMA), asked the Board not to move forward with Agenda Item 19. She said the item would criminalize the unhoused in the community through fines and imprisonment and move them further into the trenches of poverty and disenfranchisement. She asked whether the Commissioners had met face-to-face with the unhoused community, saying they could not speak to the difficulties houseless individuals experienced every day if they answered no. She stated the difficulties of pulling oneself out of poverty while struggling to afford basic necessities were underestimated. She said poverty was not a choice and each person's story was different but they all resulted from the failure of the system. She saw no logic in punishing poverty with more poverty. She spoke about the available beds in local shelters which was a small fraction of the people served by mutual aid. She asked that unhoused people be treated as valued members of the community.

Ms. Ashley Suzuki from Incline Property Management (IPM) expressed support for the 947 Tahoe Boulevard project. She said IPM had served the community for 43 years. She spoke about the proposed amendment saying it would address the need to increase the residential population which would benefit retailers and restaurants in the shorter seasons. The amendment would allow for condo ownerships, bringing part-time and full-time owners to the IV community and they would be within walking distance from shops and restaurants. She observed the property had remained vacant for more than 20 years and IV needed improvement. She understood the concern for affordable housing but believed other locations were more suited for that. She asked the Board to approve the amendment.

Mr. Stephen Zipkin expressed opposition to Agenda Item 19. He asked whether homelessness was not horrifying enough. He asserted homeless individuals were in danger of freezing because the local government had not provided affordable housing, reduced rents, or built adequate shelters. He asked whether the Board would do one more thing to exacerbate the homelessness experience. He inquired where the homeless should go if camping was not an acceptable option.

Ms. Stacey Hanna expressed support for the 947 Tahoe Boulevard project in Agenda Item 21. She said she raised her family and grew her business in IV. She noted she was the agent representing the project. She indicated the project would allow for 40

condominiums with permanent residents and would be built with a sense of place to fit the community. The development would contribute to a more walkable town corridor. She stated the community had an urgent need for housing. She observed that currently buyers purchased workforce housing units, remodeled them, and put them back on the market at a price too high for the workforce. She indicated the interest in purchasing units was significant. She asserted the community needed to address the housing shortage and create solutions that would leave the current workforce housing in place.

Ms. Rita Sloan expressed opposition to Agenda Item 19. She believed lawmakers and law enforcement were charged with promoting the well-being of the community and promoting the common good. She thought the amendment targeted members of the community. She acknowledged homelessness was a big issue across the Country and she believed it would take a broad vision to resolve it. She asked the Board to consider that the amendment was not visionary and would not solve the homelessness issue.

Ms. Betty Bishop voiced her support for Agenda Item 14B which was the allocation to the Affordable Housing Trust Fund (AHTF). She asked whether the Board could provide an update about the possibility of funding the AHTF on an ongoing basis. She expressed opposition to Agenda Item 19 which she felt was immoral and targeted the homeless population. She understood it was inconvenient to see how many homeless people were living on the streets, but she thought it showed that society was sick. She asserted fining or incarcerating homeless individuals instead of trying to remediate the homelessness issue made no sense. She strongly opposed the amendment and asked the Board to consider the public commenters' opposition.

Ms. Paula Pennington thanked the Board for its positive action on Agenda Item 14B. She hoped the AHTF could become permanent. She expressed shock that Item 19 was on the agenda for consideration. She asked whether the Commissioners thought homeless individuals chose to live that way. She asked how those individuals would be able to pay a fine of \$500 if they were not able to pay rent. She conjectured the only benefit to imprisonment would be that they would have shelter for six months. She encouraged the Commissioners to vote down the item and invited them to Saint Therese Church of the Little Flower on Thursdays when food was distributed to the homeless.

Mr. Bill Sims stated the Board should strongly oppose Agenda Item 19. He asked why the Board would approve the criminalization of homelessness. He mentioned Los Angeles Mayor Karen Bass had declared a state of emergency for homelessness in Los Angeles. He asked why the WCSO had not considered a similar option. He said Reno City Councilmember Devon Reese told him advocates should find other cities that were addressing homeless issues. He noted Commissioner Jung said she wanted Washoe County to be one of the best counties in the nation, but he thought that would not be possible if homelessness was criminalized. He asserted people with residences were very privileged to have a roof over their heads. He hoped the Board would not entertain the amendment in Item 19.

Ms. Tara Tran said she wanted to give the Board the benefit of the doubt that it wanted to make things better and reduce homelessness. She hoped everyone could acknowledge that the cause of homelessness was not a personal failure. She observed the increase in homelessness was too high to be a result of personal failing and she questioned why the County would criminalize a systemic issue. She believed the amendment would undermine some of the efforts and improvements that had been made. She asked for justification of how fining people or incarcerating them helped them get out of their situation. She quoted Commissioner Lucey from the video during Agenda Item 7 where he stated, “We must respond from a place of compassion and empathy.” She believed the amendment did not sound compassionate or empathetic. She said people needed stability, agency, and empowerment, and the proposed amendment was not conducive to any of those.

Ms. Kristin Heavy was called but did not speak.

Ms. Kristen Kennedy, Executive Director of the Domestic Violence Resource Center (DVRC), thanked the Board on behalf of the DVRC staff and board of directors for consideration of the DVRC’s proposal for the CRF. She said the CRF grant would help support flexible childcare and the child enrichment program. She noted the DVRC had served Washoe County for 45 years and she reviewed the various services it provided. She said the proposed project would aim to build a network of trusted childcare providers that offered drop-in short-term childcare so survivors could access counseling sessions, job training, medical appointments, or even go to the grocery store. The project would also allow the DVRC to hire a children’s advocate. She noted children who witnessed domestic violence and shared time between a parent who was a victim and a parent who might be the abuser had very specific needs. The children’s advocate would ensure appropriate referrals to services and age-appropriate activities for the residential program. She was confident those efforts would improve the mental health and well-being of domestic violence victims.

Ms. Nicole Willis-Grimes, Executive Director of Communities In Schools of Nevada (CISN), thanked the Board for its financial assistance on behalf of 13 schools and almost 9,000 students. She said Communities In Schools was the largest and most successful dropout prevention program in the Country. She reported the program’s unofficial data showed that in Washoe County 96 percent of its case-managed students graduated the prior year. She gave an anecdote of one student, which demonstrated the work CISN did in cooperation with schools and principals. She reiterated her appreciation for the County’s support and the trust instilled in CISN to provide wraparound services to connect the need and resources in the community.

Vice Chair Hill reminded the public that the Board of County Commissioners conducted the business of Washoe County and its citizens during its meetings. The presiding officer may order the removal of any person whose statements or other conduct disrupted the orderly, efficient, or safe conduct of the meeting. She asked that people not clap during the business meeting.

Mr. Dwight George said he was a County resident and a member of the Paiute-Shoshone Tribe. He expressed opposition to Agenda Item 19. He thought saying no to this item meant putting human decency at the forefront and giving people a right to live without being harmed. He questioned why the WCSO, which had one of the biggest budgets in the County, would target people who had nothing. He believed the amendment demonstrated an abuse of power and was antithetical to a focus on protecting and serving the people. He said homelessness was a systemic issue and it made no sense to hurt homeless individuals who were already harmed the most by the system. He stressed the homeless were people with lives who were attempting to do better and treating them like a problem diminished their value.

Ms. Nicole Anagapesis, a member of FSMA, stated the criminalization of poverty did not eradicate poverty. She said the proposed amendment had nothing moral, safe, or peaceful in its wording. She believed the proposal was an attack on unsheltered people under the guise of reducing harm to the community. She asserted poor people and the unsheltered did not pose a threat to the public. She opined the laws that would criminalize people, and those who were willing to commit acts of classism were the imminent threat. She suggested the underlying causes of homelessness in Washoe County needed to be analyzed. She stated a corporate system with overreaching leadership that valued aesthetics and aggressive policing rather than problem-solving was not a moral or safe governance strategy. She believed the Board had the tools, power, and funding to institute systemic change.

Mr. Nick Helmreich expressed disapproval of Agenda Item 19 which he believed would further criminalize poverty. He asserted the proposal would punish people who were just trying to find a safe place to sleep and shelter from the weather. He asked how the amendment would help the most vulnerable residents in the community. He stated that further criminalizing poverty would actively make the lives of homeless individuals harder. He asked the Board to vote no on this item.

Ms. Chasity Martinez from Faith in Action Nevada (FAN) noted she had been before the Board on October 25 to discuss permanent funding sources for the AHTF. She said the AHTF would aid in the development of more supportive permanent housing for individuals with extremely low incomes. She was glad some of the one-time ARPA funds would be going towards the AHTF and that the Board had directed staff to begin researching permanent revenue sources. She expressed concern about the proposed amendment in Agenda Item 19, opining that those types of policies and approaches were a way of criminalizing poverty and homelessness. She encouraged the Board and staff to oppose the item and focus on finding and funding transformative holistic solutions.

Mr. Kelby Peeler was called but was not present to speak.

Mr. Michael Tang from FAN expressed approval of Washoe County's support for the AHTF mentioned in Agenda Item 14B and opposition to the amendment proposed in Item 19. He encouraged the Board to continue seeking permanent funding sources for the AHTF. He mentioned the high-speed winds the prior week and the effect

they had on homeless individuals and their belongings. He spoke about the growing resentment between the public and the homeless. He asked how fining homeless individuals would help them.

Ms. Hue Truong, a long-time resident of Reno, said she had been unaware of the high incidence of homelessness in the County. She indicated the Neon Light District exacerbated homelessness by eliminating low-cost housing for the many people who lived in motels downtown. She noted some individuals lived in those motels for over ten years. She said she was glad about Agenda Item 14B but disturbed by Item 19. She hoped the Board would vote no on Item 19.

Mr. Nicholas Shepack, State Deputy Director of the Fines and Fees Justice Center (FFJC), provided a document that was distributed to the Board and placed on file with the Clerk. He said the FFJC worked to decriminalize poverty by eliminating harmful fees in the criminal legal system and ensuring fines were commensurate to a person's ability to pay. He said the FFJC performed extensive research on the impacts of fines and fees on the working class and poorer communities. The research showed fines and fees levied against individuals unable to pay cost the municipality more to levy than what it collected and continued a cycle of debt. He referred to a study published in the Journal of Public Health which showed a low percentage of fee repayment and an increase in time spent homeless for individuals with court debt. He suggested the Board focus on other agenda items that would address the homelessness issue.

Mr. Eaton Dunkelberger spoke about Agenda Item 14B on behalf of the Community Foundation of Northern Nevada (CFNN). He thanked the Board and County staff for helping address the critical shortfall in ongoing housing in the community, particularly for low-income residents. He acknowledged the importance of finding long-term funding for the AHTF, but he believed this initial funding was an important first step in addressing housing needs in the community. He thought the AHTF fit the landscape of housing needs in the community very well by providing an opportunity to step up from the current shelter system and by providing a way to divert individuals before they entered it. He looked forward to working with County staff to put the funding to work.

Ms. Amanda Aragon said she represented the High Sierra Area Health Education Center (AHEC), one recipient of a CRF grant. She noted the AHEC was part of the National AHEC Organization which was a network of more than 300 AHECs across the U.S. and served over 85 percent of counties in the U.S. The High Sierra AHEC was one of three AHECs in the State and the only stand-alone 501(c)(3) serving Northwestern Nevada. She spoke about the AHEC's goals and services, noting its focus on rural and underserved communities. She said the AHEC pioneered the Health Careers Academy of Nevada to support statewide capacity. She explained the AHEC recruited, trained, and produced highly qualified healthcare professionals at all levels. The goal of the CRF program was for 45 students to complete the after-school instruction portion of the program, complete their service-learning project, and be placed in a field placement with organizations that utilized community health workers.

Ms. Lisa Genasci, Chief Grants Officer for Catholic Charities of Northern Nevada (CCNN), thanked the Board for Agenda Item 14D. She said the CCNN provided services to the community for over 80 years, including workforce development. She stated the CRF grant would elevate CCNN's current workforce development program to include temporary employment, General Educational Development (GED) technical certification, financial literacy, soft skills certification, on-the-job training subsidies, mentorship job fairs, and wraparound homeless prevention tools. The program would promote transformative change by helping at-risk adults become successful members of Washoe County's economy, decreasing generational poverty, and increasing work-life balance. She encouraged the Board to tour the CCNN facility.

Mr. Shane Piccinini from the Food Bank of Northern Nevada (FBNN) expressed gratitude to the Board for the two grants the FBNN received from the County. He said the FBNN was currently serving 130,000 people per month, which demonstrated that the need was staggering. He acknowledged the over 140 incredible partner agencies and the long-term partnership with the Board which helped to systematically address many of the root causes of poverty. He thanked Commissioner Jung and Commissioner Lucey for their service and indicated a desire to continue collaborating with them in the future.

Mr. Ben Iness said he was the Coalition Coordinator for the Nevada Housing Justice Alliance (NHJA). He indicated the NHJA was a coalition of grassroots organizers and community advocates who worked directly with Nevada tenants to develop solutions and community investments to solve the root causes of housing insecurity. He expressed opposition to Agenda Item 19 which he said would criminalize people engaging in life-sustaining activities. He thought the community needed solutions to address homelessness, not criminalization. He spoke about the racial and economic justice issues related to homelessness. He mentioned the high rents and home prices in Reno, noting that every \$100 increase in the median rent was associated with a 9 percent increase in the rate of homelessness. He said people experiencing homelessness had little chance of paying fines. He referred to the Supreme Court case *Marti v. Boise* which related to criminalizing sleeping outdoors. He asserted homelessness was a housing issue and said he hoped more discussions about re-housing and permanent supportive housing would take place in the future.

Ms. Erika Minaberry expressed opposition to Agenda Item 19. She was unable to see how the amendment could be enforced without employing discrimination or breaking the Constitution in some way. She spoke about spending time at the river with her children and asked what the difference was between her belongings being left on the river and the belongings of unsheltered individuals. She said she respected the Republican party for its stance on government overreach and for advocating against big government. She inquired how this amendment was not considered big government and government overreach. She said people who lived outside only left their belongings when they were trying to improve themselves or get a job. She thought the amendment would put people's lives in danger.

Mr. Kenji Otto was called but was not present to speak.

Ms. Valerie Fiannaca asked why the Board could not wait for the new Commissioners before hiring the Registrar of Voters (ROV). She mentioned a complaint of maladministration and impropriety filed on November 18 by six citizens and asked whether the Board could acknowledge receipt of the complaint. She referred to the new contract for County Manager Eric Brown and expressed concern about the one-year severance listed on the contract. With regard to Agenda Item 19, she mentioned she grew up living in a car with her mother who had left a domestic violence situation. She said she had unhooused encampments removed from her business location on three occasions. She noted those removals cost the County thousands of dollars each time because it was considered a toxic waste dump due to human waste and needles.

Mr. James Benthin said he opposed Agenda Item 19. He believed the issue was more job related than criminal. He encouraged the County to provide programs that involved job skills and addressing health issues. He noted the amendment would not be realized with no cost to taxpayers, so he asked the Board not to approve the item. He urged the Board to wait for the new Commissioners before hiring a new ROV. He suggested waiting would provide an opportunity to address some of the issues which came to light during the prior election.

Mr. William T. Steward provided a document that was distributed to the Board and placed on file with the Clerk. He mentioned Commissioner Lucey spoke about homeowners associations (HOA) and fire education, which he thought was a great start. He said his employer, Wilderness Forestry, had been working with HOAs on fire preparedness, egress, and evacuation routes. He suggested the Board agendaize a presentation by Nevada Division of Forestry (NDF) Conservation Specialist Kelli Nevills who could discuss federal funding for hazard mitigation fuel work. He said a community that was firewise discussed home preparation, including things that could be done during the winter. He thanked the Commissioners for their service and wished Commissioners Lucey and Jung the best. He acknowledged politics could be contentious and he urged people to try working together.

Mr. Lavell Wright said he lived in Nevada since October 25 and had been staying at the shelter. He remarked he was kicked out for behavior he believed was misconstrued as inappropriate. He stated he had no means of accessing funding while not living in the shelter. He indicated he was living on the streets with nowhere to go, sleep, or wash his clothes. He said he considered calling 911 because of how the weather had worn on him. He believed more resources needed to be available to him since he was a dependent of the government. He noted he had no access to a social worker who could help him get his identification card. He thought it was a shame that more was not done for people such as himself who needed a helping hand.

Chair Hartung asked staff to contact Mr. Wright.

Mr. Dale Smith expressed approval of Agenda Item 21. He said he was a 44-year resident and business owner in IV. He strongly supported the amendment to the County Development Code which would allow airspace condominiums in Special Area 1

of the IV Commercial Regulatory Zone. He stated the amendment was consistent with the Washoe County Master Plan and would allow for more desirable development within the regulatory zone. He believed the amendment would allow the kind of development IV needed at the gateway to its commercial core.

Ms. Lilith Baran, a member of the American Civil Liberties Union (ACLU) of Nevada, expressed concern about Agenda Item 19. She opined the amendment was regressive and counterproductive and raised some legal questions. She spoke about a decision issued by the Federal Ninth Circuit Court of Appeals which provided clarification on anti-camping ordinance guidance. She said the court ruled that the enforcement of anti-camping ordinances violated the Eighth Amendment of the U.S. Constitution. She stated that *Lavan v. City of Los Angeles* noted the Fourth and Fourteenth Amendments protected homeless persons from government seizure and destruction of their unabandoned but unattended personal property. She said those local ordinances did not reduce the incidence of homelessness or crime and resulted in increased incarceration rates, financial indebtedness, and prolonged homelessness. She mentioned the County had the rare opportunity through federal funds to provide the capital needed to address the root causes of homelessness which were well-researched and tested.

Ms. Val White wanted to address some of the comments made by earlier speakers. She approved of the compassion expressed by public commenters. She wanted an explanation of how watching people slowly commit suicide by living on the streets could be defined as compassion. She opined people chose to be homeless when they chose not to use the many programs available. She disagreed with the suggestion that Washoe County should copy what San Francisco had done for the homeless because it had not resolved the issue. She believed a lack of common sense and grasp of reality was the issue, not a lack of money or services. She observed many recovering addicts who were once homeless would say that incarceration was what motivated them to change their lives and get sober. She noted the fines would not be collected and alternative sentencing would be enforced instead.

Ms. Jenny Angus said she was the Executive Director of Development and Operations for Urban Roots (UR). She said UR was founded on the idea that food was a powerful tool for academic and nutrition education. UR prioritized providing resources for vulnerable and nutritionally compromised members of the community. She said UR received a large number of requests during the COVID-19 pandemic to expand its reach due to food scarcity and lack of resources. As a result, UR developed its Gardening for All (GFA) program, an expansion of its school garden program. She said UR received 47 applications for its 2023 GFA program to build gardens for non-profit organizations, private residences, and schools. She noted most of those applications requested financial assistance, so she thanked Commissioner Jung for her District Special Fund Disbursement to UR to support the GFA program. She said the GFA initiative would further UR's mission of changing the way the community ate and learned by growing healthy minds and bodies.

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Chair Hartung reopened Item 5 for additional comments.

Chair Hartung congratulated the Northern Nevada Law Enforcement Academy (NNLEA) graduation, which he noted was well attended.

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DONATIONS

22-0888 **8A1** Recommendation to accept a donation of a Genasys LRAD 450XL acoustic hailer system [valued at \$46,083.21] from the Washoe County Honorary Deputy Sheriff’s Association to the Washoe County Sheriff’s Office. Sheriff. (All Commission Districts.)

22-0889 **8A2** Recommendation to accept a donation of [\$1,333.00] from the Hot August Nights Inc. to the Washoe County Sheriff’s Office for the Citizen Corps Programs (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 Vice Chair Hill, seconded by Commissioner Jung, which motion duly carried on a 5-0 vote, it was ordered that Items 8A1 and 8A2 be accepted.

CONSENT AGENDA ITEMS – 9A1 THROUGH 9D1

22-0890 **9A1** Recommendation to 1) approve roll change requests, pursuant to NRS 361.765 and/or NRS 361.768, for errors discovered on the 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 \$4,909.50]. Assessor. (All Commission Districts.)

22-0891 **9B1** Recommendation to acknowledge receipt of the Washoe County Water and Sanitary Sewer Financial Assistance Program Status Report as of September 30, 2022. Community Services. (All Commission Districts.)

22-0892 **9B2** Recommendation to approve an Agreement between Washoe County and Biggest Little Trail Stewardship (BLTS), a Nevada non-profit corporation, for the construction and maintenance of trails within the Washoe County Open Space and Regional parks system, for a term of five years, with option for one five-year renewal [at no cost]; and authorize the Director of the Community Services Department to sign the Agreement and

subsequent renewals on behalf of Washoe County. Community Services. (All Commission Districts.)

- 22-0893** **9B3** Recommendation to adopt four resolutions accepting real property for use as public streets, which pertain to portions of four official plats as listed below totaling 13.72 acres and 2.24 linear miles; and if approved, direct the Clerk's Office to record the resolutions to accept: R22-166; a portion of the Official Plat of Blackstone Estates Unit 2, Tract Map 5408, recorded on February 24, 2021, as document number 5138238, being: a portion of Central Falls Drive, Millville Drive, and Grafton Drive; Assessor's Parcel Number (APN) 534-571-12; approximately 2.24 acres and 0.40 linear miles, R22-167; a portion of the Official Plat of Eagle Canyon Ranch - Unit 7, Subdivision Tract Map 5380, recorded on June 30, 2020, as document number 5046083, being a portion of Garden Pond Way, Iron King Drive, Jordan Meadows Drive, and Kingston Canyon Drive; APN's 532-333-03 & 532-324-14; approximately 2.472 acres and 0.46 linear miles, R22-168; a portion of the Official Plat of Woodland Village Phase 22, Subdivision Tract Map 5335, recorded on July 31, 2019, as document number 4935537, being Salvatore Court, Angel Lake Court, Knott Creek Court, Trail Canyon Court, Mary's River Court, Rye Patch Court, and a portion of New Forest Drive, Village Parkway, and Briar Drive; APN's 556-290-34, 556-671-14, 556-662-10, & 556-641-48; approximately 9.03 acres and 1.37 linear miles; and, R22-169; a portion of the Official Plat of Pyramid Ranch Estates 5D, Subdivision Tract Map 3015, recorded on March 17, 1994, as document number 1776580, being a portion of Eclipse Drive; APN 089-531-06; approximately 0.08 acres and 0.01 linear miles. Community Services. (Commission Districts 4 & 5.)
- 22-0894** **9B4** Recommendation to reject all bids for the Washoe County Sheriff's Office Wood Door Replacement Project - PWP WA 2023-047, since the bid proposals received were not in conformance with Nevada Revised Statutes (NRS) 624 and Nevada administrative Code (NAC) 624, with regard to general building contractor license minimum requirements or identifying and holding the required specialty contractor license for the project scope of work. Community Services. (Commission District 3.)
- 22-0895** **9C1** Recommendation for the Board of County Commission to acknowledge the creation of an Intermittent Law Library Assistant III position; pay grade K407 and authorize Human Resources and the Comptroller's Office to make the necessary changes [net fiscal impact \$-0-]. The expense associated with this pooled position will be covered within the District Court's existing pooled position budget authority. District Court. (All Commission Districts.)

22-0896 **9D1** Adoption of Personnel Handbook which establishes a merit personnel system to assure the recruitment and retention of a qualified workforce free of political influence and other non-merit factors and to ensure fair and equitable treatment in all aspects of personnel management. The Personnel Handbook complies with NRS 245.213 and includes regulations (1) for the classification of all county positions, (2) a pay plan for all county employees, (3) policies and procedures for regulating reduction in force and the removal of employees, (4) hours of work and leave, (5) policies and procedures governing persons holding temporary or provisional appointments, (6) policies and procedures governing relationships with employees and employee organizations, (7) policies concerning employee training and development, (8) grievance procedures, (9) other policies and procedures necessary for the administration of a merit personnel system. As required by law, in the event of a conflict between the policies and procedures the provisions of a collective bargaining agreement entered into pursuant to chapter 288 of NRS, the provisions of the collective bargaining agreement prevail. The Personnel Handbook will be effective upon adoption of Washoe County Code 5.345 and presented to the Board every four (4) years for review and approval. Human Resources. (All Commission Districts.)

22-0897 **9E1** Recommendation to approve a change in pay grade for the Assistant to the County Manager from pay grade N, hourly salary range of \$34.58 - \$44.95 to pay grade O, hourly salary range of \$36.58 - \$47.60; a change to the annual salary range for the Assistant County Manager, pay grade M100 from an annual salary range of \$160,222.40 - \$207,958.40 to \$184,267.20 - \$239,158.40, a change in pay grade for the Chief Information Officer from pay grade X, hourly salary range of \$66.89 - \$86.94 to pay grade Y, hourly salary range of \$69.92 - \$90.90; change in pay grade for the Communications Director from pay grade S, hourly salary range of \$47.54 - \$61.81 to pay grade T, hourly salary range of \$52.70 - \$68.48; a change in pay grade for the Director of Human Resources from pay grade X, hourly salary range of \$66.89 - \$86.94 to pay grade Y, hourly salary range of \$69.92 - \$90.90; a change in the job classification title from Director of Human Resources/Labor Relations to Director of Human Resources; as reviewed and evaluated by Korn Ferry and authorize Human Resources to make the necessary changes. This request is being brought forward as a result of new job evaluation and market study data generated by Korn Ferry which impacted the respective pay grade for each position. [Total fiscal impact \$128,917; net fiscal impact \$-0-] Manager's Office. (All Commission Districts.)

22-0898 **9E2** Recommendation to approve Commission District Special Fund disbursement, pursuant to NRS 244.1505, in the amount of [\$10,000.00] for Fiscal Year 2022-2023; District 4 Commissioner Vaughn Hartung recommends a [\$10,000.00] grant to the Food Bank of Northern Nevada --

a non-profit organization created for religious, charitable or educational purposes -- to support the organization's efforts to provide food for families in need throughout the region; approve Resolution necessary for same; and direct the Comptroller's Office to make the necessary disbursement of funds. Manager's Office. (Commission District 4.)

22-0899

9E3 Recommendation to approve Commission District Special Fund disbursement, pursuant to NRS 244.1505, in the amount of [\$39,000.00] for Fiscal Year 2022-2023; District 2 Commissioner Bob Lucey recommends a [\$10,000.00] grant to the Boys & Girls Club of Truckee Meadows -- a nonprofit organization created for charitable, religious, or educational purposes -- to support programs at the Neil Road Youth Facility; and a [\$4,000.00] grant to Mustang's Wrestling Club - a non-profit organization created for charitable, religious, or educational purposes - to support area youth in efforts to teach discipline, self-confidence and inner strength to overcome obstacles; and a [\$4,000.00] grant to Doral Academy of Northern Nevada (DANN) -- a nonprofit organization created for charitable, religious, or educational purposes -- to benefit the students and education programs where necessary; and a [\$2,000.00] grant to Brown Elementary School - a government entity -- to benefit the students and education programs where necessary; and a [\$2,000.00] grant to Double Diamond Elementary School -- a government entity -- to benefit the students and education programs where necessary; and a [\$2,000.00] grant to Huffaker Elementary School -- a government entity -- to benefit the students and education programs where necessary; and a [\$2,000.00] grant to Hunsberger Elementary School -- a government entity -- to benefit the students and education programs where necessary; and a [\$2,000.00] grant to Elizabeth Lenz Elementary School -- a government entity -- to benefit the students and education programs where necessary; and a [\$2,000.00] grant to Pleasant Valley Elementary School -- a government entity -- to benefit the students and education programs where necessary; and a [\$2,000.00] grant to Smithridge Elementary School -- a government entity -- to benefit the students and education programs where necessary; and a [\$2,000.00] grant to Nick Poulakidas Elementary School -- a government entity -- to benefit the students and education programs where necessary; and a [\$5,000.00] grant to the Washoe County Human Services Agency (HSA) -- a government entity -- to support the mission of this department through the promotion of the health, safety and well- being of children, adults and seniors who are vulnerable to abuse, neglect and exploitation; approve Resolutions necessary for same; and direct the Comptroller's Office to make the necessary disbursement of funds and net zero cross fund and/or cross function budget appropriation transfers. Manager's Office. (Commission District 2).

- 22-0900** **9E4** Recommendation to approve Commission District Special Fund disbursement, pursuant to NRS 244.1505, in the amount of [\$49,000.00] for Fiscal Year 2022-2023; District 3 Commissioner Kitty Jung recommends a [\$15,000.00] grant to Urban Roots -- a non-profit organization, created for religious, charitable or educational purposes -- to support the Gardening for All initiative, which focuses on building gardens for specific areas and providing garden education; and a [\$10,000.00] grant to Glenn Duncan STEM Academy -- a government entity -- towards commissioning an artist for additional external murals, towards the purchasing of athletic equipment, and towards supporting a college/career fair at the school in Spring 2023; and a [\$10,000.00] grant to the Sun Valley General Improvement District (SVGID) -- a government entity -- for the purpose of purchasing and replacing playground equipment at the Sun Valley Community Park; and a [\$8,000.00] grant to the Pyramid Lake Paiute Tribe Museum and Visitors Center -- a non-profit organization, created for religious, charitable or educational purposes -- to support programming and continued education on the history and trials experience by the Pyramid Lake Paiute Tribe and general support of museum operations; and a [\$6,000.00] grant to Channel 5 Public Broadcasting Inc. (PBS Reno) -- a non-profit organization, created for religious, charitable or educational purposes -- to support educational programming that highlights Northern Nevada; approve Resolutions necessary for same; and direct the Comptroller's Office to make the necessary disbursement of funds. Manager's Office. (Commission District 3.)
- 22-0901** **9E5** Recommendation to accept a FFY 2022 Emergency Management Performance Grant (EMPG) from the State of Nevada, Division of Emergency Management (NDEM) awarding [\$225,555.20, \$225,555.20 County match required] for FFY 2022 including funds to be used for travel. The EMPG provides funding to assist local governments to sustain and enhance-all hazards emergency management activities. Grant term is retroactive from October 1, 2021, through September 30, 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 reimburse the General Fund through transfer for the expense of [\$56,807.03] salary and benefits for the Emergency Management Administrator incurred in FY 22 and to make the necessary, budget amendments. Manager's Office. (All Commission Districts.)
- 22-0902** **9E6** Recommendation that the Board of County Commissioners adopt the 2022 Regional Debris Management Plan and authorize the County Emergency Manager to update the plan as necessary, and if adopted authorize the County Commission Chairman to execute a Resolution to promulgate the plan. Manager's Office. (All Commission Districts.)

- 22-0903** **9E7** Recommendation that the Board of County Commissioners adopt the 2022 Regional Wildland Fire Annex, an annex to the 2020 Regional Emergency Operations Plan (REOP) and authorize the County Emergency Manager to update the plan as necessary, and if adopted authorize the County Commission Chairman to execute a Resolution to promulgate the plan. Manager's Office. (All Commission Districts.)
- 22-0904** **9E8** Recommendation to approve a Federal Fiscal Year 2022 (FFY22) Department of Homeland Security (DHS) grant passed through the State Homeland Security Program (SHSP) awarding [\$123,948.00 (no County match required)], for an Animal Shelter Trailer Project; retroactive from September 1, 2022 to August 31, 2024; 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.)
- 22-0905** **9E9** Recommendation to approve a Federal Fiscal Year 2022 (FFY22) Department of Homeland Security (DHS) grant passed through the State Homeland Security Program (SHSP) awarding [\$185,000.00 (no County match required)], for a Continuity of Operations and Continuity of Government project; including funds to be used for travel and food purchases for Planning and Training events; retroactive from October 1, 2022 to September 30, 2024; 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.)
- 22-0906** **9F1** Recommendation to accept the FY 2023 Office of Traffic Safety award from the State of Nevada Department of Public Safety, Office of Traffic Safety [amount not to exceed \$25,000.00, 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, 2022 through September 30, 2023 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.)
- 22-0907** **9F2** Recommendation to accept the FY 2023 Office of Traffic Safety award from the State of Nevada Department of Public Safety, Office of Traffic Safety [amount not to exceed \$55,000.00, 25% In-Kind county match required] as administered through the State of Nevada Department of Public Safety Office of Traffic Safety, to support the purchase and validation of a new blood drug testing methodology, for the retroactive grant term of October 1, 2022 through September 30, 2023 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.)

22-0908 **9F3** Recommendation to retroactively accept a Nevada Division of Emergency Management grant award [amount not to exceed \$90,000.00, no County match required] as administered through the State of Nevada, Office of the Military, Division of Emergency Management, Federal FY 2022 project number 97067.22, to the Washoe County Sheriff's Office Special Operations Division (SOD) for the purchase of a SOD response truck for the retroactive grant term of September 1, 2022 through August 31, 2024 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.)

22-0909 **9F4** Recommendation to retroactively 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, Office of the Military, Division of Emergency Management, Federal FY 2022 project number 97067.22, to the Washoe County Sheriff's Office Northern Nevada Regional Intelligence Center (NNRIC) for the purchase of information and intelligence mapping software for the retroactive grant term of September 1, 2022 through August 31, 2024 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.)

22-0910 **9F5** Recommendation to retroactively accept a Nevada Division of Emergency Management grant award [amount not to exceed \$121,580.00, no County match required] as administered through the State of Nevada, Office of the Military, Division of Emergency Management, Federal FY 2022 project number 97067.22, to the Washoe County Sheriff's Office Community Emergency Response Team (CERT) for payment of three intermittent positions as well as equipment and supplies for the retroactive grant term of September 1, 2022 through August 31, 2024 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.)

22-0911 **9F6** Recommendation to retroactively accept a Nevada Division of Emergency Management grant award [amount not to exceed \$154,500.00, no County match required] as administered through the State of Nevada, Office of the Military, Division of Emergency Management, Federal FY 2022 project number 97067.22, 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, 2022 through August 31, 2024 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.)

22-0912 **9F7** Recommendation to retroactively accept a Nevada Division of Emergency Management grant award [amount not to exceed \$180,236.00, no County match required] as administered through the State of Nevada, Office of the Military, Division of Emergency Management, Federal FY 2022 project number 97067.22, to the Washoe County Sheriff's Office Special Operations Division Cyber Crimes Unit for the purchase of forensic software and licenses and associated trainings for the retroactive grant term of September 1, 2022 through August 31, 2024 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.)

22-0913 **9G1** Recommendation to accept a Continuum of Care - Permanent Supportive Housing Program Grant from the United States Department of Housing and Urban Development (HUD), in the amount of [\$121,464.00; \$30,366.00 county match] to provide housing and supportive services for homeless families retroactive for the period September 1, 2022 through August 31, 2023; authorize the Director of the Human Services Agency to retroactively execute the agreement; and direct the Comptroller's Office to make the necessary budget amendments. Human Services Agency. (All Commission Districts.)

22-0914 **9H1** Recommendation to accept Treasurer's status report for the period ending November 30, 2022, of payment of refunds and interest since last update in the amount of \$1,476,492.20 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 Hill thanked Chair Hartung for donations from his Commission District Special Fund in the amount of \$10,000 to the Food Bank of Northern Nevada (FBNN). She recognized Commissioner Lucey for donations from his Commission District Special Fund in the amount of \$10,000.00 to the Boys & Girls Club of Truckee Meadows, \$4,000.00 to the Mustang Wrestling Club, \$4,000.00 to Doral Academy of Northern Nevada (DANN), \$2,000.00 to Brown Elementary School, \$2,000.00 to Double Diamond Elementary School, \$2,000.00 to Huffaker Elementary School, \$2,000.00 to Hunsberger Elementary School, \$2,000.00 to Elizabeth Lenz Elementary School, \$2,000.00 to Pleasant Valley Elementary School, \$2,000.00 to Smithridge Elementary School, \$2,000.00 to Nick Poulakidas Elementary School, and \$5,000.00 to the Washoe County Human Services Agency (HSA). She acknowledged Commissioner Jung for donations from her

Commission District Special Fund in the amount of \$15,000.00 to Urban Roots (UR), \$10,000.00 to Glenn Duncan S.T.E.M. (science, technology, engineering, and math) Academy, \$10,000.00 to the Sun Valley General Improvement District (SVGID), \$8,000.00 to the Pyramid Lake Paiute Tribe Museum and Visitors Center, and \$6,000.00 to Channel 5 Public Broadcasting Inc. (PBS Reno).

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

On motion by Vice Chair Hill, seconded by Commissioner Lucey, which motion duly carried on a 5-0 vote, it was ordered that Consent Agenda Items 9A1 through 9H1 be approved. Any and all Resolutions pertinent to Consent Agenda Items 9A1 through 9H1 are attached hereto and made a part of the minutes thereof.

12:59 p.m. **The Board recessed.**

1:30 p.m. **The Board reconvened with Commissioner Lucey and Assistant District Attorney Nathan Edwards absent.**

BLOCK VOTE – 10, 11, 12, 13, 14, 15, 16, 17, 18

22-0915 **AGENDA ITEM 10** Recommendation to award a bid and approve the Agreement to the lowest responsive, responsible bidder for the Veterans Parkway Culvert Protection Project to furnish and install lockable gates at each culvert entrance to prevent unauthorized entry [staff recommends Facilities Management, Inc. in the amount of \$354,860.00]. Community Services. (Commission District 2.)

There was no response to the call for public comment.

On motion by Vice Chair Hill, seconded by Commissioner Jung, which motion duly carried on a 4-0 vote with Commissioner Lucey absent, it was ordered that Agenda Item 10 be awarded and approved.

22-0916 **AGENDA ITEM 11** Recommendation to approve Amendment #5 to Agreement Regarding November 2000 Parks, Trails and Open Space Bonds-Lake Tahoe Bike Path Project (Parks-WC-1) for Phase 4 of the Lake Tahoe Bike Path Project (State Route 28 corridor) between Washoe County and Tahoe Transportation District (TTD) to extend the end term from December 31, 2022 to December 31, 2026 [no additional cost to Washoe County for Amendment #5]; and authorize Assistant County Manager (Dave Solaro) to execute the Amendment #5 and all appropriate Tahoe Transportation District related agreements and documents. Community Services. (Commission District 1.)

There was no response to the call for public comment.

On motion by Vice Chair Hill, seconded by Commissioner Jung, which motion duly carried on a 4-0 vote with Commissioner Lucey absent, it was ordered that Agenda Item 11 be approved and authorized.

1:33 p.m. **Assistant District Attorney Nathan Edwards returned to the meeting.**

22-0917 **AGENDA ITEM 12** Recommendation to: (1) award a bid and approve the Agreement to the lowest responsive, responsible bidder for the Washoe County Sheriff's Office Bunk Replacement Project Phase 2, located at 911 Parr Boulevard, Reno, PWP-WA-2023-047, [staff recommends Simerson Construction LLC, in the amount of \$1,569,406.00]; and (2) approve a separate project contingency fund in the amount of \$78,470.00 [for a total project budget not to exceed \$1,647,876.00]. This project is to continue the replacement of existing inmate beds within prefabricated stainless-steel bedframes throughout various housing units and utilizes approved fiscal year 2023 funding from the General Fund. Community Services. (Commission District 3.)

There was no response to the call for public comment.

On motion by Vice Chair Hill, seconded by Commissioner Jung, which motion duly carried on a 4-0 vote with Commissioner Lucey absent, it was ordered that Agenda Item 12 be awarded and approved.

22-0918 **AGENDA ITEM 13** Recommendation to approve the reclassification of a Plans Examiner Supervisor, pay grade NO, to the new classification of Building Manager/Building Official, pay grade R; the reclassification of an Office Support Specialist, pay grade H, to Code Enforcement Officer II, pay grade K (Community Services Department); reclassification of a Legal Secretary Supervisor, pay grade K, to Administrative Assistant I, pay grade K (Alternate Public Defender); creation of two new full-time Library Assistant II positions, pay grade G; delimit two part time 15 hour per week Library Aide positions; delimit three part time 15 hour per week Library Assistant II positions; delimit one part time 30 hour per week Library Assistant II position (Library); creation of two new full-time Mental Health Counselor II positions, pay grade P (Juvenile Services); as reviewed and evaluated by the Job Evaluation Committee (JEC) and authorize Human Resources to make the necessary changes. [Total fiscal impact \$309,672; net fiscal impact \$-0- for General Fund and \$265,567 for ARPA funds] Human Resources. (All Commission Districts.)

There was no response to the call for public comment.

On motion by Vice Chair Hill, seconded by Commissioner Jung, which motion duly carried on a 4-0 vote with Commissioner Lucey absent, it was ordered that Agenda Item 13 be approved and authorized.

22-0919

AGENDA ITEM 14 Recommendation to approve allocations of American Rescue Plan Act (ARPA) funds through the Coronavirus State and Local Fiscal Recovery Funds (SLFRF) for the following projects:

A. Recommendation to approve amended allocation for Project #11 Public Defender Staffing in a total amount of \$2,826,746. An award increase of \$1,585,892 over the \$1,240,854 approved by the Board on December 14, 2021. The project addresses critical caseload backload caused by the COVID-19 Pandemic for the Public Defender. The award increase will provide funding for staff for an additional 24 months.

B. Recommendation to approve allocation to the Affordable Housing Trust Fund (AHTF) -Project #55 in the amount of \$2,060,000 to be overseen by the Washoe County Division of Housing and Homeless Services. Funding will be used to incentivize developers to build affordable housing in Washoe County through a competitive loan process managed by Washoe County and disbursed through the Community Foundation of Northern Nevada which will receive \$60,000 of funding to act as the fiscal agent of the funds.

C. Recommendation to approve allocation to Washoe County Human Resources Organizational Effectiveness Division in the amount of \$500,000 to support a County-wide Civil Rights and Equity Engagement - Project #67 to support the County in compliance with federal, state, and local accessibility laws.

D. Recommendation, in accordance with NRS 244.1505, to approve allocations of ARPA-SLFRF through the Washoe County Community Reinvestment Grant Program in the amount of \$3,360,078.00 for the following 11 subgrants, with terms no longer than two years, and authorize the County Manager to sign necessary award documents:

- Note-Able Music Therapy Services - Addressing Community Health Needs through Expansion of Music Therapy Services - Project (#56) in the amount of \$255,506 and approve Resolution 22-144 to support musical therapy sessions and renovations to the organization's new facility.

- Food Bank of Northern Nevada - Community Solutions to Hunger Relief and Food Insecurity in Northern Nevada - Project (#57) in the amount of \$110,550 and approve Resolution 22-145 to support development of a community kitchen to support cooking lessons and nutrition seminars.

- Catholic Charities of Northern Nevada - Workforce Development Program - Project

(#58) in the amount of \$483,708 and approve Resolution 22-146 to support soft skills development and job placement for low income and at-risk community members.

- Domestic Violence Resource Center - Flexible Childcare and Child Enrichment Program -Project (#59) in the amount of \$97,130 and approve Resolution 22-147 to support the development a reliable childcare network for domestic violence survivors.

- Nevada Legal Services - Holistic Law Project for Homeless and Low-

income Residents of Washoe County - Project (#60) in the amount \$243,200 and approve Resolution 22-148 to support legal services to 450 residents with wraparound services to clients using holistic lawyering techniques.

- Communities In Schools of Nevada - Integrated Student Supports in Washoe County -Project (#61) in the amount of \$740,512 and approve Resolution 22-149 to support K-12 student social-emotional health initiatives and one-on-one case management for intensive interventions that allow students to stay in school, fully participate, and achieve academically.

- High Sierra Area Health Education Center (AHEC) - Community Health Worker Certification Program - Project (#62) in the amount of \$323,750 and approve Resolution 22-150 to support youth 16 years old and up to become certified as Community Health Workers and develop skills that will increase healthcare workforce.

- The Life Change Center - Opioid Treatment Induction Support - Project (#63) in the amount of \$568,042 and approve Resolution 22-151 to support a new pilot program to assist individuals trying to recover from fentanyl addiction.

- ReDirect Youth Outreach - Youth Boxing - Project (#64) in the amount of \$133,965 and approve Resolution 22-152 to support 50 at-risk youth participation in boxing classes and training that allows them to channel their emotions positively.

- The Empowerment Center - Supportive Housing Services - Project (#65) in the amount of \$58,230 and approve Resolution 22-153 to support women in recovery.

- Northern Nevada Literacy Council - Washoe County Literacy Project - Project (#66) in the amount of \$345,485 and approve Resolution 22-154 to support adult basic education and high school equivalency exam preparation.

And, if approved, direction to the Comptroller's Office to make necessary net zero cross-fund and/or cross-functional budget appropriation transfers as necessary. Manager's Office. (All Commission Districts.)

There was no response to the call for public comment.

On motion by Vice Chair Hill, seconded by Commissioner Jung, which motion duly carried on a 4-0 vote with Commissioner Lucey absent, it was ordered that Agenda Item 14 be approved and directed.

22-0920 **AGENDA ITEM 15** Recommendation to approve Sole Source waiver to establish an Agreement between Washoe County and the Community Foundation of Northern Nevada to serve as the fiscal agent of the Washoe County Affordable Housing Trust Fund for the term of December 13, 2022 through December 31, 2026, in an amount not to exceed [\$2,060,000]; and if approved, authorize the Purchasing and Contracts Manager to execute the

Agreement; and acknowledge a net-zero cross-functional budget appropriation transfer pursuant to NRS 354.598005(5)(b). Manager's Office. (All Commission Districts.)

There was no response to the call for public comment.

On motion by Vice Chair Hill, seconded by Commissioner Jung, which motion duly carried on a 4-0 vote with Commissioner Lucey absent, it was ordered that Agenda Item 15 be approved and authorized.

22-0921 **AGENDA ITEM 16** Recommendation to accept two senior subgrant awards from the State of Nevada Aging and Disability Services Division for the following Older Americans Act Title III Programs: (1) Congregate Meals [\$224,509.45; \$33,676.00 county match] retroactively from October 1, 2022 to September 30, 2023; and (2) Home Delivered Meals [\$1,366,911.83; \$205,037.00 county match] retroactively from October 1, 2022 to September 30, 2023; authorize the Director of the Human Services Agency to execute the grant award documents; and direct the Comptroller 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 Hill, seconded by Commissioner Jung, which motion duly carried on a 4-0 vote with Commissioner Lucey absent, it was ordered that Agenda Item 16 be accepted, authorized, and directed.

22-0922 **AGENDA ITEM 17** Recommendation to accept a subaward from the State of Nevada Department of Health and Human Services, Division of Welfare and Supportive Services, Child Care Licensing in the amount of [\$396,886.00; no county match] retroactive to July 1, 2022 through June 30, 2023 to provide childcare licensing and monitoring within Washoe County; and authorize the Director of Human Services Agency to retroactively execute the subaward and related documents. Human Services Agency. (All Commission Districts.)

There was no response to the call for public comment.

On motion by Vice Chair Hill, seconded by Commissioner Jung, which motion duly carried on a 4-0 vote with Commissioner Lucey absent, it was ordered that Agenda Item 17 be accepted and authorized.

22-0923 **AGENDA ITEM 18** Recommendation to accept the Department of Health and Human Services, Division of Child and Family Services Sub-Award in the amount of [\$818,612.00; no county match] retroactive for the period of July 1, 2022 to June 30, 2023 to be used to support the Adoption Savings

program to include authorizing the creation of the following positions, contingent on Job Evaluation Committee (JEC) review and approval, funded 100% by the Adoption Savings grant award: one (1) FTE Human Services Case Worker III, two (2) FTE Office Assistant II, one (1) FTE Management Analyst, and one (1) FTE Human Services Program Specialist, effective December 13, 2022; and as such, if grant funding is reduced or eliminated, the position hours will be reduced and/or the position will be abolished accordingly unless additional funding is secured; funding further includes professional services, program training costs and operating expenses; and if approved authorize the Director of Human Services Agency to execute the award and related documents; direct the Human Resources Department to make the necessary staffing adjustments as evaluated by the Job Evaluation Committee (JEC), 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 Hill, seconded by Commissioner Jung, which motion duly carried on a 4-0 vote with Commissioner Lucey absent, it was ordered that Agenda Item 18 be accepted, authorized, and directed.

22-0924 **AGENDA ITEM 19** Request by the Sheriff, through the Washoe County Clerk, and pursuant to Washoe County Code ("WCC") 2.030, to initiate amendments to WCC Chapter 50 (Public Peace, Safety and Morals), primarily to update provisions relating to camping and storage of personal property in public areas. The amendments are being requested to add a section governing unauthorized camping and storage of personal property which may pose a risk of significant harm to any person, or public area; and to update a section governing the criminal penalties for a violation of chapter 50; and direct the County Clerk to submit the request to the District Attorney for preparation of a proposed ordinance in accordance with WCC 2.040 Sheriff. (All Commission Districts)

Sheriff Darin Balaam said the proposed amendment was a result of a request from the Community Homelessness Advisory Board (CHAB) for the Cities of Reno and Sparks and the County to develop a consistent camping ordinance. He believed the City of Sparks passed its ordinance two years prior, the City of Reno passed its ordinance one year prior, and the Bureau of Land Management (BLM) had one as well. He said the unincorporated area did not have people experiencing homelessness earlier in his career, but it did now. The County created the Homeless Outreach Proactive Engagement (HOPE) team two years prior. He mentioned two situations the HOPE team had been involved in to illustrate how the proposed ordinance would be valuable to help those experiencing homelessness by getting them into services. He said East Sparks had been cleaned up twice and the HOPE team worked in Sun Valley for six months earlier in the year. Individuals were camping in a neighborhood on a public street and it created a human waste factor.

The intent was not to go out and cite individuals who were camping in their car, rather the HOPE team would pay multiple visits with clinicians and case workers to offer wrap-around services. He said the ordinance would allow the Sheriff's Office (WCSO) to help the small portion of individuals who would not accept services from the HOPE team or other non-profit organizations. The intent was to avoid situations such as Sun Valley or East Sparks where human waste and garbage created a hazardous environment that would endanger individuals living there and in the surrounding community.

Chair Hartung noted the public commenters expressed fear that the County would criminalize homelessness. He agreed there would be no value in fining people who could not pay. He asked whether the language for the ordinance had already been crafted. Sheriff Balaam said no, the agenda item was only asking the Board to send a request to the District Attorney's (DA) Office asking it to help the WCSO craft the ordinance language. Chair Hartung asked for confirmation that the ordinance would be presented to the Board for a first and second reading. Sheriff Balaam responded yes.

Chair Hartung hoped the WCSO would work closely with staff and the Commissioners to craft the ordinance language. He said he did not want a convoluted complex piece of code that would open up all types of questions. He expressed concern about the number of beds at the shelter, transitional housing, and affordable housing. He wanted to make sure the County was doing the right thing for the community. He noted cleaning up encampments was difficult and expensive. He asked whether the intent was to have a congruous code throughout the jurisdictions. He inquired whether the ordinance would only affect and be enforced within the County's jurisdictional boundaries. Sheriff Balaam answered that was correct, each jurisdiction had its own code and the County's was the least restrictive.

Vice Chair Hill noted she had gone out with the HOPE team and acknowledged Sergeant Shatawna Daniels' efforts. She expressed gratitude that the County had been able to provide casework assistance for the HOPE team. She expressed concern because as the Chair of CHAB, she liked to know what was presented before the Board and she had only learned about this item the prior week. She asked about the current code. Sheriff Balaam said the code did not address camping.

Vice Chair Hill asked how the code would be changed. She asked about rewriting the code to include Community Court (CC). She thought the staff report as written was misleading, so she wanted clarification. Sergeant Daniels noted CC was already going to be implemented. She said the WCSO did not want to cite anyone, and the ordinance was part of the continuity between jurisdictions. She indicated the Detention Services Unit (DSU) was another layer of resources. She noted that an individual who got arrested was no longer considered unhoused. With the DSU, the HOPE team could send emails about prior dealings with the individual and additional services could be offered before they were released. She acknowledged more progress was needed to remove silos throughout the community.

Vice Chair Hill indicated she would feel uncomfortable moving forward with this Agenda Item if the \$500 fine and the six-month jail sentence were the minimums outlined by the ordinance. Assistant District Attorney Nathan Edwards said the Board always had the latitude to cap a fine amount. He said this was a wide-ranging discussion about what types of provisions the Board would put in the ordinance. He understood the WCSO was asking to initiate the drafting of an ordinance that would be consistent with those of the Cities of Reno and Sparks. He said the Board could eliminate the fine, set a cap for the fine, or direct those types of parameters for the ordinance.

2:04 p.m. Commissioner Lucey returned to the meeting.

Vice Chair Hill indicated she was not comfortable giving direction to staff based on the staff report as drafted. She would prefer to give direction for a more tightly written code about CC which had nothing to do with a fine or jail time.

Chair Hartung asked whether an arrest would go on the person's permanent record. Sheriff Balaam replied yes. Chair Hartung clarified the crime would be that a person was homeless. Sheriff Balaam said that was correct.

Chair Hartung expressed support for the process of trying to get people into services. He noted some people were unable to get out of the loop of homelessness. He thought most people wanted to be clean and sober and did not like the lifestyle. He said knowing what the County was trying to mirror from the Cities of Reno and Sparks would have been helpful.

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

Mr. Kenji Otto provided a document that was distributed to the Board and placed on file with the Clerk. He said the document was a letter from a disabled veteran who was homeless and experiencing issues. He spoke about the removal of people camped under the bridges of the American River in Sacramento during the 1980s and 1990s, noting it was unsuccessful. He opined an ordinance was needed but a fine did not seem appropriate. He agreed with many of the public comments made earlier regarding this item. He believed some individuals wanted to live in a tent and some did not know what they wanted. He acknowledged the difficulty of making a decision on this issue and suggested passing the item with constraints.

Ms. Tanner Petrilla was called but was not present to speak.

Ms. Lilith Baran mentioned that affordable housing meant 50 to 60 percent of Area Median Income (AMI) which was approximately \$50,000 per year in Washoe County. She said individuals affected by this ordinance would need permanent supportive low-income and no-income housing. She understood the County was supposed to have taken over all issues regarding homelessness and the City of Reno would work on housing. She said having the County also working on housing would again contribute to issues

resulting from resources being overextended. She stated the ordinances in effect in the Cities of Reno and Sparks were the reason people were pushed into unincorporated Washoe County. She believed a County ordinance would further push individuals out to BLM land and other areas. She said there were subject matter experts available who had not been approached by the WCSO regarding this issue. She indicated the Built for Zero program had not been properly implemented in the County. She said homelessness needed to be considered a public health crisis, not a legal issue.

Ms. Nicole Anagapesis said she worked with a mutual aid organization that provided food and personal hygiene items to the homeless. She said she had true personal relationships with homeless individuals. She asserted no one wanted to be unsheltered in the current winter weather conditions. She said there was a class issue in effect when police responded to people trying to survive. She agreed with Ms. Baran's statement about subject matter experts who understood the complex situation. She said the WCSO's job was to prevent and solve crimes. She asked why an ordinance was needed.

Mr. Bill Sims referred to Chair Hartung's question regarding a criminal record and noted the WCSO was admitting to criminalizing homelessness and to something that was unconstitutional. He hoped the WCSO's response about the criminal record would automatically tell the Commissioners how they needed to vote. He brought up Vice Chair Hill's question about whether the ordinance needed to include the fine amount and the six-month jail time. Based on Mr. Edwards' response he believed the WCSO wanted to include the \$500 fine and jail time on the preliminary draft of the ordinance, which he hoped would give the Commissioners pause about approving it. He acknowledged the WCSO said the intent was not to fine or arrest the homeless but noted it would be possible for a rogue deputy to arrest homeless individuals due to personal bias.

Mr. Michael Clark requested a ride-along with the HOPE team. He believed Sheriff Balaam was put in a bad position by having to lobby for a law. He said the WCSO's job was public safety, not mental health, homelessness, and housing issues. He believed the County needed to identify a community that had solved the homelessness issue and emulate it. He thought the political will in the County had not been focused on solving the homelessness issue. He asked about laws already on the books, such as public urination, littering, and indecency laws, which could be enforced by the WCSO rather than creating new laws. He indicated his biggest concern was the litter on the river. He said he had heard from others that there was a drug issue at the Cares Campus. He believed drugs should not be allowed on the campus and suggested the use of drug-sniffing dogs at the entrance. He said people were afraid to go to the Cares Campus.

Ms. Darla Lee agreed with Mr. Clark's comments. She mentioned she would not suggest that visitors staying in hotels downtown walk around after dark or visit parks in the area because of trash and people camping in parks and on public streets. She inquired when the majority of residents who followed the laws would be considered. She spoke about the millions of dollars spent on trying to help the homeless. She said it appeared the ordinance was being proposed because the current solutions for homelessness were not working. She asked the Board to consider the majority of the County's residents.

Mr. George Lee asked when the word vagrancy had become taboo. He said there were laws about itinerants, people who had drug issues, and people who did not want to live in facilities supplied by the County or cities. He said this item provided another tool that could be used at the discretion of arresting officers. He noted deputies could arrest individuals or offer services for mental health or drug issues. He believed the Cares Campus was not the answer because people took the street culture with them. He thought the ordinance was a good step towards supplying the WCSO with another tool.

County Clerk Jan Galassini advised the Board she received nine emailed public comments, which she placed on the record.

Chair Hartung understood the definition of affordable housing, but he also knew students who earned the base amount and could not afford housing because they had so much other debt. He thought having affordable housing was a difficult target. He asked whether the Board had asked for the ordinance. Sheriff Balaam reiterated CHAB had made the request.

Chair Hartung asked whether individuals would have a criminal record only if convicted. Sheriff Balaam said in most cases individuals would be sent to CC and if they complied with what the court assigned the arrest would be erased from their record.

Chair Hartung asked Mr. Edwards whether the Board could direct the WCSO to draft some language which would then be presented to the Board prior to a first reading. He acknowledged that it would not be possible to appease everyone, but he thought an ordinance needed to be on the books. He noted the WCSO had no jurisdiction in downtown Reno. Sheriff Balaam reminded the Board that misdemeanors had to be committed in their presence or they could not be enforced. Chair Hartung asked whether the WCSO intended to police the entire river corridor. Sheriff Balaam said no, it had enough work with unincorporated Washoe County. The goal was to have consistency throughout the jurisdictions.

Chair Hartung said he wanted to see the ordinance language. Mr. Edwards noted the system established by Washoe County Code (WCC) allowed the Board to either initiate the amendment or not. He said if the Board chose to initiate the amendment it would go to the DA's Office for drafting, then the ordinance would go before the Board for a first reading. At that time the Board could approve the ordinance or make changes; the Board was not bound to adopt the ordinance. He stated the Board was not agendized to give direction to the WCSO at this time, the agenda for this meeting was for the Board to initiate the amendment or not initiate it. He noted there were two broad view questions: could and should. First the question of whether the Board could initiate the amendment and potentially adopt an ordinance like this. He said this type of question could be answered by the DA and the answer was yes although there were some limitations. The question of whether the amendment should be initiated was for the Board to decide.

Chair Hartung asked for confirmation that the Board's only role, other than being involved with the language of the ordinance along the way, would be to give the

WCSO direction to craft the language of the ordinance. He inquired whether the Board could give the DA direction to provide something prior to the first reading. Mr. Edwards replied if the Board initiated the amendment that would be the direction to the DA to draft the ordinance which would return to the Board as a first reading. He clarified the Board could initiate the amendment with limitations by outlining them in the motion.

Commissioner Lucey recognized there were challenges within the County and the Cities of Reno and Sparks with concern to addressing homelessness. He acknowledged the County had assumed responsibility for homeless services and the rehabilitation of individuals experiencing homelessness. He thought CHAB had done that smoothly. He agreed enforcement was needed to provide public peace and safety within the community. He observed individuals experiencing homelessness were not only located in the downtown areas; they were in the East Truckee River Canyon, along the watershed, in the parks, and throughout the entire region. He thought safety needed to be discussed, including illegal campfires and drug paraphernalia in parks and within County property. He said those issues did not necessarily need to be referred to the judiciary, which would cost the County money. He noted having judges making decisions about a person's lifestyle was not what he considered to be true enforcement. He believed the County needed a more cohesive understanding within the municipalities to address those needs from a standpoint of safety. He thought there was a purpose to initiating a draft discussion which could then be considered by the new Commissioners. He endorsed drafting smart policy utilizing subject matter experts and individuals with successful experiences across the County. He noted policies were not always perfect from the start and could necessitate discussions and amendments, as the Board experienced with the animal services code. He thought policy needed to be dynamic and adaptable to changes in the community. He wanted to ensure the Board was addressing the needs of the community as well as the needs of those experiencing homelessness. He thought there was a collective way of approaching this issue from a smart policy standpoint without criminalizing homelessness. He believed criminalizing homelessness was never the intent of the Board or the organization, the intent was to serve the public. He indicated he would support initiating the drafting of the amendment while being cognizant of the needs of both sides of the community.

Commissioner Jung thanked everyone who had a vested interest in this issue. She noted the Commissioners had the opportunity to work with the WCSO and the DA's staff before an item was agendaized to ensure any concerns were addressed prior to the first reading of an ordinance. She thought it behooved everyone for Sheriff Balaam and his executive team to meet with the affected parties, including activists, to address concerns. She noted the County jail had been overcrowded throughout her 15-year tenure. She said the jail served as a mental health treatment center, which it was not intended to do. She agreed police officers should not be required to deal with all these issues, but State funding would not allow the issue to be addressed in any other way. She commended Sheriff Balaam for his compassion and humanitarianism. She acknowledged all the comments made for this item, but she was not concerned about the ordinance because of the WCSO executive team and Sheriff Balaam's leadership. She believed the WCSO was compassionate and solution-oriented. She believed the WCSO had created an executive team that promoted not only law and order but humanity as well.

Chair Hartung reiterated he wanted to see the draft language and understand the execution and ramifications of the ordinance. He wanted to ensure all possible solutions were utilized prior to incarcerating anyone. He mentioned ensuring the WCSO had enough caseworkers who could document every solution explored for an individual. He preferred not to force anyone into something they did not want but the County had a responsibility to the community, public health, and the river. He noted the County paid Keep Truckee Meadows Beautiful (KTMB) to clean the river corridor of hazardous waste. At the first reading, he wanted staff to be able to say they had engaged with stakeholders to address suggestions and indicate how the code was changed to ensure everyone had a voice in crafting the ordinance. He asked Mr. Edwards whether enough direction was provided or whether the Commissioners needed to be more specific. Mr. Edwards thought enough direction had been provided for a draft which would then be provided to the WCSO. He said the DA could communicate with the Board during the process.

Chair Hartung asked for a time estimate for the draft. Mr. Edwards estimated 60 days. Chair Hartung was not interested in a time constraint that could result in the language not being right and the ordinance being denied or unheard. Mr. Edwards suggested a soft deadline of 90 days. Chair Hartung approved the deadline. He indicated the Board needed a motion to either initiate the amendment or not.

Vice Chair Hill indicated she was not prepared to move forward with this item. She did not have enough data about how many people had been arrested in the Cities of Reno and Sparks. She said too many legal, operational, and financial concerns were involved and she would vote no.

On motion by Commissioner Lucey, seconded by Chair Hartung, which motion duly carried on a 3-2 vote with Vice Chair Hill and Commissioner Herman voting no, it was ordered that the amendment be initiated, staff be directed to work with community stakeholders, and the DA's Office present a working draft to the Board of County Commissioners in approximately 90 days.

2:53 p.m. Commissioner Lucey and Assistant District Attorney Nathan Edwards left the meeting.

22-0925 **AGENDA ITEM 20** Introduce and conduct a first reading of an ordinance amending Washoe County Code Chapter 100 (Buildings and Construction) to reflect that a stand-alone Department of Building and Safety no longer exists and that its functions are part of the Planning and Building Division within the Community Services Department. Amendments to this chapter include updates to: the nomenclature and structure of the business unit and positions providing building and safety services to the Washoe County community; and all matters necessarily connected therewith and pertaining thereto. And, if introduced, set the public hearing for second reading and possible adoption of the ordinance for January 17, 2023. Community Services. (All Commission Districts.)

The Chair opened the public hearing by calling on anyone wishing to speak for or against adoption of said Ordinance. There being no response, the hearing was closed.

County Manager Eric Brown read the title for Bill No. 1887.

Chair Hartung asked whether a presentation was needed. The Commissioners replied no.

Bill No. 1887 was introduced by Vice Chair Hill, and legal notice for final action of adoption was directed.

22-0926 **AGENDA ITEM 21** Introduce and conduct a first reading of an ordinance amending Washoe County Code Chapter 110 (Development Code), Article 220 (Tahoe Area), Section 110.220.145 (Incline Village Commercial Regulatory Zone Special Area 1) to add single family dwellings, limited to air space condominiums, as an allowed use in Incline Village Commercial Regulatory Zone Special Area 1; and to amend Section 110.220.150 (Incline Village Commercial Regulatory Zone Special Policies) referring to land use to add Tahoe Area Plan Policy LU2-9 [Single family dwellings shall only be allowed in the Incline Village Commercial regulatory zone when they are part of a mixed-use development or when they are affordable housing units] as a special policy; and all matters necessarily connected therewith and pertaining thereto.

If supported, set the public hearing for second reading and possible adoption of the Ordinance for January 17, 2023. Community Services. (All Commission Districts.)

The Chair opened the public hearing.

County Manager Eric Brown read the title for Bill No. 1888.

Vice Chair Hill wondered whether the County had not allowed for single-family dwelling units in this planning district area because it was looking at preferred areas for affordable and employee housing.

2:57 p.m. **Assistant District Attorney Nathan Edwards returned to the meeting.**

Vice Chair Hill shared that on page 40 of the Tahoe Area Plan, there was a policy that said Crystal Bay (CB) Tourist, Incline Village (IV) Commercial, Ponderosa Ranch, and IV Residential Regulatory Zones were preferred areas for affordable, moderate, achievable, and employee housing. She inquired whether all the areas other than IV Commercial allowed for single-family housing. Senior Planner Courtney Weiche replied she would have to check. Vice Chair Hill expressed concern about moving forward with this item. She asked whether the County was penalizing one district by requiring it to have affordable housing or whether single-family housing was left out by accident. She believed the community would want to know the answer to that question. Ms. Weiche responded

she was not the planner who had worked on the original adoption of the Tahoe Area Plan. She observed that while working on this project, the Tahoe Regional Planning Agency (TRPA) and County staff were surprised to learn that single-family was not an allowed use in the town center area. She believed a comment stating something to that effect had been submitted by a previous TRPA planner.

Vice Chair Hill asked whether there was a reason the County did not say it would like to see this as an entitlement process that would require a special use permit (SUP) instead of allowing it by right. She wondered about the thought process of requiring an additional layer of an entitlement process when the County did those types of uses. She indicated the Board of County Commissioners (BCC) would be allowing it by right if it were to read the item into the record that day. She asked whether there was any reason to require an SUP. She said she heard pushback from constituents who wondered why it was being allowed by right because they thought the County wanted commercial and multi-family in that area.

Chair Hartung shared he had a conversation with Vice Chair Hill about amending the plan and thought an SUP might be the best way to go. He said once the plan was amended, it would open the door and become an allowed use. He observed this had been seen time and time again across the County. He provided an example, stating in Spanish Springs there were a lot of nonconforming parcels that were 10 or 20 acres that were zoned as general rural (GR), but the minimum for GR was 40 acres. He explained they could not be subdivided; the whole area plan would have to change which would change the rules for everyone else. He said he and Vice Chair Hill were asking why the County could not simplify this. When the County asked for an amendment to the area plan, he wondered if a modifier could be placed on it which stated the area plan could be amended but an SUP would still be required. Ms. Weiche responded yes, noting that in the basin under TRPA's jurisdiction, the subdivision of land was subject to the two-step subdivision process. The first entitlement in order to subdivide and create a condominium was to submit a multi-family project. Then there would be the ability to subdivide and condominiumize the multi-family project which was considered single-family. She informed that multi-family was currently allowed in Special Area 1 by the TRPA and Washoe County; however, the TRPA required a project permit and it would have to go through a design review process. She said the BCC could add that once someone had an approved multi-family project and wanted to subdivide the project to be single-family, the project could be subject to an SUP. She indicated this would be a change to the table that was proposed to be amended from "A" to "S." Right now, she said, it was "A" which stood for "allowed."

Vice Chair Hill asked if the BCC wanted to change the "A" to an "S," would it have to go back to the Planning Commission (PC) and the BCC would not be able to move forward with a first reading that day. Ms. Weiche thought that would be a substantial change from what was provided in the packet. She wanted to clarify that although single-family would be allowed, it would still require a tentative map. There was still a discretionary process to have single-family condominiums. She noted the amendment was regarding single-family condominiums, not detached single-family homes.

Vice Chair Hill asked for a reminder about the tentative map process. Ms. Weiche explained the tentative map would go through the typical application intake and review process. It would go out for agency comment and noticing would occur to surrounding property owners and in the newspaper. She said that action was heard and decided by the PC. Vice Chair Hill inquired if it would come back to the BCC if it was appealed. Chair Hartung responded if it was approved by the PC it would go through directly, if someone had standing and it was denied and appealed it would come to the BCC. Assistant District Attorney Nathan Edwards confirmed that was correct.

Vice Chair Hill asked if the County cared if something was multi-family or single-family. Ms. Weiche did not think she could speak to that, noting it was a change in an ownership pattern. Vice Chair Hill acknowledged it was a change in ownership. She believed it was not whether there would be additional traffic or some sort of a use the County needed to be concerned about, it was just whether it was owned or rented. Ms. Weiche said that was correct, noting it would be individual ownership versus a multi-family project where the individual units were rented. She observed that when looking at impacts such as density and traffic, it should look and act no differently than a multi-family project.

Vice Chair Hill requested Ms. Weiche find out if the other planning areas had single-family use by right.

Attorney Lou Feldman indicated he was appearing on behalf of the applicant. He said he was confident CB had single-family as an allowed use, but he could not respond with regard to the Ponderosa property. He informed there was a letter in the packets provided to the BCC from Andrew Strain, a former planner from the TRPA. In the letter, Mr. Strain reported the reason this particular community plan prohibited single-family was that the TRPA did not want to see lot and block subdivisions in this commercial core. Mr. Feldman stated the TRPA had not thought about condominiums which had identical impacts to multi-family residential. He shared that this particular project had gone through the TRPA review process and the environmental review and was unanimously approved by the TRPA governing board. He informed the impacts were identical whether it was a project that was for rent or sale. He said the applicant was asking for parity and hoped being an allowed use would be more appropriate than a special use. He reminded that the project was already approved, and its impacts were already determined. He believed discriminating between a multi-family allowed use and a form of ownership for condominiums only would be an unnecessary burden and a further tax on the developer and all the regulatory bodies that would have to go through a special use finding. He observed there was no intention of prohibiting condominiums when the 1996 community plan was adopted, there was an intention to prohibit lot and block subdivisions. He said the applicant would honor that commitment. He opined this particular zone received very little reinvestment and had been somewhat stagnant. He believed the community plan and the policy that was rolled into the area plan were not working. He urged the BCC to incentivize reinvestment and redevelopment in this particular area.

Vice Chair Hill said she remembered this coming before the TRPA board and being approved unanimously. She understood this was tied to a particular project within the district and said she was trying to think holistically for the whole district. She wanted to know if the County prohibited single-family by right in any other district. She thought the County had a lot of work to do on workforce and affordable housing. She expressed excitement for the BCC's strategic planning session in January. She thought the Board would want to tackle some incentives for developers to want to do those types of projects. She noted it was expensive to develop in IV and CB. She wanted staff to look at the area plan as a whole and evenly distribute multi-family and density.

Mr. Edwards reported there were 62 regulatory zones under that scheme, noting 36 of those were residential regulatory zones.

On the call for public comment, Ms. Lisa Fleisher shared she had owned a home in IV since 2013. She said she was a small business owner and opened a Pilates studio in June 2020 in Special Area 1. She expressed support for the amendment. She believed allowing condominiums in Special Area 1 would be advantageous to the community and small businesses, which would benefit from part-time and full-time residents. She stated research had shown all housing types were needed in IV. She believed the amendment would encourage further development of other types of housing throughout IV. She hoped the BCC would support the amendment.

Mr. Randall Fleisher distributed a document to the Board, a copy of which was placed on file with the Clerk. He said he was in support of the amendment. He indicated he was one of the co-developers of the project and was a resident of IV. He informed that over the last three years, the developers worked with the County, the TRPA, and the Incline Village General Improvement District (IVGID) to provide housing to IV. He believed the 947 Tahoe Boulevard project fulfilled the goals of the Tahoe Area Plan as amended and would provide 40 new units to the community. He referred to the document he provided, noting the benefits of the project included direct access to a walking and biking path, increased density and walkability in the core of IV, and investment and development in IV. He said the project would also reduce the daily trip count and upgrade stormwater management controls. He noted there were over 70 letters in support of the project. The developers had met with the community in multiple forums and received diverse and majority support. Although it was not relevant to the amendment, he wanted to address the issue of affordable and workforce housing. He said the developers were supportive of workforce housing in IV and understood that type of housing was needed in the community. He observed the developers owned a perfect amalgamation of land that would be conducive to workforce housing. They owned the land, retained Praxis Consulting Group, and had preliminary plans for the project. He believed the developers could deliver that project to the community with the support and partnership of the County, IVGID, and the TRPA. He felt the developers were one of the best hopes for IV to get the project done.

Mr. Royal Kuckhoff said he arrived in IV in 1970 and noted quite a few changes had occurred since then. He shared he was a local businessman there and owned

property. He expressed support for the 947 Tahoe Boulevard project. He mentioned pride of ownership versus transient rentals. He said the parcel had been sitting empty and unused. He indicated the project location was within a ten-minute walk of everything in the downtown core of IV, which he believed would help people support local businesses without having to drive. He reminded there was no difference in impact between rental versus ownership. He commented that no investment properties were allowed there, and no short-term rentals (STRs) per the homeowners association (HOA) rules. He thought the pride of primary and secondary homeownership was a good thing for the community and that the project would bring in much-needed revenue. He reported that from the research he had done, there was a huge amount of interest from existing IV owners to downsize or upsize. He hoped the Board would approve the item.

Ms. Tracy Owen Chapman read a letter of support from a community member who resided on the North Shore of Lake Tahoe and could not be at the meeting that day. She shared that his name was Roger Khan and he had been a highly respected leader within the community for decades. She provided the letter, which was placed on file with the Clerk.

Mr. George Lee stated he was not against the project because he did not live there. He believed there was a certain misconception portrayed by the PC that there was no difference between renting and owning. He said this lent itself to the idea of human nature. He stated the percentage of ownership versus rental changed the speed at which the character of a neighborhood went downhill. He opined more rentals meant less intent to take care of the neighborhood and fewer people who were concerned about it. He observed he did not see anything in the plan about moving towards more ownership and fewer rentals.

County Clerk Jan Galassini advised the Board she received 68 emailed public comments, which were placed on the record.

Ms. Weiche indicated staff was able to narrow down their research to the four preferred affordable housing areas. She reported the CB Tourist Regulatory Zone allowed single-family, the IV Commercial Regulatory Zone required an SUP for single-family and noted Special Area 1 was part of that zone, the Ponderosa Regulatory Zone allowed it only within a special area of residential zoning and it was limited to employee housing, and IV Residential required an SUP. She noted only a handful of regulatory zones required an SUP.

Vice Chair Hill wanted to confirm an SUP was required for IV Commercial and Ms. Weiche responded that was correct. She said generally speaking special areas were in addition to. In this case, the uses listed within Special Area 1 were specific in only what was allowed in that zone and it was almost its own mini regulatory zone. She observed Special Area 1 was within the broader commercial regulatory zone which required an SUP for single-family, but Special Area 1 did not allow single-family at all. She noted the proposal before the BCC was to add single-family but it did not add an SUP as a requirement. Mr. Edwards commented it was like a zone within a zone. Vice Chair Hill

said she understood but it made things harder.

Chair Hartung understood why there was a request but he would have been more comfortable if there had been an attachment of the SUP in the request. He wondered whether there was a possibility for the Board to require a development agreement (DA), which would be similar to an SUP, when the applicant came back with a tentative map. Mr. Edwards inquired about the purpose of the DA. Chair Hartung replied he was looking at a DA in place of an SUP, but once single-family was made an allowed use it would not require an SUP. Chair Hartung thought if an SUP was required it would have to go back to the PC. Mr. Edwards responded if the BCC wanted another layer of discretionary approval, it would have to go back through that process, otherwise, this would come back as a map for condos. Chair Hartung mentioned this was a very small area and he thought there was some solace in that. He understood Vice Chair Hill's angst.

Ms. Weiche wanted to make sure it was clear that any single-family or condominiumization of a multi-family project would require a tentative map. Chair Hartung asked if the tentative map had to go to the PC and Ms. Weiche responded yes. Chair Hartung wanted to confirm that if it was approved by the PC it did not have to come back to the BCC, but if it was denied or if someone who had standing appealed then it would have to come back to the BCC for adjudication. Ms. Weiche said that was correct, noting that would be similar to an SUP.

Chair Hartung reminded that it was just a first reading.

Vice Chair Hill asked for the bill number and Ms. Galassini responded it was Bill No. 1888.

Vice Chair Hill stated she would introduce it because it was difficult to develop multi-family in IV and CB. She said she had a hard time requiring an SUP because she did not know what that would do to incentivize multi-family versus just going through the entitlement process if a developer wanted single-family condos. She thought the Board had work to do on the Tahoe Area Plan amendments and workforce housing and affordable housing in the County. She expressed hope that the Board would support tackling those items moving forward. She did not know if that would help with the issue of redevelopment and give developers flexibility when they looked at projects in that area.

Bill No. 1888 was introduced by Vice Chair Hill, and legal notice for final action of adoption was directed.

22-0927 **AGENDA ITEM 22** Recommendation to conduct a performance evaluation of Washoe County Manager Eric Brown including a discussion of the results of the 2022 Performance Feedback Survey and adoption of priorities and expectations for the County Manager; and possible action to increase in base salary by a percentage or set amount (current base salary \$296,379), lump sum bonus, and discussion and possible action to approve an amendment to the County Manager's Employment Agreement to extend

the Agreement for an additional year to November 21, 2025 and to amend Section 2(c) to increase severance pay from six (6) months' pay to twelve (12) months' pay, and if approved, authorize the Chair to sign the amendment; and direct the Comptroller's Office and Human Resources to make all necessary adjustments. Human Resources. (All Commission Districts.)

Director of Human Resources Patricia Hurley conducted a PowerPoint presentation and reviewed slides with the following titles: Employment Agreement; Timeline; Survey Groups/Participants; Leadership, Integrity, Communication; Survey Results-Overall Performance; Possible Action.

Ms. Hurley reviewed the survey groups and participants and noted zero of the external stakeholders responded, even after multiple reminders to respond. A 75 percent response rate was achieved, which made the survey valid.

Ms. Hurley explained that while the participants in each of the four target groups were asked questions specific to their issues, every group was asked three particular questions related to leadership, integrity, and communication. She informed County Manager Eric Brown would speak about his accomplishments and goals, and she discussed the items the Board was to make a decision on. Chair Hartung said he received a number of communications from people asking about the severance pay, and he asked Ms. Hurley to explain it. Ms. Hurley referred to the documentation provided for the agenda item and said Manager Brown's contract stated if the Board severed his employment and it was not based on misconduct, Manager Brown could get a severance of up to six months. Chair Hartung clarified it would be termination without cause, and Ms. Hurley agreed. Manager Brown was asking for a severance of 12 months.

Chair Hartung stated it was important to have that clarification on the record because people were angry about that request. Ms. Hurley informed this was the new normal for city and county managers throughout the area. She noted Clark County Manager Kevin Schiller had asked for the same. Commissioner Herman did not understand why the severance pay would be extended. She explained that per the Nevada Revised Statutes (NRS), the Manager worked at the pleasure of the Board. Clark County, she reminded, had a larger population.

3:45 p.m. Commissioner Lucey returned.

Commissioner Herman believed it was a big issue and she had many questions about it. She requested the item be put off until the full Board was present. She then noticed Commissioner Lucey had returned. Chair Hartung reminded the Board was evaluating Manager Brown for the current year, and the new Board would evaluate for 2023.

Manager Brown conducted a PowerPoint presentation, a copy of which was placed on file with the Clerk, and reviewed slides with the following titles: 2022 Key Goals

(2 slides); Enhanced Commissioner Support Program (2 slides); Accomplishments (2 slides); Organizational Accomplishments; Strong Financial Management (2 slides); Community Reinvestment Funding; On-Going Regional Collaboration; Housing and Homeless Services; Serving Our Vulnerable Populations; Regional Dashboard; Awards (2 slides); The Year Ahead 2023; 2023 Key Goals (2 slides).

Manager Brown said that after three years he continued to love what he did, working with his team, and working with the Board. He noted he learned a lot from both of the exiting Commissioners and thanked them for their patience and the time spent acclimating him to local government service. He acknowledged the County Manager worked at the direction of the Board and that the accomplishments he would review were things the Board had directed staff to do from a strategy and policy standpoint. The accomplishments would not have been achieved if not for the guidance of the Board. He noted he had a great team, and the department heads were supportive of him. He thanked the department heads for their cooperation and opined the accomplishments could not have happened without their participation.

Manager Brown reminded that the previous year he shared a list of things he would try to accomplish in 2022. He would do that again this year but noted the list would be augmented after the strategic planning session in January to include priorities directed by the Board. The employee association agreements were successfully renewed, and the County was now operating under the first year of a two-year extension. The interlocal agreement with the Cities of Sparks and Reno was completed, and the County was now the lead agency in control of the shelters and homeless services. He thanked Community Reinvestment Manager Gabrielle Enfield and her team for the work done to identify community grant recipients. He reminded the Board directed that some American Rescue Plan Act (ARPA) money be allocated to community-based, non-profit organizations. Due to the Commission Support Team, issues of public commenters were generally addressed before those people left the building. He noted that did not happen three years ago. The Commission Support Team helped the County be more responsive to the needs of constituents who called Washoe 311 or reached out to the Board.

Manager Brown noted there were two things the County Manager's Office had to work on. The Government Affairs Liaison was repurposed into the Registrar of Voters (ROV) Office; however, a recommendation would be brought to the Board at the next meeting to fill that position in preparation for the legislative session. The development planning process continued to be an area that needed more work, and he assured his office would focus on that in the next year.

Each Commissioner's discretionary fund level was increased to allow for more flexibility in how the funds were spent. Manager Brown noted the County had put a lot of resources into revamping the Citizen Advisory Boards (CABs). He tried to visit each of the CABs on a regular basis to understand how the County could work more closely with them. He acknowledged there was work needed on the development calendar to make sure people were informed about projects coming to their communities. The Board would hear more about plans to improve that process in the next month. The online hub that was

launched allowed members of the community to view where the County was on any development project. Due to the large number of applications received for the Washoe County Leadership Academy (WCLA), the number of participants increased from 30 to 35. The WCLA was underway and included a diverse and talented group of individuals. He said the Board would hear more in the next six months about a group project the WCLA was working on. In addition to meeting with the CABs, the Commission Support Team was now meeting with homeowner associations (HOAs) and other community groups. He explained his team met each month to review the list of constituent inquiries.

Manager Brown said the County closed out the COVID-19 Incident Command, after two years, with the Cities of Sparks and Reno. He thanked Assistant County Manager Dave Solaro for the great job he did in serving as the Incident Commander, particularly in the later stages of the pandemic. The County was recognized for attending the Federal Emergency Management Agency (FEMA) training in May. He informed that citizens of Incline Village had until March of 2023 to apply for property tax refunds. The County continued to monitor the Short-Term Rental (STR) Ordinance to see how it could be improved or refined. Early next year, the Board would hear more about viable methods to consistently fund the Affordable Housing Trust Fund (AHTF). He opined Communications Director Nancy Leuenhagen and Media and Communications Program Manager Bethany Drysdale had done a fantastic job in making sure news was told accurately and with transparency. The transition of Wildcreek Golf Course to First Tee of Northern Nevada was an accomplishment near and dear to him. The transition would allow Wildcreek Golf Course to begin fundraising efforts to create an afterschool presence for youth in the community.

Manager Brown thanked the Pyramid Lake Paiute Tribe for assisting the County in the restoration of emergency medical services (EMS) and fire services to Gerlach for the first time in over a decade. He noted the funding and construction of broadband service to the Gerlach and Empire area was ahead of schedule. He anticipated supply chain and staffing issues, but the vendor was ahead of benchmarks. The project was a result of the collaboration with the State Office of Science, Innovation, and Technology (OSIT). The County was in the process of planning additional broadband service to unserved areas of Washoe County. When the County was awarded the \$91 million, the Board asked what could be done to prevent people from losing their homes. He believed the emergency rental assistance the County provided in 2022 was a good indication of how funding was used for that purpose.

The Washoe County Comprehensive Employee Support Program was approved by the Board prior to the primary election to deal with the unfair attacks against County employees. The program was put in place to allow for the attacks to be escalated through the Workplace Violence Committee. The Washoe County Fitness Center was available for employees to use at all hours of the day. He assured the facility was being used, as the County had to quickly learn how to maintain the equipment. He heard many positive comments from employees about the Calm application and noted it was a free benefit that some employees previously paid \$70 a year for. The grand opening for the employee lounge at the Ninth Street campus was held a couple of months ago. He thanked

Human Resources Manager Elizabeth Jourdin and the staff in the Facilities Department for their help in making it an amazing space. He reminded that Abigail Yacoben was appointed as the new Chief Financial Officer. He hoped the Sustainability Manager position would be filled in the next 30 days. The next internal leadership academy would begin in January. He opined that over the last three years, the County had been a great place to work, and it promoted people with tenure and technical skills. He believed the County had not always done its best at helping employees hone interpersonal and management skills.

The County continued to have strong financial management. Manager Brown informed the Board it would get a report on the independent financial audit and compliance in January. In fiscal year 2022, the County took in more money than it spent and was able to add to its fund balance. Additionally, less money was spent than was budgeted for. He was very proud of the financial ratings and notes the County received from Moody's and Standard & Poor's (S&P). As he had mentioned in previous meetings, the County was continuing to do things to be better at procuring State, federal, and philanthropic support. He noted the \$38 million in federal and State funding that was received by the County came through various departments. Slide 11 listed the grant awards. He mentioned the agencies listed in the box on the right-hand side of slide 12 were a high priority, and he would continue to invest time in the regional dispatch, EMS, and fire initiative.

Manager Brown informed that a presentation regarding housing and homeless services would be given by Housing and Homeless Services Director Dana Searcy at the end of January. He recalled that before the County took over as the lead on housing and homeless services, there were many complaints about the lack of staff and safety concerns. He noted those comments were not heard anymore because Ms. Searcy and her team had done a great job of obtaining the needed staff. He said the Safe Camp program was initiated as a pilot program due to doubts that it would work. He reported the program had worked and the concept was being built into the Cares Campus as a permanent feature for those who did not want to be in a building or shelter environment. The County now provided medical and behavioral healthcare for approximately 700 people from Our Place, the Cares Campus, and the Safe Camp. Staff learned they needed to have the right expertise to provide healthcare. To address that issue, he would make recommendations in the near future regarding the structure of the County organization. Within the last month, the County received \$20 million in State funding to build supportive, affordable housing on the Cares Campus. He noted the Cares Campus was currently under construction.

Manager Brown believed progress was underway in the implementation of regionalized dispatch, EMS, and fire services. He acknowledged the election process and the staffing models used by the ROV needed to be overhauled, and evaluations had started to determine what went wrong in the past. He informed the County was down to its last \$20 million of ARPA funding and decisions would be made in the coming year about the majority of that money. He would continue to take the Board's guidance on how to conclude that matter. The Envision 2040 Master Plan update would be discussed at the workshop in January.

Commissioner Lucey said one of the highlights of the past three years was working with Manager Brown. He said Manager Brown was at the forefront through some of the most difficult things the County had endured. The implementation of the programs the Board tasked staff to bring to fruition had occurred. He noted execution was never a strong suit for past managers, and the Board felt cautiously optimistic after giving instructions to staff. Manager Brown took the role of County Manager and found a way to make the County a county of “yes.” In beginning his tenure as Commissioner, he wanted to make sure the County was no longer a county of “no” and worked towards getting to “yes.” He believed Manager Brown had embodied that in everything he did, such as the WCLA, the Cares Campus, working with the judiciary system, and working with public safety and colleagues at the Cities of Sparks and Reno to address issues across the region. He said Manager Brown put time and effort into his job and had immersed himself in the community to become a figure of respect, commitment, and dedication.

Commissioner Lucey thanked Manager Brown for the accomplishments he achieved and for taking on initiatives. He said Manager Brown paid attention to the needs of the Board and its constituents with inclusivity of all. He believed Manager Brown brought forth an unwavering calm and ability to lead with grace and dignity. He could not be happier with Manager Brown and opined Manager Brown had emboldened the responsibility and accountability that came with the title of County Manager. He felt Manager Brown used the ARPA funds responsibly and invested them in ways that everyone would benefit from for years to come. He noted the State still had tranches of unused ARPA funds because it was unable to establish the process Manager Brown and his team had. What Manager Brown accomplished in a short period of time proved his ability to lead unwaveringly. He was thrilled to call Manager Brown a colleague and looked for great things from him in the years to come.

Commissioner Jung noted that everywhere she went someone told her Manager Brown had just been there. Her CAB members felt respected by Manager Brown attending their meetings. Manager Brown embraced relationships with the tribes and Burning Man. She felt a difference in the energy with the relationship-building Manager Brown had done. He treated everyone with dignity and respect, and he made them feel like they were important members of the community. Manager Brown invested in his employees and found a fit that enabled them to grow and blossom. She opined younger employees would demand gentler benefits, such as the Calm application. She was proud of Manager Brown for bringing the Calm application to County employees because it did not cost a lot of money but increased employee morale. She noted many programs, such as the Commission Support Team and the WCLA were the ideas of Commissioner Lucey who pushed to get those things accomplished. She thanked Commissioner Lucey and staff for making the Board’s ideas come to fruition.

Commissioner Jung stated Manager Brown made her proud because of the teams he developed. She loved that he did things differently and had come from the private sector and fit in seamlessly. She reminded that in past jobs Manager Brown worked with local government. She stated he was her favorite appointment she had made in 15 years. She believed Manager Brown transformed the community and made people feel welcome

to run for public office, including her replacement. She said the person replacing her was a minority. She believed representation mattered. She felt the County was lucky Manager Brown wanted to stay and hoped it would be easier for him now that the pandemic was over, labor negotiations were done for two years, and there were two more years until an election. She said it was a gift that the two new Commissioners did not have to deal with labor negotiations for another two years. She had never heard Manager Brown say something could not be done or complain about the cost of the Board's ideas. She said she would give Manager Brown whatever he wanted to keep him with the County because it was a competitive business and hard to recruit for. She implored the Board to ensure Manager Brown was protected at all times.

Vice Chair Hill thought the slide Manager Brown presented about the Cares Campus was a big highlight of his time with the County. When she became a Commissioner, that issue was something she wanted to tackle. She heard from the Cities of Sparks and Reno how it was great to work with Manager Brown because he could step up and be a regional leader. The Board and the constituents did not want the fighting that occurred in the past between agencies. She believed the region came together as a result of the pandemic. She heard a complaint that the Cities of Sparks and Reno were supposed to deal with housing, but the County took that on because the people living at the Cares Campus could not stay there forever. She noted that was a policy from the Board and leadership from Manager Brown to ensure people at the campus were taken care of. She dreamed that one day the Cares Campus would be turned into a regional park because it was no longer needed. She was excited about the grants Manager Brown and his team got from the State for permanent supportive housing. She expressed her enthusiasm for Manager Brown's dreams for the future involving restructuring to ensure community members did not have to live on the streets and homelessness did not have to be criminalized. She was hesitant to open Manager Brown's contract due to the new members who would join the Board in January. She wanted to hear from the rest of the Board regarding the proposed pay raise and bonus. She thanked Manager Brown for his work at the County.

Chair Hartung said Manager Brown had done a great job; however, he wanted to make sure the County could sustain the spending on its endeavors. He was fearful of where the economy was going. He recalled the County had to make substantive cuts when the economy fell in 2008. He acknowledged Manager Brown was aware of that, but he wanted to be vigilant in case the economy turned down. He said Manager Brown's accomplishments spoke for themselves. He was hopeful the Board could address some of the issues brought up that day regarding the growing population of homeless, and he wanted to ensure the County was moving more people out of the shelters than were coming in. He said there were suggestions that the County look at other communities but was concerned because every community was unique. He looked forward to Manager Brown's guidance on the issue.

On the call for public comment, Ms. Darla Lee congratulated Manager Brown on his accomplishments and said she was sure he and his staff did their jobs as diligently as possible. She did not understand why he was asking for the severance to be

increased from 6 months to 12 months. She did not think that was appropriate. Considering how much inflation was rising, she thought it was unwise to agree to the increase in severance. She relayed that senior citizens were getting 8 percent when the percentage of inflation was in the teens. She believed Manager Brown had a very substantial salary already, and she thought six months of severance was appropriate.

County Clerk Jan Galassini advised the Board she received two emailed public comments, which she placed on the record.

Commissioner Lucey thought there was a willingness to compensate Manager Brown for his successes. He believed a 5 to 10 percent increase in salary based upon his successes was just. In the current economy, that would bring him to a parity scale. Manager Brown made about the same as Clark County Manager Schiller, who was brand new to that organization. With Manager Brown's guidance, the County hit a billion-dollar budget. He opined the increase was commensurate with Manager Brown's three years of service. He did not support any contractual changes and thought that should be at the discretion of the next Board.

Chair Hartung asked Assistant District Attorney Nathan Edwards how the Board should approach the matter. Mr. Edwards said Chair Hartung could poll on each item and see what items the Board had a consensus on. After this was discovered, someone could make a motion.

Vice Chair Hill believed there was a consensus that the contract stood as is until the new Board evaluated it. She said it was a question of the percentage of base salary Manager Brown should receive. She reminded Commissioner Lucey suggested 5 to 10 percent.

Commissioner Lucey made a motion for a 10 percent increase to Manager Brown's salary. He recalled Commissioner Jung's comments about retention and said retention was everything. He reminded the County had a billion-dollar budget, Manager Brown oversaw 25 departments, the County was the fourth largest employer in the area, and Manager Brown continued to have accomplishments. He added to his motion that there be no adjustments to Manager Brown's agreement at that time, to allow the next Board to make those changes. Commissioner Jung seconded the motion.

Under discussion, Vice Chair Hill stated she agreed with the feedback survey and the priorities and expectations for the next year. She asked to amend the motion to add anything discussed and adopted at the strategic planning session in January be included in the priorities. Commissioner Lucey agreed and said the new priorities should be created with the new Board. Commissioner Jung, as seconder, agreed.

Ms. Hurley clarified the Board was giving Manager Brown a 10 percent salary adjustment and asked if there would be a discussion regarding a lump sum bonus. Commissioner Lucey indicated he was only proposing the 10 percent salary adjustment because merit increases were a challenge to do at the time. Chair Hartung noted 10 percent

was a little strong; however, he acknowledged the majority wanted the 10 percent.

On motion by Commissioner Lucey, seconded by Commissioner Jung, which motion duly carried on a 5-0 vote, it was ordered that Manager Brown receive a 10 percent salary increase, that anything discussed and adopted at the strategic planning session in January be included in the priorities, and that there be no adjustments to his agreement at that time.

22-0928 **AGENDA ITEM 23** Recommendation to accept the County Manager's recommendation and appoint Interim Washoe County Registrar of Voters, Jamie Rodriguez to the permanent position of Registrar of Voters, effective December 13, 2022, with an annual salary of \$129,272.00 in accordance with Nevada Revised Statute 244.164. Manager's Office. (All Commission Districts.)

County Manager Eric Brown spoke about the Registrar of Voters (ROV) situation, noting significant improvements in the process, organization, reliability, and accuracy were needed. He mentioned there were issues in the primary and general elections that were apparent to all. He pointed out there were issues even prior to 2022 and possibly beyond his tenure. He believed the fixes that were required would be administrative in terms of what his office did, and infrastructural in terms of the technology used, how the voter rolls were managed, and how the voting process was handled. He informed much of that going forward would be done in partnership with the State of Nevada, noting the Board of County Commissioners (BCC) had already received presentations from Deputy Secretary of State (SOS) for Elections Mark Wlaschin. He hoped Mr. Wlaschin would continue in that role. He reported the State already had a top-down initiative underway and said the BCC would hear more about that in the first quarter.

Manager Brown observed the scope of the ROV job had changed dramatically in the two years since he had been with the County. He remarked the State historically had less than 8 percent of its electorate cast votes by mail, but that number was 62 percent in the most recent election. He said the County learned that its systems were not structured to handle all that. He shared he did not like having to report the news on the issues that took place. He reminded that the ROV Office historically had about six full-time employees, and five of them had been lost since 2020. He asserted when that kind of expertise and in-house knowledge was lost, there would be bumps in the road. He believed the County needed to start rebuilding that department, but it needed to do so with a full view of a different set of expertise. He opined he had never seen a profession where experience as a clerk, ROV, or someone who conducted elections was probably less relevant today because everything had changed. He commented people who left the organization struggled because it was unlike previous years.

Manager Brown conducted a PowerPoint presentation and reviewed slides with the following titles: Registrar of Voters Recommendation; Position Description; Qualifications (3 slides); Selection Process; Standard Selection Process; Recommendation; Thank You.

Manager Brown pointed out there was a list of qualifications for the ROV position, noting it was probably a little different and a little broader than what some people thought. He reminded the job had changed and thought it could change slightly over the next 12 months. A lot of the qualifications were around planning, organizing, project management, and evaluation of operations. He indicated the ROV had to have relationships with the State and an understanding of election law at the State and federal levels. He mentioned the ROV also had to constantly evaluate administrative operations at multiple locations, not just at Ninth Street, noting there were 66 polling locations for the most recent election. There was a lot of reporting that took place and presentations to the media and the public. He observed there was a significant amount of capital and operating budgets that had to be developed, which was an area he felt needed strengthening.

Regarding the supervision of personnel, Manager Brown shared it was a cyclical staffing model. He thought that might change over time, noting there would be a presidential primary in January 2024 and the SOS Office had informed the County that filings for the primary would begin in October 2023. He asserted the skillsets for the ROV would be more about coordinating with the State and other department heads. He opined it would be a very different environment than what the County had seen before.

Manager Brown spoke about the selection process. He said the County used a process for key leadership positions in the Office of the County Manager (OCM) that he believed had not failed the County yet. The process started with a focus on the position description that was developed by Human Resources (HR). Manager Brown shared he then reviewed the description to ensure it accurately reflected the landscape the County needed the person to address. Once this process was complete, the position was posted, and people were invited to apply. HR received and evaluated 20 applications and recommended four applicants to Manager Brown for interviews. He noted although he received four recommendations, he reviewed all 20 resumes and applications. After review, he agreed with the four applicants his team recommended.

Once the County learned Deanna Spikula was going to resign as the ROV, Manager Brown said the County reached out to recruiters in the election space to try and retain a consultant for help. He informed no one was able to bring a candidate or was even willing to engage with the County to do the search. He shared that an independent interview panel was formed to conduct the first interviews, and he did not sit on that panel. The panel made a unanimous recommendation. He then interviewed both candidates to ensure the recommendation made sense and he agreed with the panel. He recommended the Board appoint Jamie Rodriguez as the new Washoe County Registrar of Voters.

Chair Hartung stated this was a unique environment. He said it reminded him of trying to find health officers during the pandemic, noting that was impossible. He asserted this was happening nationwide and he commended people who wanted to step up.

Vice Chair Hill thought Ms. Rodriguez was a star. She pointed out Ms. Rodriguez had been working in the community her whole life. When Ms. Rodriguez worked for U.S. Senator Harry Reid, she fought with banks to help people keep their

homes. Vice Chair Hill said she was blown away by Ms. Rodriguez's grace, confidence, and certainty when speaking. She thought the Board needed to give Ms. Rodriguez and her whole team some support. She wanted to see budget allocations as appropriate for the next fiscal year and restructuring if needed. She believed the ROV Office and the last election needed to be audited. She wanted to confirm that two of the original staff from the previous election were in the office and Manager Brown said that was correct. She said the BCC needed to build up the ROV's team and get the needed expertise and support to make things better. She indicated there were some structural errors and issues within systems the County could not control. She believed there should be a document the Board could point to that explained what the County could and could not control. She enthusiastically supported the appointment of Jamie Rodriguez and wanted to see how the Board could make the County, the ROV Office, and future elections better.

Commissioner Lucey acknowledged the challenges the ROV Office had, and remarked constituents liked to point blame on the ROV, the County, the staff, or the elections. He asserted it was not the ROV, pointing to the position description which indicated it was the job of the ROV to be the operator and facilitator of a fair and open election. He commented the Legislature, the State, and how elections were conducted in Nevada were changing. He observed that how elections were conducted was a decision made by the Legislature that the Board had no bearing on. The County had to coordinate with the Legislature and run the election based on the Legislature's rules and regulations. He spoke about Ms. Rodriguez's years of expertise at the local level and with the Legislature, State, and federal government. He opined she knew the law inside and out. He reminded there were only 20 applicants and two qualified candidates for the ROV position. He asserted the ROV had to have the ability to talk to legislators. In between elections, the ROV spoke with legislators about creating election laws. The ROV worked with the SOS to find roads forward for success. He believed Ms. Rodriguez was an individual who could use deductive reasoning and execute the guidance of the Board and Manager Brown to ensure the County had fair and functional elections that were conducted in a timely manner. He observed Nevada was at the forefront of every election, and he believed it was because of the State's election laws, not because of the ROV. He expressed support for the appointment of Jamie Rodriguez as the ROV.

Commissioner Jung said Ms. Rodriguez represented one of Manager Brown's staff cultivations. She shared that her constituents, including former elected officials, had told her how good Ms. Rodriguez sounded in the Reno-Gazette Journal (RGJ) answering factual questions. She mentioned her constituents thought it was brave of Ms. Rodriguez to take on the ROV role. She strongly recommended the District Attorney (DA) and the Sheriff start protecting elected officials and staff and said she had ideas for that. She did not think public servants were protected as they should be. She asserted nobody deserved abuse for standing up and doing what was right for the community. She expressed pride for Ms. Rodriguez and pride for Manager Brown recognizing Ms. Rodriguez could step into that role. She commented she never saw Ms. Rodriguez sweat or cry about the negative comments. She said she would always be there to help Ms. Rodriguez.

Chair Hartung wanted to clarify he heard Manager Brown say the County would do a frame-off restoration and Manager Brown confirmed that was correct. Chair Hartung said he looked forward to that and did not think it was a matter of looking at all the mistakes that were made because there would always be errors. He opined the key was to rebound from those errors and he thought the County had done that. He looked forward to receiving reports that explained what was done right and how to correct things the County could have done better. He stated he did not want to skimp on the ROV budget. He felt the Board needed to make sure staff had the budget needed to accomplish things under the existing laws. He pointed out it did not matter if the BCC liked or agreed with those laws, they were the laws the County had to abide by.

On the call for public comment, Mr. Doug Goodman was called but did not want to speak.

Ms. Jennifer Willett shared she was the Nevada Grassroots Manager for All Voting is Local and was a Washoe County resident. She expressed support for the appointment of Jamie Rodriguez. She said Ms. Rodriguez was a dedicated public servant with the experience to continue leading the Washoe County election department. She asserted Nevadans believed the freedom to vote must belong to all. She remarked the State had increased voter participation by making voting more accessible through increased voting options and by expanding access to voter registration. She thought Ms. Rodriguez, staff, and election workers successfully implemented State laws in the 2022 mid-term election. She informed Washoe County saw almost 200,000 people vote, noting almost one-quarter of voters voted early and half of the voters voted by mail. All the votes were counted ahead of certification deadlines. She believed Ms. Rodriguez and staff worked to increase the transparency of the election process. She said she witnessed the processes firsthand as a poll monitor and she watched the vote counts. She felt the election workers were well-trained and worked diligently to ensure all eligible voters could vote, and that all votes were counted. She thought the processes were smooth due to Ms. Rodriguez's leadership. She highlighted that Ms. Rodriguez came in as the Interim ROV part of the way through the election season, noting she thought that was commendable. She stated many election officials and staff across the State and the Country were threatened and harassed. One-third of the State's election workers left their positions. She believed election officials should be celebrated. She urged the Board to appoint Jamie Rodriguez as the permanent Washoe County ROV.

Mr. Kenji Otto congratulated Manager Brown. He referred to Nevada Revised Statutes (NRS) 244.125 subparagraph 2 regarding the County Manager, and Washoe County Code (WCC) 5.451 subparagraph 2 regarding the ROV. He asserted the ROV served at the pleasure of the BCC, not the County Manager. He did not recall any BCC meeting that changed that. He said he admired Manager Brown but, in this case, he believed Manager Brown and the Commissioners were wrong. He opined the Board was not following existing laws, stating the ROV should report to the Board, not the County Manager. He believed this whole process was a violation of State and County law. He asserted it was not Manager Brown's job to run the ROV. He did not believe Ms. Rodriguez was competent enough. He remarked the ROV was originally a County Clerk position, but

then legislators moved it and gave the authority to the BCC. He claimed the Board was making a mistake and breaking the law. He said he knew the laws and had studied them thoroughly. He wondered why the Board was going through with this now instead of waiting for the two newly elected Commissioners to be in office.

Ms. Darla Lee said she worked as an intake specialist for the primary and general elections. She thought the team she worked with did a sufficient job, especially under the circumstances such as being short-staffed. She opined if something went wrong it fell on the shoulders of the acting ROV. She believed while Ms. Rodriguez was the acting ROV there were multiple ballot printings which was an error that should not have happened if someone was competent in that position. She did not think the public was fully informed of the errors and the costs of printing. She acknowledged she did not read the local paper and may have missed some of this. She thought chain of custody issues were raised and ignored. She wondered why paper ballots were not tabulated for two days after the election. Regarding transparency of the process, she wanted to know why the lights were turned off when the ballots were being counted. She stated Ms. Rodriguez had the opportunity to prove herself worthy of the position during the last election, and she thought Ms. Rodriguez failed. She understood there were at least 20 candidates who applied for the ROV position, and she knew of at least one candidate who had 20 years of experience with the ROV.

Ms. Marilyn Kramer expressed support for the appointment of Jamie Rodriguez. She shared she worked with Ms. Rodriguez during the primary and general elections. She asserted both elections were difficult. She thought Ms. Rodriguez was a consummate professional and a walking billboard for the values the County encompassed including integrity, communication, and public service. She believed Ms. Rodriguez made sure everyone eligible to vote got the opportunity to vote. She claimed Ms. Rodriguez worked three weeks without a break, working 14 to 18 hours per day to ensure the election was fair, transparent, and aboveboard. She opined the landscape of elections was changing and would continue to change every single election no matter the State, County, or municipality. She said that was the new reality of elections. She felt Ms. Rodriguez led the department through the primary and general elections with honor and grace.

County Clerk Jan Galassini advised the Board she received 20 emailed public comments, which she placed on the record.

On motion by Commissioner Lucey, seconded by Vice Chair Hill, which motion duly carried on a 4-1 vote with Commissioner Herman voting no, it was ordered that Agenda Item 23 be accepted.

22-0929 **AGENDA ITEM 24** Public Hearing, second reading and adoption of an ordinance amending the Washoe County Code at Chapter 5 (Administration and Personnel) by repealing sections 5.025 through 5.343 commonly known as the Merit Personnel Ordinance and adding two new sections 5.345 and 5.347. Section 5.345 establishes the department of human resources and its duties and authorizes the promulgation of regulations for the administration of the merit personnel system. Section 5.347 provides protections for

Washoe County officers and employees against reprisal and retaliation for disclosure of improper governmental action as required by NRS 281.635. Human Resources. (All Commission Districts.)

County Clerk Jan Galassini read the title for Ordinance No. 1695, Bill No. 1886.

Chief Deputy District Attorney Mary Kandaras explained the Ordinance was a culmination of a long process in which Human Resources (HR) put the Merit Personnel Ordinance and all of the amendments into a handbook. She said the Board would see the handbook approximately every four years and it would allow HR to be very nimble with recruitment. She noted the collective bargaining agreements would take precedence over the Merit Personnel Ordinance.

Ms. Kandaras stated she would miss working with Commissioner Jung and Commissioner Lucey. She noted the issues discussed during the meeting had been very interesting and she thanked the Commissioners for their attention during the meeting.

There was no response to the call for public comment

On motion by Vice Chair Hill, seconded by Commissioner Jung, which motion duly carried on a 5-0 vote, it was ordered that Ordinance No. 1695, Bill No. 1886, be adopted, approved, and published in accordance with NRS 244.100.

22-0930 **AGENDA ITEM 25** Public Comment.

Mr. Kenji Otto understood there might be a possible swearing-in prior to January 1, which he stated would be in violation of Nevada Revised Statutes (NRS) 244.030. He read the NRS statute and said he hoped the swearing-in would not take place. He believed the County Manager had shifted the responsibility to the County Clerk. He reiterated that he hoped the swearing-in would not happen prior to the date designated by State law.

22-0931 **AGENDA ITEM 26** Announcements/Reports.

Vice Chair Hill asked to see the process for all positions appointed by the Board of County Commissioners (BCC). She wanted confirmation the BCC continued to oversee those positions to ensure efficiency and accountability. She wanted the Board to review the Short-Term Rental (STR) Ordinance again, possibly during the first quarter of the year. She considered reviewing the Ordinance in conjunction with other STR ordinances around Lake Tahoe. She said most of the STR ordinances around the lake had been put on a moratorium or they had caps, so she wanted to see if that was something to consider as well as possible best practices. She indicated she received some complaints regarding STRs, so she wanted to see if corrective action was needed.

Commissioner Lucey thanked staff, constituents, and the Commissioners for the very functional BCC meeting. He noted many significant issues had been addressed with grace and dignity. He expressed pride about this being one of his last meetings. He wished everyone luck in the future. He congratulated Vice Chair Hill for the Waldorf Astoria Lake Tahoe development which was recently announced.

Chair Hartung noted the BCC would meet again on December 20 during which swearing-in for offices would occur but not for County Commissioners. He said the new Commissioners would be sworn in on January 3, 2023.

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5:17 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:
Carolina Stickley, Evonne Strickland, and Lauren Morris, Deputy County Clerks*