

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

TUESDAY

10:00 A.M.

FEBRUARY 14, 2023

PRESENT:

Vaughn Hartung, Chair

Alexis Hill, Vice Chair

Michael Clark, Commissioner

Mariluz Garcia, Commissioner

Jeanne Herman, Commissioner, via Zoom

Janis Galassini, County Clerk

Eric Brown, County Manager

Nathan Edwards, Assistant District Attorney

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

23-0066 AGENDA ITEM 3 Public Comment.

Ms. Elise Weatherly mentioned that she wanted to give the members of the Board an assignment, and asked them to listen to the song "M.T.A." by The Kingston Trio. She declared she would rewrite the song for Charles Mark Neumann. Ms. Weatherly spoke about money, responsibilities, help, and support. She expressed a desire for Vice Chair Alexis Hill to be the leader of the Board. She mentioned she had operated various types of heavy machinery in the past. Ms. Weatherly informed that she had been diagnosed with a terminal brain tumor in 2015 and was prescribed unnecessary chemotherapy and outlined the effects the medication had on her. She indicated that in the following week, she would sing to the Board and provide a history of her background. She asserted that she does not lie.

Mr. Mark Neumann shared he was a resident of Washoe County and served on both the Sun Valley Citizen Advisory Board (CAB) and the Senior Services Advisory Board. He stated he had attended many different CABs throughout Washoe County and had seen County Manager Eric Brown and quite a few of the Board members at the meetings as well. He thanked the Board members for their attendance at advisory board meetings and opined that the people enjoyed seeing them. He mentioned that prior to the 5 Ridges community being built on Highland Ranch Boulevard, there was heavy flooding on Pyramid Highway. He observed the City of Sparks initiated an extra tax on the citizens of Sun Valley for flood control. Mr. Neumann declared that after the December floods, the dam that was built for 5 Ridges had worked well. He and the residents of Sun Valley wondered if the tax could be removed to save on costs. He informed that May was Older

Americans Month and said there would be many different events across the County and at the Senior Center. He stated he would like one or two Commissioners to be present for each event and noted the Commissioners could contact Senior Services Administrative Secretary Supervisor Ryan Crane about the event calendar. Mr. Neumann announced he had applied for the Regional Parks and Open Space Commission position and hoped the Board members would think of him when they reviewed the applications.

Ms. Robin Douglas read from a letter that was provided to the Board and placed on file with the Clerk. The letter regarded her personal experience with the opioid crisis and the need for intensive addiction rehabilitation in the County.

Ms. Sara Allen stated she was a licensed alcohol and drug counselor in the City of Reno and affirmed the comments made by Ms. Douglas. She declared Reno was facing multiple issues including a shortage of treatment facilities in the area. Ms. Allen asserted it was too late to contain the opioid problem and it would increase. She informed that the number of relapses and overdoses had increased since the COVID-19 (C19) pandemic and many people were struggling with mental illness to a degree that had never been seen before. She proclaimed she would be proposing a new treatment model because the old model was outdated and did not work. She voiced that there were people who needed to be in inpatient treatment but there were not enough beds. Ms. Allen said the model she was working on was not yet complete. She stated there was a need for more community education. She informed that during C19, there was a shutdown of psychiatric drug manufacturing and mentioned there was an increase in people requesting new psychiatric drugs during C19 in order to cope. Ms. Allen expressed concern that the problem would be worse in the coming months and would start affecting people that it had not affected before. She claimed that as drug use in the community increased, so would grief and disconnection. She alleged that crime would also increase, which was a concern for everyone. Ms. Allen divulged that she taught a model of empowerment and highlighted several of its adages.

Ms. Maureen Collins indicated she was confused and wanted clarification about Agenda Item 24, and read from the February 9, 2023, Staff Report. She asked what was happening with Washoe County Code (WCC) Chapter 110. She reminded the Board that on December 6, the Planning Commission (PC) denied code amendments to Chapter 110, the Development Code, that would have allowed for cannabis lounges in unincorporated Washoe County. She recounted that the Board of County Commissioners (BCC) appealed the decision and placed the item on the January 17 BCC meeting agenda. A vote was held to uphold the PC's denial. She mentioned she reviewed the draft of Attachment A1 for Item 24 of that day's agenda and read from the attachment. She restated that during its January 17 meeting, the BCC voted 3-2 to uphold the PC's denial. Ms. Collins inquired about item F stating a lot of people were confused and transparency was needed so they could understand what was going on.

Mr. Thomas Tizzano shared he was a resident of Washoe Valley and mentioned he was present to speak about the licensing application for a cannabis lounge and believed it was pulled from the agenda. He stated he still wanted to speak about the

licensing and also wanted to address the smell of SoL Cannabis when marijuana harvesting occurred. He opined the smell was horrendous. He informed that several residents had spoken to the owner of SoL, Mr. Ed Alexander, who indicated he had a filtration system. Mr. Tizzano alleged that the system was ineffective. He informed that complaints had been made to the air quality board of Washoe County, but the complaints were ignored. He urged the air quality board to send someone out to the dispensary when a complaint was made. He asserted that the residents were tired of the quality of life in the area due to the smell of SoL's operation. Mr. Tizzano observed Mr. Alexander wanted to open a lounge to allow people to smoke cannabis. He indicated the only way for individuals to get to the dispensary in Washoe Valley was to drive there. He recounted that one of the members of the PC stated there were already impaired drivers on the road. He inquired if that meant the policy was to put more impaired drivers on the road. Mr. Tizzano informed that constituents were concerned for their safety and asked the Commissioners not to allow SoL to open a cannabis lounge.

Mr. Nicholas St. Jon spoke about the metal detector at the entrance to the Chambers. He mentioned that after the last meeting, a member of County staff submitted a public records request asking for the law that gave the Commission the right to screen and search constituents before they entered the Chambers. He read an emailed response he received from Security Administrator Ben West which outlined that there were no written or electronic public records related to the decision to implement screening for the BCC meetings. Mr. West's response indicated the BCC had the authority to control and manage County property under the Nevada Revised Statutes (NRS) 244.270 and the County Manager's powers and duties under Chapter 5 of the WCC included overseeing the security of County facilities. The decision to screen all attendees of the BCC meetings was made under that authority. Mr. St. Jon then read from Article 1, Section 18 of the Nevada Constitution regarding unreasonable seizure and search. He read from NRS 244.270 which outlined the BCC's jurisdiction to control and manage the property belonging to the County. He then read from WCC 5.0215 which explained the County Manager's powers and duties. He declared that no county commission, state statute, or city ordinance could override the U.S. Constitution. Mr. St. Jon requested that the Commission agendaize a discussion and possible action to remove the metal detector for the next BCC meeting. He opined the metal detectors were unconstitutional. He alleged that the County did not have the authority to illegally search people due to provisions in the Constitution.

Ms. Donna Clontz provided a document that was distributed to the Board and placed on file with the Clerk. She informed she had been an advisor on the Senior Services Advisory Board as well as a lead volunteer for Age-Friendly Communities. Ms. Clontz displayed a Senior Resources Fair flyer and mentioned there were over 130 people in attendance at the previous fair. She highlighted the providers in attendance which included: Washoe County Legal Services, social services, public health, medical support providers, and the Food Bank of Northern Nevada (FBNN). She shared that she rode with the Regional Transportation Commission's (RTC) FlexRIDE to a local food pantry with other seniors so they could learn about it. She opined that was very helpful. She informed that the next two resource fairs would be held on March 13 and April 10 and noted the fair in March would be held at the South Valleys Library. Ms. Clontz thanked those who had

attended the CAB meetings. She stated there were a few individuals from the Senior Services Advisory Board who were committed to attending the CAB meetings to speak about seniors and senior programs and to provide materials. She professed that she had been a part of the age-friendly group since it was formed in 2018 and informed there were now age-friendly groups in Washoe County and the City of Sparks. She asserted there were members from the age-friendly group and the Washoe County Senior Coalition who would like to sit down with the Board members one-on-one for short meetings. She said she submitted a request for those meetings after the election when the members of the Board had assumed their seats. She stated she had not heard back from anyone yet and asked for 15 to 20 minutes to speak about the Commissioners' views on seniors in their districts and to allow the groups to discuss the things they were working on. Ms. Clontz noted that the Senior Games were finishing up at the City of Reno. She shared she had participated in the games and showed the Board the medal she earned. She spoke about the American Rescue Plan Act (ARPA) fund money, noting she was busy getting input from seniors about ways to be advocates. She informed that the senior advisory boards for the Cities of Reno and Sparks would be discussing ARPA funds soon.

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

23-0067 **AGENDA ITEM 4** Announcements/Reports.

County Manager Eric Brown informed that February was Black History Month. It was first recognized in 1976 by the order of President Gerald Ford as a chance to acknowledge the contributions of African Americans in many fields of endeavor in the U.S. throughout the years. He spoke about a media release that was published by the County the prior week regarding cannabis lounges and noted the lounges were not on the agenda that day for reconsideration. He stated that while reconsideration was not being pursued at that time, the Board could decide to bring the item back in a different format at a later date. He observed there would be some upcoming board and commission openings. He indicated that going forward he would announce these openings during Board of County Commissioners' (BCC) meetings to generate more interest in the positions. He listed the upcoming openings which included: the Building Enterprise Fund Advisory Committee, the Senior Services Advisory Board, the Library Board of Trustees, and the post-employment benefits trustee board. He informed that all board openings could be found on the Washoe County website.

Chair Hartung asked staff to reach out to Ms. Sara Allen regarding the plan she mentioned during public comment. He relayed that the Commission was currently participating in discussions about how to spend some of the opioid settlement money and stated he had been very vocal about wanting to spend the money on treatment. He hoped the County's regional partners, who were also part of the settlement, would agree that treatment was important. He mentioned the County was trying to restore a local treatment facility. He reiterated he would like to hear Ms. Allen's comments and hoped staff would reach out to her. He declared that cannabis lounges were never on that day's agenda; therefore, there was nothing to pull. He responded to the public comment from Mr. Mark

Neumann regarding the flood control fee from the City of Sparks. He did not think the Board had any control over the fee, but he thought staff could reach out to Mr. Neumann to have that conversation. Chair Hartung remarked that Mr. Nicholas St. Jon had spoken to the Board about the metal detectors on a number of occasions. He indicated he would be happy to have a conversation about metal detectors and why they were located in various places. He wished a happy Valentine's Day to his wife, Sandra.

Vice Chair Hill stated that the opioid settlement support would be on an upcoming agenda. She thanked the public commenters for bringing this matter to the Board and declared it was something the Board cared deeply about. She observed that behavioral health had been in the realm of the State, but the County wanted to take a more aggressive approach. Vice Chair Hill informed that she, Commissioner Clark, Commissioner Garcia, and Commissioner Herman attended the National Association of Counties (NACo) conference in Washington, D.C., over the weekend. She affirmed they had been advocating for Washoe County as well as connecting with other commissioners. She commented that NACo was a way for commissioners to learn from other regions, noting that counties of all sizes shared the same issues. She expressed gratitude for the opportunity to attend the conference. She divulged that the attendees learned about federal grant opportunities during the conference that she was able to bring back to the Board.

Commissioner Garcia declared that the NACo Legislative Conference was a tremendous learning opportunity, especially for a new commissioner. She informed she attended sessions related to human services and health policy and noted opioid addiction came up frequently over the course of the conference. She asserted the crisis was affecting communities throughout the nation regardless of things such as socioeconomic status, race, ethnicity, and age. She expressed appreciation to the public commenters who mentioned the opioid crisis and stated the discussion was very timely with what she learned over the weekend. She spoke about the vast funding opportunities through the American Rescue Plan Act (ARPA), the Bipartisan Infrastructure Law, and the Inflation Reduction Act that would be available to counties through grants and other opportunities. She remarked that one of the most rewarding parts of the conference was the ability to see County staff in action. She commended Grants and Community Program Analyst Carissa Bradley on her strength and confidence when she addressed congressional delegates.

Commissioner Clark spoke about the opportunity to go to Washington, D.C., and visit the nation's capital. He acknowledged the several hundred years the government had been in place there. He believed all politics were local and noted that the things the members of the Board could learn from Washington, D.C., and bring back to their local constituents was what made the trip important to him.

Commissioner Herman informed she was still in Washington, D.C., and noted people were waiting for President Joe Biden to appear at the NACo conference. She remarked that the conference went well.

Chair Hartung opined it was always a learning experience to go to Washington, D.C., and shared he had not been since the COVID-19 (C19) pandemic. He stated it was worthwhile and that it was good to talk to the federal delegates to let them know what was happening in Washoe County and how the delegates could provide assistance. He looked forward to seeing the outcome of the NACo conference.

Manager Brown shared that the prior week the County received notice that Assistant Registrar of Voters Heather Carmen would be leaving her position after serving 22 years with Washoe County. He disclosed that Ms. Carmen accepted a position with the Nevada Secretary of State's (SOS) Office, which he believed would be a benefit to Washoe and other counties. Manager Brown acknowledged Ms. Carmen's years of service and offered congratulations on her new position. Chair Hartung added that Ms. Carmen was a wealth of knowledge and would be missed.

23-0068 **AGENDA ITEM 5** Recommendation to ratify the results of a countywide job classification and compensation study conducted by consultant Korn Ferry at the request of the Department of Human Resources, and to direct staff to implement the conclusions and recommendations in the study. Job classification is required by a merit personnel system and is a process of objectively and accurately defining and evaluating the duties, compensation levels, responsibilities, tasks, and authority level of a job. The use of the Korn Ferry job classification system and compensation plan has been agreed to by the employee associations, except for the sheriff deputies.

A full scope classification study was last completed in 1999. For the current study, Korn Ferry considered the following needs:

- Job evaluation and equalization of pay for similar jobs,
- Review of market competitiveness of pay structure,
- Development of a compensation philosophy where Washoe County continues to maintain salary scale midpoints pay at the 50th percentile of the comparable agencies as determined by Korn Ferry,
- Compression of the current clerical and administrative positions,
- Development of consistent pay structures and administrative guidelines.

Korn Ferry recommended the restructuring of some job descriptions and pay grades as well as an implementation plan that brings all employees who are currently below the minimum of the restructured pay range to the minimum of the recommended pay structure. The implementation will be rolled out over several pay periods; however, the actions will be retroactive to the August 14, 2023 effective date. The Total Fiscal Year 2024 fiscal impact estimate is [\$11.5 million; \$7 million General Fund and \$4.5 million other funds]

Korn Ferry recommended the continued maintenance of the classification and compensation policy by ongoing review and benchmark every 2-3

years, applying market adjustment unless job market conditions require more frequent reviews, ongoing review ensures less dramatic fiscal impact, ensuring employees are classified and compensated according to work performed, and encouraging efficient hiring and better retention. Human Resources. (All Commission Districts.)

Human Resources Compensation and Recruitment Manager Julie Paholke introduced Jennifer Hasterick from Korn Ferry and informed that Ms. Hasterick was the consultant who led the classification and compensation study.

Ms. Hasterick shared she was a principal consultant with Korn Ferry and was based out of Madison, Wisconsin. She conducted a PowerPoint presentation and reviewed slides with the following titles: Agenda; Executive Summary; Project Overview; Why Now; Project Approach and Restructuring Process; Detailed Descriptions of Market Survey Sources; Job Evaluation and Internal Equity; Job Evaluation Results; Internal Equity Review; Internal Equity; Current Pay Practice and Market Position; Next Steps; Implementation Plan; Proposed Implementation Plan & Estimated Fiscal Impact; Continued Maintenance of Compensation and Classification and Policy; Thank You.

Ms. Hasterick observed that the first big pay study was conducted in 1999. She advised that the new study was necessary, partly due to a shift in the labor market. She noted the County was no longer just competing with the public sector, it was also competing with the general market and the private sector. She described the five core steps Korn Ferry took to conduct the study. She said Korn Ferry began by trying to understand the organization, its challenges, its culture, and its operations, which were determined by spending time with department heads, Human Resources (HR), and County Manager Eric Brown. Korn Ferry took an in-depth look at the job evaluations of 160 roles within Washoe County, plus an additional 15 once it got through the study. For roles that were not specifically reviewed, Korn Ferry looked at them in reference to the roles that were reviewed. Once Korn Ferry had an understanding of where the jobs were placed and the size of the roles, it looked at the market. She informed the structure design merged those two steps, which allowed Korn Ferry to understand and create the relationship between jobs and the market. This step guided Korn Ferry in the next part of the recommendations in terms of impact and where the costs would be.

Ms. Hasterick reminded that the County was competing with both the public and private sectors. She outlined the three core data sources Korn Ferry used which included: the Public Sector Composite, a comparison of organizations in direct competition with the County and ones of similar size and scale in the Western United States; previously compiled data from the general industry; previously compiled data from the public sector. A combination of the three sources was used to create the market estimate.

Ms. Hasterick observed that in regard to job evaluations, the system had been working pretty well; however, some of it was very much isolated by department. Korn Ferry opened up the view of the organization and looked at one job level across departments as well as its relationship within its department. She noted this was important

when taking internal equity into consideration, which meant that jobs of similar size would receive similar pay across departments. Korn Ferry looked at job size and how pay was distributed for those sizes. She referred to the graph on the “Internal Equity” slide, stating it was a great representation of job size and current pay rates in the County. She asserted that overall, pay rates were fairly equitable, but there were some that ran a little bit lower than the 20 percent mark Korn Ferry considered to be the tolerance zone. She acknowledged there would be some variances in pay by job size due to things like tenure, performance, and experience. She indicated this was what usually guided Korn Ferry in its structure design. She pointed out that if an organization was new and had never had any kind of job evaluation system, the graph would show dots all over the place and they would not be in a nice line like they were on the graph displayed. Overall, she commented, internal equity was fairly strong in the organization. After reviewing the internal equity piece, Korn Ferry compared it to where the market was. She spoke about the graph on the “Current Pay Practice and Market Position” slide, noting the green line represented the P50 or middle of the market. The three aforementioned data sources were used to create that line. She affirmed the County was competitive on the lower end of the job size range but became less so as job sizes moved up. She pointed out that some of the jobs dipped below the blue P25 line. The green line, she said, was the backbone of the structure design. She explained that P50 was the midpoint in a new structure and the ranges were built around that.

Ms. Hasterick outlined Korn Ferry’s implementation recommendations. She declared the first recommendation would be to have the Cost-of-Living Adjustments (COLA) and Public Employees’ Retirement System (PERS) adjustments that were already planned for and approved be carried out in July. After those adjustments, Korn Ferry advised the County to look at the new pay structure and bring positions that were below the minimum of the pay range to the lowest level of the new structure and treat jobs that moved up levels as promotions with a maximum of a 10 percent raise. The implementation would begin in August. In terms of the fiscal impact, Ms. Hasterick informed, most of the \$7 million and the \$4 million would come from the below minimum pay range increases and the level movements.

For continued maintenance, Ms. Hasterick remarked that studies like this did not have to be done often as long as the market was paid attention to. She opined the County had a great job evaluation committee. She said Korn Ferry recommended that every two to three years the County perform a test on the structure using a subset of jobs to see where the market was moving. She declared COLAs would increase mid-points evenly but noted that some parts of the labor market moved faster than others. She asserted that looking at the market every two to three years would help to correct and adjust for those changes. She also proposed that the County should strive to remain in the 50th percentile, or middle of the market, to remain competitive. She asserted approximately 90 percent of organizations throughout the U.S., both in the public and private sectors, targeted the 50th percentile.

Chair Hartung commented he was highly supportive of workforce retention. He noted the County had lost valuable employees to other organizations over the years, but it had also gained some valuable employees from other organizations. He mentioned

rampant inflation and declared that COLAs did not come close to keeping up with those spikes. He pointed out that depending on how inflation was gauged, food and energy were typically not accounted for despite everything being dependent on them. He opined that the timing of COLAs could be tricky. Ms. Hasterick responded that the relationship between inflation and wage cost did not go hand in hand. She explained that wage increases and costs tended to be more even-keeled, while inflation tended to spike up and down. She claimed there had been more wage growth in the last three to five years compared to the last ten years. She recounted that during the last recession, there was slow wage growth at around 2 percent. She observed wage growth was now around 4 or 5 percent. Chair Hartung opined there was still no control over inflation; therefore, there were rising interest rates. He indicated that in a supply-side economy, the only way to slow rising inflation was to raise interest rates. He did not think the federal government was done raising interest rates. He wondered about the cost of living for employees. Ms. Hasterick responded that was the relevancy of conducting a study of this nature.

Vice Chair Hill thanked Ms. Hasterick for her presentation and believed it provided clarity for the public and County staff. She disclosed she previously spoke with Ms. Hasterick and confirmed that HR would ensure equity between gender and race. She said she was aware of discrepancies when working for past organizations. She agreed with Chair Hartung that it was important to keep the County competitive to hire the best and brightest and ensure they could live fruitful lives in the region. Vice Chair Hill did not want the County to hire individuals above the starting salary band for their position as she thought that could cause inequities if some people were able to negotiate their pay better than others. She shared that a member of County staff had reached out to the Board that morning with concerns about the study. She conveyed the staff member was worried that the Office of the County Manager (OCM) had given promotions to its staff as part of the Korn Ferry study, prior to the rest of the departments. She asked for clarification that the Commission had approved higher pay for Assistant County Manager (ACM) level staff before the full Korn Ferry study was conducted for the rest of the County. She asked if the Board of County Commissioners (BCC) had approved any promotions beyond the ACM level through the separate study before the full study came before the Board. Manager Brown replied that the County had made adjustments for ACM-level staff who directly reported to him, but there were no promotions for those positions. For transparency, Vice Chair Hill questioned if the Commission had approved position increases as part of the separate Korn Ferry study for any positions other than the ACM positions in the OCM. Manager Brown did not recall and asked Ms. Pahlke to provide clarification. Ms. Pahlke informed there was a salary study conducted for some positions that reported directly to the County Manager. Vice Chair Hill inquired if they were management-level positions or if there were also line-level positions included in the initial study. Director of Human Resources and Labor Relations Patricia Hurley answered that there was line staff who benefited from the study including the Communications Director, the Director of Human Resources, and the Assistant to the County Manager. In response to a comment from Vice Chair Hill, she confirmed the ACMs were also included in the previous study. Vice Chair Hill inquired why the Board was recommended to approve the increases for those positions prior to the second Korn Ferry study. Ms. Hurley informed that the executive study had started in January of 2022 before the decision was made to do a comprehensive County-

wide study. She relayed that after discussions with the unions, it was determined that the larger study would be conducted, which began in June. Vice Chair Hill did not want staff outside the OCM to feel undervalued and thought the County needed to be careful in the future to ensure everything was aligned together. She wanted to address staff concerns and opined this was probably a topic a lot of people were talking about. She wished to apologize to staff and do better as a Commissioner by looking more closely at equity-related issues in the future. Ms. Hurley stated there were a lot of lessons learned and noted it was the first time HR had conducted this study since 2001. HR would debrief and discuss things it would do differently next time. Ms. Hasterick commented on the executive study and noted that Korn Ferry usually looked at the top of the organization first to set the groundwork and understand the size of the organization. She asserted this ensured evenness between the relationship of the roles. She declared the information from the executive study was valuable to have for the County-wide study. Vice Chair Hill expressed appreciation for the explanation but felt that the Board should have approved all the increases at the same time for equity purposes. She thought the County should do better and hoped Manager Brown heard that concern.

Commissioner Clark said he was grateful for the questions that had been asked, stating he asked the same questions before he was sworn in. He believed this had the appearance that the staff in the OCM were cutting the line. He wondered why the County did not wait to approve the results unilaterally across the board in order to prevent any appearances of impropriety.

Chair Hartung indicated he wanted to see these studies happen more often as a form of maintenance for the County. He thought it was important to stay on top of these things in order to be competitive and ensure the retention of the brightest and best employees. He opined that the pay study was long overdue and explained that policy-making bodies had not taken action because they had other things going on. He thought this was a great effort and noted he wanted it to be fair and equitable.

Commissioner Clark stated it was important for County staff to be compensated equitably. He reasoned this should be reviewed at least every three years to ensure the County remained competitive and employees were compensated fairly. He asserted the County could not run effectively without its hard-working employees.

Chair Hartung asked Assistant District Attorney Nathan Edwards if the Board was able to direct staff to conduct a study every two to three years. Ms. Hurley responded that the item was stylized for the Board to ratify. Once the Board ratified the item, it would give staff guidance to conduct a survey every two to three years or as demanded by the market. Chair Hartung requested clarification of the phrase “as demanded by the market.” Ms. Hurley replied that some positions could require review sooner, such as nurses. She informed that situation did occur the prior year during contract negotiations. She said nurses and other positions such as mental health counselors were difficult classifications to hire for. The market could demand the County look at certain groups of classifications that would not affect other classifications. Chair Hartung thanked Ms. Hurley for her articulation.

Vice Chair Hill inquired if there was a way the County could budget to compensate the staff who did not receive raises as part of the executive study but would receive raises as part of the County-wide study. Chief Financial Officer (CFO) Abbigail Yacoben responded that the Finance Department could calculate that cost and bring it back through the County Manager for discussion. Vice Chair Hill indicated she would appreciate that and opined it would make the staff feel whole. She thought the compensation would only need to cover a month or so and would not be a large sum of money. Ms. Yacoben replied that she would get back to the Board through the County Manager with a timeline for calculation.

On the call for public comment, Ms. Linda Jacobs thanked Commissioner Clark and Vice Chair Hill and informed that she was speaking on behalf of a lot of the staff in her office who had questions about the timing of the two different implementations. She asserted that staff felt overlooked and less important than staff in Building A. She hoped this would come back to the Board so all staff would have the same start date.

Mr. Steven Thalacker shared he had been an employee of the Washoe County Treasurer's Office since 1998. He voiced concerns about one set of employees being treated differently than others. He stated that the Board approved pay raises for six managerial employees in December 2022 to be effective January 2, 2023, based on the Korn Ferry study. He requested that the Board make the pay increases for all other employees retroactive to January 2 as well.

County Clerk Jan Galassini advised she received an emailed public comment, which she placed on the record.

Commissioner Garcia commented that she was supportive of Washoe County's goal to be an employer of choice. She commended staff for having the courage to reach out to the Board. She opined that was an indication that staff trusted the BCC. She thanked Ms. Hasterick for her presentation and declared that the study was well overdue.

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 5 be ratified and directed.

23-0069 **AGENDA ITEM 6** Presentation and discussion by Gabrielle Enfield, Community Reinvestment Manager, regarding a status update for the State and Local Fiscal Recovery Fund (SLFRF) grant (\$91,587,038) awarded to Washoe County pursuant to the American Rescue Plan Act of 2021 (ARPA). Manager's Office. (All Commission Districts.)

Community Reinvestment Manager Gabrielle Enfield conducted a PowerPoint presentation and reviewed slides with the following titles: Presentation Overview; ARPA-SLRF Update; Completed Projects; Milestones; Guiding Principles from Leadership; SLRF Round 2 Evaluation; Discretionary Grant Facilitation &

Assistance (2 slides); Federal Appropriations; Special Projects; Upcoming Priorities; Questions.

Ms. Enfield reported that of the \$91 million the County received from the U.S. Treasury Department, the remaining funds' totals would be adjusted a bit as a result of the previous agenda item. She shared there were a number of projects that included staff, so the County would do projections before it made any recommendations on the remaining allocations. She referred to the chart on the “ARPA-SLFRF Update” slide and stated staff had identified a reserve of 15 percent for the remaining funds to ensure funds were available to accommodate any overages or amendments. She noted the County had seen this happen with other projects, especially if it was dealing with construction.

Ms. Enfield highlighted 10 completed projects, which were listed on the “Completed Projects” slide, and disclosed there were another 15 projects that were scheduled to be completed by the end of the fiscal year and 59 ongoing projects.

Regarding the “Milestones” slide, Ms. Enfield said staff wanted to provide a perspective of the milestones of the project, noting a lot of different activities had occurred since the beginning of the program when funding was first accepted by the Board in July of 2021. She observed the County was looking at the second round of funding and believed it would be the last major round of funding, which was for the remaining \$14 million.

Ms. Enfield informed that when staff made the recommendations for awards, they used the guiding principles provided by the Board of County Commissioners (BCC) and leadership. She pointed out that those principles were listed on the “Guiding Principles from Leadership” slide. She directed the Board’s attention to some additional components the BCC had provided, which were listed in the lower right corner of the slide.

For the round two evaluation, Ms. Enfield reported there would be a deeper focus because the funds were already secured. She remarked that for less urgent projects, staff might go for discretionary funds, a competitive application, or an appropriation. She noted there were constraints on when the County could spend the funds, which staff would take into consideration when making project recommendations.

Ms. Enfield reported staff was focusing more on discretionary grants. These were competitive opportunities and the County could submit applications to federal and State agencies or private foundations. She commented the County was able to add a Program Coordinator, Lauren Soulam, who was 50 percent funded by the General Fund and 50 percent funded by the ARPA funding. Ms. Enfield informed that half of Ms. Soulam’s time was spent supporting all of the ongoing projects, primarily the non-profit subgrants, and the other half of her time she was able to support various departments and work with the grant writing consultant to submit additional applications and procure more funding sources for the County. Ms. Enfield indicated staff was looking into funding from the Bipartisan Infrastructure Law as well as coordinating with other departments.

Ms. Enfield highlighted the applications that were in progress, which were listed on the “Discretionary Grant Facilitation & Assistance” slide. Ms. Soulam and the subject matter experts in Ms. Enfield’s department were working on over \$5 million worth of grants. Ms. Enfield noted Ms. Soulam had over 18 years of grant experience and the County was lucky to have her.

Regarding federal appropriations, Ms. Enfield spoke about current Community Project Funds (CPF) awards which included: \$12 million for the Cares Campus (CC), \$2.35 million for the Washoe County Sheriff’s Office (WCSO) Infirmity Design, and \$1.7 million for Lemmon Valley Stormwater. She observed the County was close to receiving its notice to spend funds for the CC project and the Community Services Department (CSD) just finished working to get the environmental review for the CC completed. She noted her department would be working on the environmental review for the Lemmon Valley Stormwater project with CSD.

Ms. Enfield discussed the “Special Projects” slide which included the Gerlach Trail Initiative, the National Fitness Courts, and the Urban County Community Development Block Grant (CDBG). She observed the Gerlach Trail Initiative would support recreation, tourism, and economic development. Regarding the National Fitness Courts, a call for artists would be conducted to bring local art unique to that community to the two courts. She noted the courts would be located at Rancho San Rafael Park and South Valleys Regional Park. She informed the County was continuing discussions with the City of Sparks about the possibility of Urban County becoming an entitlement community. As projects were completed, the County would create a community engagement series for existing projects to educate the public about how Washoe County was using the funds. This would be posted to the Washoe County website.

Commissioner Garcia opined that the “ARPA-SLRF Update” slide of Ms. Enfield’s presentation was very timely as she had seen a newspaper article during the National Association of Counties (NACo) conference with the same perspective of the national breakdown. Regarding the ongoing and completed projects, she expressed excitement to see that there would be a community engagement series. She noted she followed the County’s communications very closely and was always on the lookout for ways the County could disseminate information and be transparent with the public. She opined that if the story was not communicated, the public would not understand the impact the ARPA dollars had on the community. She spoke about grant fatigue and the amount of funding that was currently available. She hoped the Board could support staff and ensure they had the necessary resources to go after competitive grants and attract more funding opportunities for the County. She observed there was a shift at the national level to make sure dollars went directly to the counties rather than having to be funneled through the state. She wanted the County to be strategic in how it layered its opportunities. She thanked staff for their hard work.

Commissioner Clark thanked Ms. Enfield for her presentation and noted that he had met with her several weeks before to obtain additional information. He commended Ms. Enfield for being an ambassador of the trails program and said she had appeared on the Public Broadcasting Service (PBS) to advocate for the project.

Vice Chair Hill spoke about ambassadorship of incoming federal support. She thought there were training opportunities for staff to engage in. She observed that many of the grants required labor agreements and noted the County did not always do those. She did not want to leave money on the table and thought there was a lot of opportunity to learn about the process of working with labor partners in the community. She announced there were toolkits and that she would forward the links she had received at the NACo conference to staff. She declared there would be a learning curve, but she thought it would be worthwhile. She wanted to make sure investments were being made in all parts of Washoe County.

Chair Hartung thanked Ms. Enfield and her staff and opined there was no other entity in the region with better grant staff than Washoe County. He declared that the ability to find a grant was one thing but being awarded the grant was a completely different level. He discussed the projects listed on the “Completed Projects” slide of the presentation and noted their importance, especially the deputy positions with the Washoe County Sheriff’s Office (WCSO). He remarked that the WCSO had been very understaffed and opined it was an overwhelming job to run the detention center. He expressed appreciation for the Sheriff and the deputies. He pointed out the Regional COVID-19 (C19) Wastewater Surveillance Research Interlocal Agreement and said it was through the OneWater Nevada program at the University of Nevada, Reno (UNR). He asserted the program was important because it proved that wastewater could be used to figure out a number of emerging issues within a community. Chair Hartung asked Ms. Enfield if there was anything she needed from the Board that day. Ms. Enfield responded she did not need anything from the Board unless it had any changes to the guiding principles. Chair Hartung informed that the agenda item was not styled for action, but he was confident staff was aware of the Board’s desires and intentions.

With regard to the guiding principles, Vice Chair Hill voiced her desire for digital access to be added. She stated there were federal funding opportunities for computers and free Wi-Fi for the community. She said the County needed to find a way to communicate that and push that out. Chair Hartung observed that in the past computers were not a necessity but now they were a requirement for survival.

23-0070 **AGENDA ITEM 7** Recommendation to Acknowledge Receipt of the Distinguished Budget Presentation Award for Fiscal Year 2022-2023 from the Government Finance Officers Association (GFOA). Finance. (All Commission Districts.)

Chair Hartung preceded the presentation of the award with an explanation of the Government Finance Officers Association (GFOA), which represented more than 22,500 public finance officials throughout the United States and Canada. He highlighted

that the mission of the group was to advance excellence in public finance. He opined that the County’s budget team was phenomenal. He stated that the GFOA Distinguished Budget Presentation Award represented the highest standard of quality in budgeting and 1,700 entities participated in the award program annually. He informed that to achieve the award, the County had to demonstrate that the budget was a policy document, a financial plan, an operations plan guide, and a communications tool. The goal was to engage the public in the budget process and inform individuals with varying degrees of financial knowledge on how the County spent its money. The County had won the award for the past 21 years. County Manager Eric Brown asked how long Budget Manager Lori Cooke had been with the County. Ms. Cooke responded that she had been with the County for 23 years.

Chair Hartung introduced the Budget Division team members: Lori Cooke, Patricia “Patsy” Buxton, Brianna McBride, Kari Estrada, and Gohar Barsegian. Ms. Cooke shared that the budget was posted on the County’s website and was referred to as the Budget Book. She mentioned that every year the team tried to change and make the budget better. She informed that the team was working to find a system that would help them do things more digitally and have more outward-facing information for the public. She commented the Budget Team worked with other departments and would not be able to compile everything without their input and information. Chair Hartung offered congratulations to the team and requested a round of applause.

11:44 a.m. The Board Recessed

11:46 a.m. The Board reconvened with Commissioner Garcia absent.

There was no response to the call for public comment.

On motion by Vice Chair Hill, seconded by Commissioner Clark, which motion duly carried on a 4-0 vote with Commissioner Garcia absent, it was ordered that Agenda Item 7 be accepted.

DONATIONS

23-0071 **8A1** Recommendation to retroactively approve acceptance of a donation [\$300.00] from an anonymous private citizen to the Washoe County Sheriff’s Office K-9 program and if approved, authorize Comptroller’s Office to make the appropriate budget amendment, pursuant to Washoe County Code 15.140-15.160. Sheriff. (All Commission Districts.)

Vice Chair Hill expressed appreciation for community support of the County’s programs.

There was no response to the call for public comment.

On motion by Vice Chair Hill, seconded by Chair Hartung, which motion duly carried on a 4-0 vote with Commissioner Garcia absent, it was ordered that Agenda Item 8A1 be approved and authorized.

11:49 a.m **Commissioner Garcia returned to the meeting.**

CONSENT AGENDA ITEMS – 9A1 THROUGH 9J1

23-0072 **9A1** Approval of minutes for the Board of County Commissioners' special meeting of January 3, 2023. Clerk. (All Commission Districts.)

23-0073 **9B1** Recommendation to approve Amendment No. 1 to Ice Arena Development Agreement between Washoe County and the Greater Reno Community Ice Skating Association (GRCISA) to eliminate the requirements contained in the Development Agreement for a lease back agreement from Washoe County to GRCISA, and a sublease agreement between Washoe County and GRCISA; and approve a License Agreement for Operation and Maintenance and Waiver of Requirement for Sublease Described in Development Agreement between Washoe County and GRCISA to allow GRCISA to operate and maintain the premises as a community ice skating facility as originally contemplated in the Development Agreement [\$1.00 annual base rent to Washoe County]. Community Services. (Commission District 2.)

23-0074 **9C1** Recommendation to acknowledge receipt of the Interim Financial Report for Washoe County Governmental Funds for the Six Months Ended December 31, 2022 recognizing a total funds balance increase of \$78 million year-to date and \$85 million year over year. This unaudited interim financial report is provided quarterly, in addition to the audited comprehensive annual financial report, to provide information on Washoe County's primary operating fund and accounts and identify significant variances between the years. - Unaudited. Comptroller. (All Commission Districts.)

23-0076 **9D2** Recommendation to approve revisions to Washoe County Policy Against Discrimination, Harassment and Retaliation to incorporate changes to Nevada Revised Statutes (NRS 233.010(3)(a), NRS 233.150(1)(c), NRS 613.310(7), NRS 613.224, NRS 281.370(c)-(d), and NRS 284.015). Human Resources. (All Commission Districts.)

23-0077 **9E1** Recommendation to approve acceptance of NSLP Equipment Grant funding from the State of Nevada Department of Agriculture in the amount of \$10,090.00 [no County match] to purchase a 20-Quart Mixer, an Insulated Mobile Heated Cabinet, and a Countertop Nugget Ice Machine & Water Dispenser for the Washoe County Department of Juvenile Services' kitchen. The grant period is from 11/17/2022 through 9/30/2023. If

approved, direct the Comptroller's Office to make the necessary budget amendments and authorize the Department Head to sign the sub-award agreement. Juvenile Services. (All Commission Districts.)

- 23-0078** **9F1** Recommendation to reappoint Tracey Bowles for an additional four-year term as Washoe County Public Guardian effective March 11, 2023, as recommended by the County Manager, with an annual salary of \$128,565.00 in accordance with NRS 159, 253.150, 253.170, and WCC 5.475. Manager's Office. (All Commission Districts.)
- 23-0079** **9F2** Recommendation to approve Commission District Special Fund disbursement, pursuant to NRS 244.1505, in the amount of [\$5,000.00] for Fiscal Year 2022-2023; District 4 Commissioner Vaughn Hartung recommends a [\$5,000.00] grant to Big Brothers Big Sisters of Northern Nevada -- a non-profit organization created for religious, charitable or educational purposes -- to support the organization's efforts to help children realize their potential and build their futures by supporting the Big Chefs Little Gala events; approve Resolution necessary for same; and direct the Comptroller's Office to make the necessary disbursement of funds. Manager's Office. (All Commission Districts.)
- 23-0080** **9F3** Recommendation to approve Commission District Special Fund disbursement, pursuant to NRS 244.1505, in the amount of [\$3,000.00] for Fiscal Year 2022-2023; District 1 Commissioner Alexis Hill recommends a [\$1,000.00] grant to the Nevada Center for Civic Engagement -- a non-profit organization, created for religious, charitable or educational purposes - to support its Project Citizen Community Engagement in Public Policy program, which is designed to provide supplemental educational services to teachers and students on matters of civic engagement; and a [\$2,000.00] grant to TEDx Reno -- a non-profit organization, created for religious, charitable or educational purposes -- to support the independently organized TED event, which generally consists of short presentations by leading-edge thinkers and doers who share "ideas worth spreading" that tackle humanity's toughest questions with innovation, enterprise, and optimism; approve Resolutions necessary for same; and direct the Comptroller's Office to make the necessary disbursement of funds. Manager's Office. (All Commission Districts.)
- 23-0081** **9G1** Recommendation to approve agreement between Washoe County and Renown Regional Medical Center for licensed Renown pathologists to perform hospital autopsies in the Washoe County Regional Medical Examiner's Office facility with estimated annual revenue of [\$5,952] for a period of three years, retroactively effective on January 1, 2023. The agreement is retroactive to January 1, 2023 due to the time needed for both parties to come to an agreement on the terms. Regional Medical Examiner. (All Commission Districts.)

- 23-0082** **9H1** Recommendation to acknowledge and accept Alcohol Problem Assessment and Treatment Project from the State of Nevada Department of Public Safety Office of Traffic Safety in the amount of [\$125,307.00 for FY23, \$31,327 in-kind match required]. The pilot project will use evidence-based DUI curricula to establish efficacy in lowering recidivism rates among first time offenders. Eligible expenditures to be reimbursed in installments upon claims submitted retroactively Federal Grant Term October 1, 2022 through September 30, 2023; and direct the Comptroller to make the appropriate budget amendments. Reno Justice Court. (All Commission Districts.)
- 23-0083** **9I1** Recommendation to retroactively approve an Interlocal Agreement between Washoe County on behalf of the Washoe County Sheriff’s Office and Pyramid Lake Tribal Paiute Counsel on behalf of Pyramid Lake Fire Department, for dispatch services to be completed by Washoe County Sheriff’s Office Communications, billed quarterly for an annual amount of [\$125,000]. Contract period to begin from July 1, 2022, through June 30, 2026, with a year to year thereafter. Sheriff. (All Commission Districts.)
- 23-0084** **9I2** Recommendation to retroactively approve the Law Enforcement Funding Agreement between the University Police Department (UPD) of the University of Nevada and Washoe County, on behalf of the Washoe County Sheriff’s Office (WCSO) to provide reimbursement for extra staffing/patrol services [up to \$4,500.00 total reimbursement] needed in Reno, Nevada for the University of Nevada football game event on October 7, 2022. Sheriff. (All Commission Districts.)
- 23-0085** **9I3** Recommendation to accept a Justice Assistance Grant award [amount not to exceed \$40,000.00, no County match required] as administered through the State of Nevada Department of Public Safety Office, Office of Criminal Justice Assistance, to cover the cost of a new bomb suit for the Consolidated Bomb Squad, Special Operations Division, for the retroactive grant period of January 1, 2023 through September 30, 2023, and if approved, direct Comptroller’s Office to make the necessary budget amendments. Sheriff. (All Commission Districts.)
- 23-0086** **9I4** Recommendation to accept an unsolicited grant of [\$20,000.00] from The E.L. Cord Foundation to be used for Washoe County Sheriff’s Office most pressing needs, and if approved, authorize Comptroller’s Office to make appropriate budget amendments. Sheriff. (All Commission Districts.)
- 23-0087** **9J1** Recommendation to accept Treasurer’s status report for the period ending January 31, 2023, of payment of refunds and interest since last update in the amount of \$709,920.22 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 a donation from his Commission District Special Fund in the amount of \$5,000 to Big Brothers Big Sisters of Northern Nevada (BBBSNN). Chair Hartung thanked Vice Chair Hill for donations from her Commission District Special Fund in the amount of \$1,000 to the Nevada Center for Civic Engagement (NVCCE) and \$2,000 to TEDx Reno. Vice Chair Hill informed that the NVCCE was the County's "We the People" organization. She stated that the funds would go towards helping Reed High School students travel to Washington, D.C.

Commissioner Clark wanted to discuss Item 9D1. He asserted everyone wanted a safe and respectful environment at Washoe County but expressed confusion that the Commissioners were having this discussion. He believed the Human Resources (HR) Department should be able to handle the issue. He wondered if this would include cyberbullying and how that would be defined. He asked how many incidents of bullying had occurred at the County that HR had to handle. He asserted he felt bullied on many occasions while working at the County, but he chose to believe these acts occurred due to misplaced loyalty. He believed if the County moved forward with this item, then every employee should receive some type of training. He thought an independent third-party vendor should be hired to provide the County with this type of training and include three to five-minute video micro lessons specifically related to bullying. He opined if bullying was this prevalent in the County, it needed to be stopped now. He remarked that he had spoken with union representatives and employees in various departments and no one was able to recall a recent bullying incident or an uptick in bullying in the County. He did not understand why this was at the forefront now. He inquired if it would be unilaterally enforced and who would decide if bullying had occurred. He thought an outside arbitrator should be involved. He requested to pull the item from the Consent Agenda to explore it further.

Vice Chair Hill suggested the Board could request a discussion of HR policies as a future agenda item. She affirmed her support of Item 9D1. She opined that it was necessary to give HR and employees the tools to report incidents.

Commissioner Clark referred to the Staff Report and wondered if the Board was qualified to be overseeing some of the items. He thought an outside entity should provide professional advice and examine County processes and give recommendations. He quoted actions of bullying outlined in the Staff Report and stated he had experienced and reported similar events on numerous occasions, but nothing was done. He stated concerns about equal treatment among employees and queried how the Board could ensure that happened.

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

Chair Hartung pulled Item 9D1 for discussion.

On motion by Vice Chair Hill, seconded by Commissioner Garcia, which motion duly carried on a 5-0 vote, it was ordered that Consent Agenda Items 9A1 through 9J1, with the exclusion of 9D1, be approved. Any and all Resolutions or Interlocal Agreements pertinent to Consent Agenda Items 9A through 9J1, with the exclusion of 9D1, are attached hereto and made a part of the minutes thereof.

23-0075 **9D1** Recommendation to approve the updated Washoe County Code of Conduct which lists expectations of officers and employees in their interactions with the public and each other. The updated version reflects the current Washoe County Statement of Values. These values include integrity, effective communication, and quality public service. The Code of Conduct maintains the expectations of honesty, respect, duty to public service, tolerance, fairness, courtesy and professionalism. The updated version adds the expectation of promoting a positive work environment by prohibiting bullying. Human Resources. (All Commission Districts.)

Chair Hartung opened the discussion for Item 9D1 and inquired if the members of the Board had questions for staff or if they were ready to make a motion. Vice Chair Hill informed that she was prepared to make a motion, but she wanted Commissioner Clark to have the opportunity to ask the Human Resources (HR) Department additional questions.

Commissioner Clark restated that he desired equity and proper training for all County employees. He listed three online agencies that offered bullying education courses and suggested the Board review them to see if one was a good fit for the County. He expressed that anti-bullying training should be mandated for all employees.

County Manager Eric Brown suggested that Item 9D1 be pulled to allow staff to have a briefing with Commissioner Clark regarding current HR processes regarding bullying and bring the item back to the Board of County Commissioners (BCC) at a later date.

Vice Chair Hill asked if there would be any repercussions for staff if bullying occurred and this was not in the Code of Conduct. She did not want to delay the item if there were problems and wanted to ensure employees had the tools they needed. Chief Deputy District Attorney Mary Kandaras informed that the Code of Conduct was the County's baseline standard of conduct for all employees. She agreed with Commissioner Clark that the standards should be applied fairly and affirmed that HR always strived for that. She shared there were processes for complaints and investigations. She alleged that bullying had become more of an issue over the past several years and staff was requesting that the Board adopt the Code of Conduct. She commented staff could work with

Commissioner Clark to identify vendors for training. She informed that the County would still be able to carry out Commissioner Clark's ideas even if the Board voted to approve Item 9D1 that day. She reiterated that staff recommended the passage of the Code of Conduct. Director of Human Resources and Labor Relations Patricia Hurley added that it was important to add anti-bullying language to the Code of Conduct policy to allow the HR Department to research training avenues in a more official manner.

Commissioner Clark reiterated he spoke with the Washoe County Employees Association (WCEA) and claimed the WCEA had not seen any bullying and did not think it was a problem. He requested to postpone the item until the next BCC meeting to allow him time to meet with staff as Manager Brown had suggested. Commissioner Herman also requested additional time to discuss the item and have it brought back to the Board at a later date.

On the call for public comment, Mr. Scott Myer wondered why there was a rush to approve this item and why it was being brought to the Board now. He agreed with Commissioner Clark that the item should be looked into further before a vote occurred and that training should be made available to staff.

Vice Chair Hill indicated she was open to bringing the item back at a later date. She reiterated a previous request that staff meet with Board members when they had concerns regarding agenda items to avoid delays. She wanted to ensure the Board was implementing policy to protect County employees.

On motion by Commissioner Clark, seconded by Commissioner Herman, which motion duly carried on a 3-2 vote with Chair Hartung and Commissioner Herman voting no, it was ordered that Agenda Item 9D1 be pulled and heard at a later date after Commissioner Clark was able to meet with Manager Brown and the HR Department.

BLOCK VOTE – 10, 11, 12, 13, 14, 15, 16, 19, 21, and 22

23-0088 **AGENDA ITEM 10** Recommendation to approve a Memorandum of Understanding (MOU) between the Tahoe Regional Planning Agency (TRPA) and Washoe County in accordance with Article VI(m) of the TRPA Compact (Public Law 96-551) and sections 2.5 and 13.7 of the TRPA Code of Ordinances. The purpose of the MOU is to identify TRPA permitting activities for which the County is authorized to assume review responsibility, and associated requirements. The MOU authorizes but does not require the County to assume these responsibilities. Community Services. (Commission District 1.)

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

Vice Chair Hill asked if the item would go back to the Board if Washoe County took over permitting by the Tahoe Regional Planning Agency (TRPA). County Manager Eric Brown affirmed that was correct. Regarding the concerns from the public, Vice Chair Hill informed it would be a public discussion and said the TRPA was currently handling the compliance part of planning permits for Washoe County and would continue to do so for the time being.

On motion by Vice Chair Hill, seconded by Commissioner Garcia, which motion duly carried on a 5-0 vote, it was ordered that Agenda Item 10 be approved.

23-0089 **AGENDA ITEM 11** Recommendation to approve Resolution 23-20 to augment the Equipment Services Fund in the amount of [\$1,670,000.00] to increase fiscal year 2023 budget authority for various operating and capital expenses; and direct the Comptroller to make the necessary budget amendments. Community Services. (All Commission Districts.)

There was no response to the call for public comment.

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

23-0090 **AGENDA ITEM 12** Recommendation to: (1) approve the FY24 purchase of ten (10) replacement pieces of heavy equipment from Cashman Equipment Company, 600 W. Glendale Ave, Sparks, NV 89431 [\$3,861,733.62], with a five (5) year guaranteed buyback of \$2,561,500.00, utilizing Sourcewell (a public agency created by the Minnesota legislature) 2023 contract #032119-CAT, pursuant to the joinder provision of NRS 332.195; and (2) authorize the Purchasing and Contract Manager to execute the sales agreement with the vendor. The following units are being replaced:
EQ# Year Make / Model Description
7890 2018 JOHN DEERE 410L Backhoe
7891 2018 JOHN DEERE 644K 3 Yard Wheel Loader
7892 2018 JOHN DEERE 644K 3 Yard Wheel Loader
7893 2018 JOHN DEERE 644K 3 Yard Wheel Loader
7894 2018 JOHN DEERE 644K 3 Yard Wheel Loader
7895 2018 JOHN DEERE 644K 3 Yard Wheel Loader
7896 2018 JOHN DEERE 644K 3 Yard Wheel Loader
7897 2018 JOHN DEERE 744K 4 Yard Wheel Loader
7898 2018 JOHN DEERE 744K 4 Yard Wheel Loader
7899 2018 JOHN DEERE 744K 4 Yard Wheel Loader
Community Services. (All Commission Districts.)

There was no response to the call for public comment.

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

23-0091 **AGENDA ITEM 13** Recommendation to: (1) award a bid and approve the Agreement to the lowest responsive, responsible bidder for the 911 Parr Housing Unit 6 Roof Replacement Project to remove and replace the existing roofing materials with a new roof membrane and sloped insulation [staff recommends D&D Roofing, in the amount of \$318,584.00]; (2) approve the purchase of roofing materials from Garland, DBS [in the amount of \$133,000.77] utilizing Racine County, Wisconsin Contract # PW1925 pursuant to the joinder provision of Nevada Revised Statute 332.195; (3) approve a separate \$20,000 project contingency fund, for a total project cost of \$471,584.77; and (4) direct the Comptroller's Office to make the necessary net-zero budget appropriation transfers. Community Services. (Commission District 3.)

There was no response to the call for public comment.

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

23-0092 **AGENDA ITEM 14** Recommendation to: (1) award a bid and approve the Agreement to the lowest responsive, responsible bidder for the Kid's Kottage 2 Roof Replacement Project to remove and replace the existing roofing materials with a new metal roof and high temperature underlayment [staff recommends CTR Roofing, LTD., in the amount of \$357,855.00]; (2) approve the purchase of roofing materials from Garland, DBS [in the amount of \$124,745.58] utilizing Racine County, Wisconsin Contract # PW1925 pursuant to the joinder provision of Nevada Revised Statute 332.195; (3) approve a separate \$15,000 project contingency fund, for a total project cost of \$497,600.58; and (4) direct the Comptroller's Office to make the necessary net-zero cross-functional appropriation transfers. Community Services. (Commission District 3.)

There was no response to the call for public comment.

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

23-0093 **AGENDA ITEM 15** Recommendation to: (1) award a bid and approve the Agreement to the lowest responsive, responsible bidder for the Washoe County Sheriff's Office Door Replacement Project for Housing Units 1 and 6 - PWP WA 2023-047, [staff recommends Simerson Construction LLC, in

the amount of \$742,124.00], and (2) approve a separate project contingency fund [in the amount of \$37,106.00] for a total project budget not to exceed \$779,230.00. Community Services. (Commission District 3.)

There was no response to the call for public comment.

On motion by Vice Chair Hill, seconded by Commissioner Garcia, which motion duly carried on a 5-0 vote, it was ordered that Agenda Item 15 be awarded and approved.

23-0094 **AGENDA ITEM 16** Recommendation to approve the removal of uncollectible accounts pursuant to NRS 354.257 which states “authority for removal of information concerning uncollectible accounts from records of County. The Board of County Commissioners may remove from the records of the County the amount of an account receivable and the name of the debtor, upon determination by a centralized collection system.” Accounts receivable for removal are Alternative Sentencing Supervision Fees for [\$86,766.87]; Regional Animal Services Redemption Fees for [\$12,080.37]; Regional Animal Services for Notice of Civil Penalty Fees for [\$361,321.81] and Sheriff’s Office Jail Room and Board fees for [\$687,768.39] for a total amount uncollectible and for accounts past statute of limitations of [\$1,147,937.44]. Comptroller. (All Commission Districts.)

There was no response to the call for public comment.

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

23-0095 **AGENDA ITEM 19** Recommendation to accept a FY23 Specialized Foster Care Rate Increase subgrant award from the State of Nevada, Department of Health and Human Services, Division of Child and Family Services in the amount of [\$344,182.00; no county match], retroactive from January 1, 2023 to June 30, 2023 to support a temporary foster care rate increase for youth in specialized foster care; authorize the Director of the Human Services Agency to retroactively execute the grant award; 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 Garcia, which motion duly carried on a 5-0 vote, it was ordered that Agenda Item 19 be accepted, authorized, and directed.

23-0096 **AGENDA ITEM 21** Recommendation to award Request for Proposal (RFP) 3197-23 to Advanced Interpreting and Translating Services to provide Spanish Interpreter Services for the Public Defender's Office, effective March 1, 2023 through February 28, 2027, with the provision for two (2) additional one (1) year renewals; in the amount of [\$138,000.00] for the initial 12-month term [\$46,000.00] for FY2023; [\$139,150.00] for FY2024; [\$142,628.76] for FY2025; [\$146,194.48] for FY2026 and [\$99,073.92] for FY2027; and if approved authorize the Purchasing and Contracts Manger to execute the Agreement. Public Defender. (All Commission Districts.)

There was no response to the call for public comment.

On motion by Vice Chair Hill, seconded by Commissioner Garcia, which motion duly carried on a 5-0 vote, it was ordered that Agenda Item 21 be awarded and authorized.

23-0097 **AGENDA ITEM 22** Recommendation to accept receipt of a direct grant award [\$283,091.00, no County match required] from the Bureau of Justice Assistance (BJA), State Criminal Alien Assistance Program (SCAAP), FY 2021, Project number 15PBJA-21-RR-04998-SCAA, to the Washoe County Sheriff's Office, Detention Bureau. Beginning date of the grant term is retroactive to November 2, 2022, with no end date. If approved, direct the Comptroller's Office to make the necessary budget amendments. Sheriff. (All Commission Districts.)

There was no response to the call for public comment.

On motion by Vice Chair Hill, seconded by Commissioner Garcia, which motion duly carried on a 5-0 vote, it was ordered that Agenda Item 22 be accepted and directed.

23-0098 **AGENDA ITEM 17** Recommendation to approve the use of General Fund Contingency in the total amount of [\$850,400] for fiscal year 2023 in accordance with Nevada Revised Statute (NRS) 354.598005 to 1) increase expenditure authority in Conflict Counsel in the total amount of [\$650,400] to support cost increases for court appointed attorneys; 2) increase expenditure authority in Alternate Public Defender's Office for Expert Witness Fees [\$200,000] to support reasonable and necessary costs to meet minimum Due Process rights in the Carlos Gutierrez Trial; and direct the Comptroller to make the appropriate cross-functional budget appropriation transfers.[Total fiscal year 2023 impact \$850,400; net fiscal impact \$-0-]. Finance. (All Commission Districts.)

Vice Chair Hill expressed support for this item. She requested an item be brought before the Board that would allow it to look at the Public Defender's (PD) Office, the Alternate Public Defender's (APD) Office, and the Conflict Council Group so the Commissioners could gain an understanding of the caseloads of the departments. She commented that the Board had given quite a bit of money to those offices to ensure they had the staff they needed. She wanted to make sure the most vulnerable populations received a proper defense when they were accused of crimes, but she believed further analyses needed to be conducted. She asked for clarification about what was happening in those offices and what the major concerns were. She reiterated she would like to see a future agenda item with additional details.

There was no response to the call for public comment.

On motion by Vice Chair Hill, seconded by Commissioner Garcia, which motion duly carried on a 5-0 vote, it was ordered that Agenda Item 17 be approved and directed.

23-0099 **AGENDA ITEM 20** Recommendation to approve allocations of American Rescue Plan Act (ARPA) funds through the Coronavirus State and Local Fiscal Recovery Funds (SLFRF) subgrant to the Boys & Girls Club of Truckee Meadows a 501(c)(3) nonprofit organized for charitable, religious, or educational purposes-- in the amount of \$1,500,000 to support expanding access to childcare in Washoe County; and approve Resolution 23-17. And, if approved, direct the Comptroller's Office to make necessary net zero cross-functional budget appropriation transfers and authorize the County Manager to sign necessary award documents. Manager's Office. (All Commission Districts.)

Community Reinvestment Manager Gabrielle Enfield informed that this item was a subgrant through community reinvestment of the State and Local Fiscal Recovery Funds (SLFRF) and noted it was specifically for child care. She introduced Human Services Agency (HSA) Director Amber Howell and Boys & Girls Club of Truckee Meadows President and Chief Executive Officer (CEO) Mike Wurm.

Ms. Howell stated that through initiatives between State and local governments, work was being done to solve the daycare shortage in the region. She informed that Washoe County had partnered with the Boys & Girls Club of Truckee Meadows to dedicate 50 childcare enrollment openings for children of Washoe County employees and 50 openings for foster children. She asserted the County wanted to help working families and knew the families needed to have access that was both affordable and available. The openings for children of employees would become available in the spring. She announced that the Boys & Girls Club was prepared to take on 30 employees beginning the next day. She mentioned that the foster care openings would become available in the summer. She hoped that the County's investment would allow the Boys & Girls Club to grow further and open up more slots for child care.

Mr. Wurm thanked the Commission for considering approval of the American Rescue Plan Act (ARPA) funding to the Boys & Girls Club of Truckee Meadows. He asserted this was a great example of how County and community-based organizations could work together to solve problems in the community. He pointed out that Washoe County was declared a daycare desert because less than 40 percent of its need was being met. Mr. Wurm informed that traditional Boys & Girls Club organizations were geared toward school-aged kids only, but when his branch was founded in 2007, it allowed for the attendance of children as young as five to six weeks old. He declared that not only was there a lack of licensed child care in the community, but families that needed subsidies to qualify for daycare or had children with behavioral issues were often excluded. Mr. Wurm declared that the Boys & Girls Club of Truckee Meadows sought to ensure those children would have access through its organization. He affirmed the club would not have been able to open the second center and add 210 openings without the approval of the ARPA funding.

Chair Hartung stated he had been involved with the Boys & Girls Club for many years. He spoke about Mr. Jack T. Reviglio's project and vision. He noted the organization had done an immeasurable amount of good work for the community which was witnessed by the amount of support it received from the community during fundraising events. He said he was honored to support the organization and opined it would do great work. He expressed appreciation for Mr. Wurm and his staff.

Commissioner Garcia declared she was very supportive of this item. She shared that she became a foster parent in 2016 and went from having no kids to having two kids overnight. She affirmed that it was an area of stress and concern for working families to find and access child care. She observed she received a recommendation for private child care but quickly realized the facility was not trained or equipped to handle the special needs of a sibling group that had come from foster care. She conveyed that after meeting with the Boys & Girls Club of Truckee Meadows' Executive Director Kim Stevens, she knew she found the right place because the organization understood her children in a way that other facilities did not. She acknowledged Ms. Stevens and her impact on the community. She thanked Mr. Wurm and noted he had interacted with her children personally. She expressed appreciation for the incredible resources in the community for younger children and the opportunity and pipeline to provide those services as the children progressed through their educational services.

Vice Chair Hill expressed excitement and appreciation for the leadership at the Boys & Girls Club as well as the HSA. She asserted Ms. Howell understood what it was like as a working mom not to have child care. She declared the County had prioritized ensuring that homeless mothers could obtain child care. The next step was figuring out how to help foster families, those moving into adoption, and County employees access child care. She affirmed that Washoe County was the first local government in the region to help secure child care for its employees, and she hoped that other agencies would take note of the County's actions. She commended the team and looked forward to supporting this item.

Chair Hartung asked Mr. Wurm when the Jack T. Reviglio Cioppino Feed and Auction event would be held. Mr. Wurm responded that the event was scheduled for February 25, 2023. Chair Hartung declared the event was worth attending.

There was no response to the call for public comment.

On motion by Commissioner Garcia, seconded by Vice Chair Hill, which motion duly carried on a 5-0 vote, it was ordered that Agenda Item 20 be approved, directed, and authorized. The Resolution for same is attached hereto and made a part of the minutes thereof.

23-0100 **AGENDA ITEM 18** Recommendation to acknowledge an updated list of unclassified management employees and approve the process for the recruitment, appointment, evaluation, investigation, and discipline of non-elected, unclassified management employee with the changes that a member of the Board of County Commissioners sit in on the second interview of a candidate for a position appointed by the Board, and the Chair of the Board be notified of complaints made against department heads appointed by the Board. The recruitment and appointment process includes the public posting of an open position, the receipt of applications/resumes, a screening process by a panel to select the top candidates to participate in interviews, a formal interview process, a recommendation for appointment by the County Manager, a background investigation of the candidate, and a vote by the Board to appoint the candidate to the open position. The performance evaluation process includes an annual assessment of performance by the employee's supervisor and the preparation of a formal performance evaluation review. The investigation/disciplinary process for unclassified management employees varies based on whether the complaint is made against an employee who is appointed by the Board, and an employee who is not appointed by the Board, or the County Manager. No fiscal impact. Human Resources. (All Commission Districts.)

Director of Human Resources and Labor Relations Patricia Hurley informed that pursuant to Nevada Revised Statutes (NRS) 245.216, Subsection 1, unclassified management employees were exempt from the merit personnel system. She shared that this group included all appointed department heads, Assistant County Managers (ACM), and the County Manager. She observed that the list was maintained and updated by Human Resources (HR) and was brought to the Board periodically. She recounted that 20 years prior, the Board recognized the unclassified management employee group and acknowledged an updated list at least six times, the most recent having been in 2015. She pointed the Board to the unclassified management list provided in the Staff Report which showed that the appointing authority of the employees was determined by NRS and/or Washoe County Code (WCC). Ms. Hurley reminded that during a December 2022 meeting, the Board approved an Ordinance that authorized HR to administer a Merit Personnel Handbook that complied with the requirements of NRS 245.215. She stated that while the handbook did not apply to the unclassified employees, many of the processes used for

recruitment, appointment, and performance evaluations were followed. She directed the Board to pages three and four of the Staff Report which highlighted the County processes for recruitment, appointment, and performance evaluations. She noted some unclassified positions such as the Public Defender (PD) and the Alternate Public Defender (APD) were required to provide annual reports to the Board pursuant to WCC 5.447, Subsection 1, and WCC 5.4504, Subsection 1. The reports contained statistical information about cases handled by the office and were not used for performance evaluations. She recounted that in 2019, the Board approved a policy regarding complaints against policy violations for the County Manager, ACMs, and department heads. This policy established uniform procedures for handling those complaints and applied to the non-elected employees in the unclassified management group. The process was to be followed when a Washoe County policy violation complaint was made by an employee against an appointed County official, not including judges. HR and the District Attorney's (DA) Office developed this policy to ensure it complied with due process and was legally defensible. The policy provided the steps to be followed when a complaint was made by an employee. Upon a finding of a policy violation, the process allowed the County to take action to protect employees from further policy violations by a management employee. She noted that was summarized on page five.

Vice Chair Hill stated she asked for this item to be brought before the Board because she felt there was a lack of clarity regarding the policies related to positions that were appointed by and served at the pleasure of the Board of County Commissioners (BCC). She wanted to see what those policies were and how the BCC could move forward. She wanted to ensure those positions were protected from the political whims of the Commission. She expressed appreciation for the changes and thanked Ms. Hurley but noted there were a few things she thought were missing. She said that when the Board appointed the County Manager, it asked for a 360 review. She believed that the policy before the Board that day did not require such a review for BCC-appointed positions. Ms. Hurley affirmed that was correct. Vice Chair Hill declared there were so few Board-appointed positions that the BCC may want to consider requiring 360 reviews for those positions in the future. She informed she would compile a list of considerations to be added to this item before it was brought back to the Board at a future meeting for review unless the BCC wanted to take action on the item that day. She asked how the Board could receive information about retention and turnover in departments and what happened when HR noticed a large number of departures in a particular department. Ms. Hurley replied that HR would be happy to provide that information to the Board. She informed that HR offered exit interviews when employees departed; however, the process was voluntary and currently handled at the department level. She declared that the County's HR Department was working on creating a more automated system but was waiting for the System Analysis Program (SAP) transfer. Vice Chair Hill acknowledged that Washoe County was unique compared to other government entities as there was a lot of decentralization. She thought HR was doing a great job of centralizing things and expressed a desire to see consistency when it came to exit interviews. She opined HR might be the best department to handle exit interviews as it was typically easier for employees to state how they truly felt when they were not being interviewed by the supervisor they were leaving. She wanted the County to retain and learn from that information so it could support that manager and help

them grow. Ms. Hurley informed that HR was doing a lot more messaging and had created a link on Inside Washoe that would allow employees to bypass their department. Vice Chair Hill thought that was a good thing moving forward.

Vice Chair Hill voiced concerns about crowding in the jails. She wondered how the people in the jails could be protected and how to ensure that justice was being served. She spoke about the PD and APD annual reports and inquired how the Board could learn about the requirements for a department and whether or not those requirements were met. She thought there might be an opportunity for the Board to receive annual reports to ensure departments were held to a high standard and were supported as necessary through the budget cycle. She wanted to prevent the County from having to do anything last minute or in a crisis. She asked if there was an opportunity for an attorney-client session for all Board members to be notified of complaints about officials, rather than just the Chair, to ensure transparency for positions serving on behalf of the Board. Ms. Hurley thought this could be possible as long as the DA's Office was in attendance and was the presenter of the information, but she deferred to Assistant District Attorney Nathan Edwards. Mr. Edwards informed that it came down to what the definition of a meeting was under the Open Meeting Law (OML) and noted there was an exemption to the OML for attorney-client sessions with the Board. However, he read from the NRS and explained that attorney-client sessions could only take place to receive information regarding potential or existing litigation. He declared it was not likely the Board could hold attorney-client sessions to receive information regarding complaints made against appointed employees. Vice Chair Hill said she understood. She countered that she would be open to adding that the Vice Chair, along with the Chair, would receive information about the complaints, but deferred the final determination to the rest of the Board. Ms. Hurley informed that she would update the policy based on whatever direction was provided to her by the Board.

Vice Chair Hill spoke about appeals to the Board per the policy being discussed that day. She observed that individuals in appointed positions could appeal to the BCC if they did not agree with a decision that was passed down by the County Manager. She pointed out there was nowhere in the policy that indicated if the Board could create an agenda item to review or fire appointed positions but noted she did believe this existed in the NRS. Ms. Hurley deferred to Mr. Edwards. Mr. Edwards asked Vice Chair Hill to repeat her question. Vice Chair Hill repeated her question and added that for transparency purposes, in order to ensure officials were aware of the possibility of such action, corresponding language should be added to the policy. Mr. Edwards affirmed Vice Chair Hill was correct. He declared that any position that served at the pleasure of the Board served at the pleasure of the Board. If it desired, the Board could step in and make decisions regarding appointed employees. Vice Chair Hill requested that be added to the policy for clarity.

Vice Chair Hill suggested that in the future, the members of the Board should consider whether or not they thought Washoe County staff should be residents of the County because Washoe County taxpayer money was being used. She remarked that even if the Board chose not to adopt a policy, it needed to understand that a remote

workforce was the new reality. She opined that when someone was appointed it should be disclosed on a staff report if they were not a resident of the County.

Commissioner Clark stated if the Board was voting on appointees, it should have all available supporting information. He asked if HR would be able to distribute this information directly to the Board members. Ms. Hurley deferred to Mr. Edwards. Edwards replied that, generally, Board members could get information concerning the performance of appointees that served at the pleasure of the Board, but there were certain areas that were exempt from dissemination while investigations were pending. He stated that when Equal Employment Opportunity Commission (EEOC) and Nevada Equal Rights Commission (NERC) complaint investigations were pending, they had to be treated as confidential. Commissioner Clark clarified that the Board did not want confidential information but if the information was available and legal for the members of the Board to see, they would like to review it.

Commissioner Garcia commented that the list of unclassified management employees was beneficial to see and opined that it should be included as part of Commissioner onboarding in the future.

Chair Hartung asked if unclassified management employees still worked under contract to which Ms. Hurley responded no. Chair Hartung inquired if the positions served completely at the pleasure of the Board. Ms. Hurley confirmed that was correct but clarified that no firing or action would be taken against those employees without cause. Chair Hartung asserted that if an employee did not have a contract or agreement with the County, they could be terminated without cause. He asked if that was common. Ms. Hurley answered that for management and unclassified management in higher-level positions, yes, they were at-will employees. She reiterated that regardless of at-will status, good HR practices should still be followed. She informed that if there was displeasure with an employee, staff did their best to help them exit peacefully to ensure fairness and that the same policies were applied to regular employees as well as unclassified management or supervisory employees.

Vice Chair Hill opined that the item would have to come back at a later date unless the Board was okay with the changes that were made that day. She requested confirmation from Mr. Edwards. Mr. Edwards declared that the best course of action would be for the item to be amended based on the suggested changes and come back to the Board on a future agenda. Vice Chair Hill asked Mr. Edwards if she should make a motion to table the item with the direction from the Board. Mr. Edwards informed that a motion did not need to be made as the item was not time sensitive. He said HR had the comments and he believed staff knew what the desire of the Board was. Ms. Hurley confirmed that was correct. Mr. Edwards observed that no action was required at that time. Vice Chair Hill understood the item was not time sensitive but hoped it would be brought back in a timely manner so expectations would be set for everyone about how the Board wanted appointed positions to be managed moving forward. Ms. Hurley assured that the item would be brought back to the Board as quickly as possible.

There was no public comment or action on this item.

23-0101 **AGENDA ITEM 23** Discussion and direction to staff regarding legislation or legislative issues proposed by legislators, by Washoe County, Truckee Meadows Fire Protection District, or by other entities permitted by the Nevada State Legislature to submit bill draft requests, or such legislative issues as may be deemed by the Chair or the Board to be of critical significance to Washoe County. Manager's Office. (All Commission Districts.)

Chair Hartung addressed Assistant County Manager (ACM) Kate Thomas and stated that the Legislature was now in session. Ms. Thomas said she was in attendance on behalf of Government Affairs Liaison Cadence Matijevich who was in Carson City at the Legislature. Ms. Thomas presented a legislative report and asked the Commissioners to consider the report on a weekly basis or during Board of County Commissioners' (BCC) meeting weeks and noted the report would provide overviews of legislation that was important for the County. She stated the report was structured to have the bills of interest at the top. She declared that the County was currently tracking 785 bills and the bills of interest were the ones that were pertinent for the Commission that week. She announced that if there was a piece of legislation that would require Board direction, it would be listed first on the report. She reminded the Commission that staff was unable to provide the report too far in advance due to the changing nature of the Legislature. She declared that the report would be provided to the Commission at the dais on meeting days, through email, and posted online to the meeting portal. She reiterated that the bills of interest were at the top, and the report also included a status of activity over the previous week followed by a preview of the coming week. She commented that staff had been very busy over the past two weeks reviewing legislation for both direction or potential impact to the County as well as fiscal impact. She declared that there had already been 52 fiscal notes submitted to the Legislature.

Chair Hartung informed the other members of the Board that the BCC used to receive a fairly large matrix and he opined that the report before them was a simplified version. He looked forward to being able to see the links. He asked the Commissioners if they were interested in discussing any of the bills of interest or if they were only primarily just going to give staff direction on the format of the report. County Manager Eric Brown inquired if all the Commission members had received the report. Ms. Thomas confirmed they all should have received a copy of the report by email and a hard copy at the dais. She informed that staff also had a weekly standing meeting with the Board's legislative liaisons, Vice Chair Hill and Commissioner Herman. She noted that the liaisons would be briefed more extensively on issues they could bring before the Board or items of interest that could be included in the report. Manager Brown added that staff met with the legislative liaisons every Friday. He stated that the rest of the Board members should speak with Vice Chair Hill, Commissioner Herman, or Ms. Matijevich if they thought there were legislative items that the County should consider. He noted staff reviewed the report every Friday and made necessary adjustments so it could be available to the Board at its meeting. He affirmed the

legislative report would be a standing item. If there were things the Board needed to take action on, this would occur during that agenda item.

Vice Chair Hill announced that any Board member could reach out to her with questions. She opined the best-kept secret in the State was the 3:00 p.m. legislative Zoom call with the Nevada Association of Counties (NACO). She explained that during these calls, NACO discussed Washoe County's bills and concerns as well as other county concerns. She offered to assist the other Board members in being added to those calls. She thought it was nice to understand what was going on and what other counties thought about the issues. Chair Hartung inquired if the calls were held every day at 3:00 p.m. Vice Chair Hill clarified they were held every Friday at 3:00 p.m. Chair Hartung declared that attendance on the calls might be useful for the Board members as they were all NACO representatives. He requested that staff place this on the Commissioners' calendars along with the Zoom link and the credentials.

Chair Hartung asked Ms. Thomas what she needed from the Board. Ms. Thomas inquired if the report worked for the Board and stated that staff was open to modifications. Chair Hartung declared he liked the format of the report and affirmed the Board members who were present in person approved of the format as well. He asked Commissioner Herman if she was okay with the format to which she responded that she did not have the report in front of her. Ms. Thomas said she would follow up with Commissioner Herman. Chair Hartung inquired if a vote was required for the item to which Assistant District Attorney Nathan Edwards replied no.

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

23-0102 **AGENDA ITEM 24** Public hearing, second reading, and adoption of an ordinance amending Washoe County Code Chapter 2 by adopting Supplement 16 and all clerical and technical corrections made therein. If passed, Supplement 16 will codify ordinances 1632, 1654, 1666, 1667, 1680, 1681, 1682, 1683 and 1684. This supplement does not include Washoe County Development Code (Chapter 110), which is published separately from the general Washoe County Code. District Attorney. (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 Clerk Jan Galassini read the title for Ordinance No. 1699, Bill No. 1889.

Chair Hartung informed that he discussed the Ordinance with Assistant District Attorney Nathan Edwards because he could not find inferences that were made during public comment with respect to cannabis. He asked Mr. Edwards for clarification. Mr. Edwards explained this item was a housekeeping item. He observed that all the listed Ordinances were already adopted by the County. He noted that this item, Ordinance 1699,

would take all the listed Ordinances and organize them in their appropriate places within the Washoe County Code (WCC). He observed that none of the listed Ordinances were related to cannabis lounges. He announced that the listed Ordinances were as follows: Ordinance 1632 established the Affordable Housing Trust Fund (AHTF); Ordinance 1654 determined who could issue parking citations; Ordinances 1666 and 1667 regarded short-term rental (STR) enforcement provisions; Ordinance 1680 was related to Human Services Agency (HSA) and Washoe County Sheriff's Office (WCSO) amendments on background checks; Ordinance 1681 modified boundaries of commission districts based on the decennial census; Ordinance 1682 abolished the Office of the Incline Village Crystal Bay (IV/CB) Constable; Ordinance 1683 amended WCC Chapter 25 regarding fees to be charged for peer-to-peer car sharing programs; Ordinance 1684 amended WCC at Chapter 5 regarding housekeeping items within the Office of the Public Guardian (PG) and allowed the PG to obtain the assistance of the District Attorney's (DA) Office in certain circumstances. He reiterated that all the listed Ordinances had already been passed and that Ordinance 1699 would allow the listed Ordinances to be placed into their corresponding subject areas in the WCC.

On the call for public comment, J. Collins was not present when called to speak.

On motion by Vice Chair Hill, seconded by Commissioner Garcia, which motion duly carried on a 5-0 vote, it was ordered that Ordinance No. 1699, Bill No. 1889, be adopted, approved, and published in accordance with NRS 244.100.

23-0103 AGENDA ITEM 25 Public Comment.

County Clerk Jan Galassini advised the Board she received an emailed public comment, which would be placed on the record.

23-0104 AGENDA ITEM 26 Announcements/Reports.

Commissioner Clark commented on the Dandini Spectrum workforce housing. He shared that this was the property the City of Reno had approved near the Washoe County Sheriff's Office (WCSO) training facility. He indicated he would like to see this item placed on an agenda. He declared that the land had cost approximately \$5 million and there would be about \$120 million worth of improvements. He said the project would bring in around \$700,000 annually to the tax roll, which would be about \$35 million to the County over the course of 50 years. He asserted the amount would actually be larger than that because there would be an 8 percent cap due to it being an income-producing property. He alleged that the project was market-rate workforce housing that was attainable for individuals who were in transition or could not afford to buy a home yet due to the high interest rates. He informed that according to the National Public Radio (NPR) and the market report that morning, interest rates had gone up 4.5 percent since the same time the prior year. He remarked that affordable housing was getting harder to find. He opined this project would provide lots of opportunities for residents. He outlined benefits to the County such as a waterline connection for the County police and fire academy, secondary fire

access, a new water tank, and extra sewage capacity. He declared he would have further meetings with the Sheriff. He believed that in the next four years, the Sheriff would continuously come to the Board with asks and needs and stated he would continue to support the Sheriff. He thought the County needed to take this non-income-producing piece of sagebrush land and put it on the tax roll. He thought it was a good project and it should be added to an agenda in the near future.

Commissioner Clark recounted that during the previous meeting, he had asked for a motion to reconsider the cannabis lounge ordinance. He asked that the ordinance be sent back to the Planning Commission (PC) so the details could be worked through. He opined that at this time the State would not be administering any new lounge licenses. He requested the ordinance be brought back to the Board once the PC was able to review it. He hoped it could be heard by the Board again by the end of March. He remarked that there was one cannabis lounge license in Washoe County that the State was waiting on and suggested the County Manager write a letter to the State to provide a status update so as not to negatively impact the owner of the dispensary. He surmised there was an opportunity to invite the owner of SoL Cannabis to a town hall meeting to address the issues and try to resolve them. He acknowledged that the residents who lived near the dispensary had real concerns that needed to be addressed. He wanted to find a way to bring the two groups together and find a compromise.

Vice Chair Hill asked that the Washoe County drug and alcohol policy be emailed to her and requested information about how the County handled employee complaints that a co-worker or supervisor seemed intoxicated.

Commissioner Herman requested that the County Manager provide the Board with an informational report on the Gerlach situation with Ormat Technologies. She asserted it was quite involved and that the members of the Board should know what was going on.

Chair Hartung directed County Manager Eric Brown and staff to coordinate with Commissioner Clark on his request. He opined that the Board would have to give direction to staff on the cannabis lounge matter and it would have to be heard by the PC again before coming back to the Board. Assistant District Attorney Nathan Edwards recommended Chair Hartung and Commissioner Clark meet to discuss a path forward on that concept and that there be no further discussion at that point.

* * * * *

1:21 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:
Taylor Chambers and Lauren Morris, Deputy County Clerks*