

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

TUESDAY

10:00 A.M.

JUNE 21, 2022

PRESENT:

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

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

ABSENT:

Vaughn Hartung, Chair

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:

22-0423 AGENDA ITEM 3 Public Comment.

Ms. Beth Macmillan thanked the Board for its support. She thanked Washoe County Communications Director Nancy Leuenhagen for her support as a member of the Artown Board and the podcast opportunity. She shared that the Dragon Lights would take place throughout the arboretum at Rancho San Rafael Park, and Artown would be held at several venues including Hawkins Amphitheater, the University of Nevada, Reno, and Idlewild Park. She shared a video of Artown attractions, noting the events would begin in less than two weeks.

Ms. Tracey Hilton-Thomas read from the Bible. She expressed excitement about Agenda Item 8E2 as it related to traffic in District 4, and she requested further information regarding the referenced resolution. She pointed out the County had completed another round of contract negotiations and questioned why deputies with the Washoe County Sheriff's Office (WCSO) were receiving larger bonuses than other County employees. She opined this created tension at the WCSO among deputies and the rest of the staff. She voiced concern about Agenda Item 18 and believed there were already adequate resources to protect employees. She did not think the fund established through Item 18 would be used equitably and did not want taxpayers to have to contribute. She urged the Board to reject Item 18 and send it back to be amended.

Ms. Wendy Leonard congratulated Commissioner Herman on her primary win. She shared that 54.6 percent of Republicans voted against Commissioner Herman, and she believed many constituents were unhappy with the job Commissioner Herman was doing. She informed she sat on the North Valleys Citizen Advisory Board. She stated constituents had been asking for a radar sign in front of the high school in Golden Valley for the past six months and Commissioner Herman had not taken any action. She pointed out that the County had funds for traffic calming as well as a traffic calming policy. She expressed frustration that Silver Knolls Park was not being watered. She noted she would like to see wealthy Californians be ousted from the area.

Ms. Christina Sherbrook spoke about Agenda Item 18, stating she thought it was a bad idea. She mentioned the U.S. and Nevada Constitutions and the freedoms of speech and the press. She said she was against a Washoe County comprehensive employee program being used to spy on citizens and penalize people and organizations. She believed County employees who suffered personal attacks or threats against them should use the same private system that citizens used. She did not want taxpayer funds to be used to pay for the mistakes of County employees.

Mr. Larry Chesney shared that he was the publisher of Pecan Press Media, noting its founding principles were to report unedited events based on public record. He believed taxpayers would be expected to pay to defend and support the malfeasance of Washoe County employees with the establishment of the comprehensive employee support plan proposed in Agenda Item 18. He stated assistance for mental health matters and support from the Workplace Violence Committee were available to the employees and he asserted policymakers and those in leadership roles were compensated for being subject to scrutiny, criticism, and comment. He remarked it was reprehensible that the elected representatives of the County taxpayers would consider such an egregious proposal. He felt it was an implied threat to the Constitution of the United States and suggested the Board think twice about its actions.

Ms. Elise Weatherly spoke about betrayal, double standards, John Orr, Paul Orphan, false friends, homeowner associations (HOAs), Darlene Ferrin, the State of Nevada, the Nevada Revised Statutes, the judicial system, the medical system, the voting system, and a girl named Sam. She stated she would not be afraid if she told the truth and spoke about a project called "Hypocrisy at its Finest: The Bitterness of Betrayal." She mentioned she spoke up about laws that were being broken at the El Dorado Casino despite fearing for her job. She said her HOA had filed a \$1,000 fine against her without taking her to court to prove she broke the law. She wondered why someone was nominated to handle child support issues because she did not think they were on the side of the child. She remarked on her experience while voting.

Mr. Bill Neill felt that applause in Chambers was not disruptive, however, interrupting speakers and depriving people of their freedom of speech was. He commented the National Football League owners were fining coaches because they stated their opinions. He talked about members of the Board selling out their communities, their country, and the people sitting in the room. He wondered whether their motivation was

shiny new cars, graft, and corruption, or sincerely held political ideologies. He said there was nothing more sacred than the Constitution. He wanted to know why he saw County Manager Eric Brown's name on Agenda Item 18 and why the Board was attacking the people. He said the employee protection fund was not for the employees; it was to silence the people.

Mr. Nicholas St. Jon said he sent a report called the Provisional Voting Anomalies Errors and Irregularities of the 2020 General Election to Washoe 311 and wanted to know if the Board received it.

10:20 a.m. **The Board recessed.**

10:30 a.m. **The Board reconvened with all members present.**

Mr. Nicholas St. Jon continued his comments and asked for an answer to his previous question. He said his submission to Washoe 311 demanded that the Board agendaize the issue so there could be a dialogue. He claimed the Board had refused his request since December. He argued the observer area in the Registrar of Voters (ROV) was a fishbowl and did not allow him the ability to see the tabulation machines. He claimed his questions and concerns were not answered and he expressed frustration about where he was told he could and could not stand. He said it was not meaningful observation without the ability to interact, observe, and ask questions. He requested the Board put a stop to the certification of the election until the people could see what was going on and asserted he was being deprived of his rights. He thought the Board could either allow this or take a stand that it did not care about whether the election was free and fair.

Mr. Michael Clark spoke about an article from that past Sunday's Reno Gazette-Journal regarding the election. He said Professor Fred Lokken from the Truckee Meadows Community College reported there was a lot of turnover in the ROV and Registrar Deanna Spikula was on indefinite leave. Mr. Clark thought an analysis of the department should take place because something was seriously wrong. He commented that no ROV Office should have as many problems as he believed the Washoe County ROV Office had over the past ten years. He spoke about unconscious incompetence, stating it meant "you don't know what you don't know." He shared he had been voting for over 50 years. He expressed frustration that the election occurred over a week ago and the results had not yet been finalized. He opined Commissioner Herman was picked on when she wanted to modify the election process. He asked the Board when it would get things right.

Ms. Nichelle Hull displayed an image. She strongly denounced Manager Brown's recommendation to use taxpayer funds to pay for a comprehensive employee support plan without the expressed implicit approval of the affected taxpayers. She opined the approval of the agenda item would be an abuse of power. She expressed frustration about the use of a fund to go after members of the public for disapproving of the job County employees did. She spoke about how employees were reprimanded in the private sector. She said County residents attending meetings to strongly disagree with the actions of the

Board did not constitute harassment. She stated each person was accountable for their actions and those actions were being witnessed by a higher power.

Mr. Mark Neumann stated he had applied to serve on the Washoe County Planning Commission and requested the Board's support. He said he was a long-time resident of Washoe County and spoke about his volunteer experience including the Sky Tavern junior ski program, the Sun Valley Citizen Advisory Board, the Board of Directors for his HOA, and the Sun Valley Senior Center.

Mr. Mike Roderick echoed the comments made by Mr. Neill, Mr. St. Jon, and Ms. Hull. He denounced the recommendation from Manager Brown. He listed the following names and noted the individuals were former County Commissioners in Nevada who had been sent to prison for fraud, racketeering, and corruption: Dario Herrera, Mary Kincaid-Chauncey, Erin Kinney, and Lance Malone. He read a quote that stated the former Clark County Commissioners had deprived the citizens of Clark County of their rights to the honest services of public officials. He opined the Washoe County Board of Commissioners was also guilty of this, with the exception of one of its members.

Mr. Cliff Nellis stated he had been a Washoe County resident since 1974. He thanked Commissioner Herman for her service and said he liked Mr. Robert Beadles. He informed he recently saw a list provided by Mr. Beadles of things that would cause the election not to be certified, and he was shocked by it. He echoed the comments of those who spoke against Agenda Item 18 and said he did not see a need for it. He opined that on a federal level law enforcement was very selective and against conservatives. He spoke about Roger Stone and Dr. Simone Gold. He said he did not want to see the federal deep state brought down to the County. He believed the County did not need more roundabouts; it needed more cops. He opposed Agenda Item 18. He thanked Mr. Brown for ensuring the votes were counted the night of the election in 2020.

Mr. Vance Rushing displayed a document, a copy of which was placed on file with the Clerk. He read a 1964 U.S. Supreme Court ruling that supported his opinion. He shared that he served 20 years in the U.S. Navy, and he believed the Board was the antithesis of what he was supposed to serve. He expressed frustration with the members of the Board except for Commissioner Herman.

Ms. Janet Butcher informed she had signed up to be a poll worker and received one call but did not get called back. She wondered whether it was because of her computer background. She noted her husband was selected to be a poll worker. She asserted the Sparks Library did not have enough poll workers and asked why it was understaffed. She stated there were ten polling stations at the library but no more than three people were at those stations at a time. She expressed frustration with a Board member's comments at a previous meeting regarding the price of gas, noting there were citizens in the County who were on fixed incomes and could not absorb the extra cost. She opined the prevention of clapping was for control. She urged the Board to vote no on Agenda Item 18.

Mr. Timothy Burk opposed Agenda Item 18. He supported the comments made by Ms. Hilton-Thomas, Mr. Chesney, and Ms. Hull. He believed it was an abuse of power and would use public funds to attack the public.

Ms. Lisa Fleiner asked the Board to vote no on Agenda Item 18. She believed the County wanted to protect its employees by monitoring the domestic speech of the public. She opined the Board and the County were afraid of the truth regarding elections, COVID-19 vaccines, and masks. She spoke about the Bible. She wondered about the efforts to silence those who disagreed with the Board. She asked the members of the Board if they wanted to fall on the wrong side of history. She shared that she volunteered to work as a ballot intake person on election day at Whitehead Elementary School. She noted there was nothing in the election workbook about a ballot intake person or how to do the job; she was told verbally on the spot what to do. She said after counting ballots she would hand them to her manager who locked them up, and she wondered about the chain of custody after that.

Mr. George Lee opposed Agenda Item 18 and asserted it was a slush fund to protect public workers for actions outside of their jobs. He opined it was wrong to even suggest the item and stated people were jailed for using public funds for personal use.

Mr. Wayne Gordon asked why it was ok for someone to attack Commissioner Herman, but it was not ok for someone to ask the members of the Board a question. He observed a few weeks prior he had come before the Board and said the cost of a lawsuit filed by a commissioner should be paid for by the commissioner, not by County residents. He believed Agenda Item 18 appeared to say County funds would be used to protect employees in a lawsuit. He noted the Board never took up an item regarding whether to require the reimbursement of all costs for the lawyers for both sides of a lawsuit that he believed should never have been filed. He informed he had previously appeared before the Board to discuss Fentanyl trafficking and deaths and to request that the federal government close the border to anyone bringing in Fentanyl. He did not think the Board listened to the people. He wondered about the lump sum payments in Agenda Items 12 through 16.

Ms. Kris Engstrom spoke about Agenda Item 22, noting she believed denying the grading of the parcel of land in Mogul was the right thing to do. She said the residents had issues with traffic concerns, the developer not following the rules, and there were questions about who really owned the land. She opined the land should not be developed to the extent that was being proposed. She pointed out the traffic was awful in that area and that intersection could not handle trucks and businesses. She said no one was taking responsibility for dealing with the traffic and the safety of the people that use that five-way intersection. She noted the area was being developed by the County, which she believed was great for the river and recreational use. She thought the I-80 West on-ramp was unsustainable, unsafe, and not up to code. She thanked the Board and asked it to continue to work for the people of Mogul.

Mr. Larry Engstrom spoke against the grading permit and further development of the area. He thought having a large business in the area would disrupt an otherwise completely residential area. He spoke about the intersection and agreed with Ms. Engstrom about it being unsafe and not up to code. He opined the increase in traffic would be dangerous. He urged the Board to support the earlier ruling in denial of the grading permit.

Ms. Katherine Snedigar informed that a friend died in her barn on April 11. She expressed frustration with the way she was treated by law enforcement when they arrived at her property. She explained she would not provide identification or her birth date and was told she was acting suspiciously. She wondered why law enforcement was investigating her property for several hours without determining the death was a suicide. She informed she filed a verbal report with a deputy over the phone about the way she was treated, and nothing had been done.

Ms. Penny Brock displayed a document, a copy of which was placed on file with the Clerk. She said free speech was fundamental to freedom in America and referenced the First Amendment. She asserted free political speech rights helped to protect every citizen from abuse of governmental power, and free speech could mean the difference between liberty and tyranny. She opined Agenda Item 18 was an attack on the people's free speech rights. She spoke about President Joe Biden's Disinformation Governance Board and thought the proposed Washoe County Workplace Violence Committee would be the same type of board. She asserted Item 18 was outrageous and should be pulled from the agenda. She believed some elected politicians and elected staff sought to pass laws to limit speech about government staff and elected officials and threaten the privacy of citizens. She opined if those with differing views were unable to speak, their ideas could not be heard which would result in a less vibrant and less dynamic democracy. She read from the First Amendment, and she requested the Board pull Item 18 from the agenda.

Mr. James M. Benthin provided a document, copies of which were distributed to the Board and placed on file with the Clerk. He shared that the document was an article written by Kevin Dietrich, Communications Director for the Nevada Policy Research Institute. He read from the article. He suggested the Board ask the legal department what happened to evidence when there was no chain of custody. He wondered whether a jury was supposed to accept it on its face value or if it was thrown out. He opposed Item 18 and supported Ms. Hull and the other speakers who commented the item was abusive.

Mr. Robert Beadles shared that he had lived in Nevada since 1995 and was a constitutionalist. He believed the Board was corrupt except for Commissioner Herman. He said at least two members of the Board should not be on the Board. He asserted Agenda Item 18 would give power to the corrupt and would use taxpayer dollars against the taxpayers. He opined the Board would have the support of the people if it did its job. He thought the members of the Board, except Commissioner Herman, had a lot to hide.

According to his attorneys, he stated, passing Item 18 would be illegal. He informed he would spend millions to remove the commissioners from office.

11:19 a.m. **The Board recessed.**

11:20 a.m. **The Board reconvened with all members present.**

Ms. Valerie Fiannaca believed Manager Brown was a good gentleman and that Agenda Item 18 was coming from higher up. She noted she did not come before the Board of County Commissioners (BCC) often, but she did go to every school board meeting. She opined that because of her activism she had Antifa on her doorstep. She said the police would not come when she called, but she paid a private investigator to find out who was sitting on her doorstep. She stated she paid for her protection and thought if the members of the Board were intimidated, they should have to pay for their own protection. She observed the people had a right to march on the street or come to the BCC meetings and address the Board if they did not like what it was doing. She requested the Board pull Agenda Item 18.

Mr. Donald Fossum displayed a pair of boots. He spoke about Mr. Beadles. He shared that he attended the Reno Rodeo and explained how a rodeo event worked. He compared the members of the Board to broncos and bulls.

Mr. Kenji Otto displayed a document, a copy of which was placed on file with the Clerk. He recommended the Board watch *Tortured for Christ*. He shared he spent 20 years in the military learning about communism and Marxism. He expressed frustration about the recess taken at the beginning of the meeting. He suggested Vice Chair Hill not run for re-election. He opined she was doing a poor job and he spoke about the public comment cards. He voiced concerns about Agenda Item 18. He believed Commissioner Herman was the only member of the Board who did her job.

Ms. Kathy Benson expressed frustration that the Board was even thinking about voting for Item 18. She said she did not want her tax dollars spent that way.

Ms. Renee Rezendes opined President Barack Obama gave the people false hope about bringing change when he ran for office. She said he wanted equality, but she believed he wanted everyone to be equally poor. She thought Item 18 was unequal, and she asserted the County should extend coverage to the public if it was going to create a slush fund, so everyone could be equally poor. She spoke about a lawsuit between Commissioner Lucey and Assessor Mike Clark. She opined taxpayer dollars were used and it was an abuse of the people's money. She said Commissioner Herman had not complained about the way she was treated.

Mr. Gary Schmidt opposed Item 18 for all the reasons that had been enumerated by previous speakers. He spoke about the Open Meeting Law, noting copies of supporting documents should be provided to anyone who requested them. He believed there was a technical violation of the law during the meeting when there was a substantial

delay in providing copies related to Item 18 to those who requested them. He asserted the meeting would have been shut down in the past until the documents were provided and he suggested the Board continue to operate that way. He suggested Vice Chair Hill look into Schmidt v. Larkin, an Open Meeting Law complaint, which determined clapping could not be restricted at a BCC meeting unless it was placed on the agenda as a restriction to public comment. He hoped Commissioner Jung would vote against Item 18.

Mr. Kim Toulouse opposed Agenda Item 22. He urged the Board to trust the decision made by the Board of Adjustment (BOA). He shared that he served just over 11 years on the BOA. He informed several members of the BOA walked the property, listened to community members, and then determined it was not an appropriate use. He said bikes used the Tahoe-Pyramid Trail in the area frequently and there were no bike lanes anywhere. He displayed photos of the area. He expressed frustration about exit 7 being blocked during winter storms, sometimes for days, because there was no truck parking west of Reno anymore. He requested the Board consider the issue carefully.

Ms. Hope Backman expressed disappointment about most of the commissioners, noting she was glad Commissioner Lucey and Commissioner Jung were leaving. She thought Vice Chair Hill should leave. She thanked Commissioner Herman. She expressed disapproval of Item 18 and said the people would not sign off on it. She opined there was massive voter fraud in the election and the people had much of it on film.

Mr. Robert Shepherd shared he had lived in Mogul for 33 years. He said commissioners had gone out to the area in the past and observed that they could not build in that community. He stated mental health was a big issue in the United States. He spoke about urban sprawl and believed it was bad for everyone and their children.

22-0424 **AGENDA ITEM 4** Announcements/Reports.

County Manager Eric Brown recognized Human Resources Director Patricia Hurley and her team for their efforts on the final collective bargaining agreements that were on that day's agenda. He said a lot of hard work went into the agreements, and he opined the agreements were fair. He informed the Nevada congressional delegation released the fiscal year 2023 community project funding lists of federal appropriations for a total of \$12.5 million to the County. The projects funded were the Lemmon Valley Hepner 5 stormwater improvements for \$3.5 million, the West Spanish Springs stormwater improvements for \$938,000, the Northern Nevada Hopes Cares Campus clinic for \$5 million, and the South Valleys Regional Park buildout for \$3 million. He noted the Board gave staff priorities at the Strategic Planning Workshop in January that included Parks and Open Spaces and the improvement of stormwater infrastructure. He said the congressional delegation came through to help the County get those projects funded without having to spend American Rescue Plan Act money.

Manager Brown reminded the canvass of the vote for the primary election would occur that Friday. The total turnout was 95,000 voters or about 30 percent. He noted the presidential election in 2020 had a voter turnout of 33 percent. The vast majority of

ballots (55,862) were cast by mail. While mail-in ballots were convenient for voters, they did require additional processing time. The Nevada Legislature built processing time into the law when it instituted mail-in ballots. He said June 20 was the final day of the curing of ballots. After the canvass of the vote, the results of the election would be deemed final and official. As the ballot processing and counting were completed, the livestream video cameras were taken down in the election office. Livestreaming of elections was first started by the County during the 2018 primary election and was now considered the standard for election transparency. He informed the stream averaged approximately 100 viewers per day, beginning with early voting on May 28. He thanked the County's video partner, SoSu TV, for making the livestream possible.

Manager Brown indicated the general election would be held in November with early voting from October 22 through November 4, and election day would be Tuesday, November 8. He reminded that one of the biggest ways voters could help secure a smooth and seamless election was to check their voter registration and confirm the mailing address was correct. He noted that voter registration could be viewed and changed by going to the Washoe County Registrar of Voters (ROV) website. He asked residents who received correspondence from the ROV for individuals not residing at an address to write "no longer at this address" and "return to sender" on the envelope. The United States Postal Service would return the envelope to the ROV, and the voter roll would be changed.

Regarding Agenda Item 18, Manager Brown clarified the item pertained to employees only. He recalled that many public comments that morning had alluded to the misbelief that elected officials would be protected by the passage of Agenda Item 18. The agenda item was intended to ensure the rights of the County employees were protected. He noted there had been situations where the public discourse had gotten increasingly hostile towards employees, including death threats and malicious and fictitious claims. He stated the County had a responsibility as an employer to support employees. He said the agenda item was not an attempt to suppress criticism of any elected public official. The initiative would give County employees the ability to retain counsel or resources.

Commissioner Herman suggested that Agenda Item 18 be postponed to allow staff time to bring the item back in a more palatable form that was understandable to the public.

Vice Chair Hill mentioned she spoke to the International Downtown Association West Coast Forum about the Cares Campus and the forum was impressed with the results and the work the Board had done for the homeless population. She opined it was a great opportunity to showcase the efforts of the County, and she said there would be more information and data given to the Board regarding progress at the Cares Campus.

Vice Chair Hill informed the Tahoe Transportation study was still open, and she wanted feedback regarding traffic, multimodal vehicles, snow removal, and parking from the Incline Village community and the general population that traveled to Incline Village. She noted that input could be given on the County's website. The Mobility Hub Committee would meet on June 27 at the Visitor's Center in Incline Village.

22-0425 **AGENDA ITEM 5** Recommendation to receive a presentation by Holly Gatzke, Area Director of UNR Cooperative Extension, on the UNR Cooperative Extension's FY2023 University of Nevada, Reno Extension budget. Manager's Office. (All Commission Districts.)

Ms. Gatzke presented the 2023 fiscal year budget for the University of Nevada, Reno (UNR) Extension. She said the budget had grown as tax rolls grew. The special revenue account for the upcoming year was \$1.9 million, which would be used for education services for the public. The State and federal budget was \$376,665, which unfortunately kept decreasing although there were efforts to create awareness and increase the budget. She indicated the sponsored project funds were for active programs. She noted the Board received a document that showed extension center revenue for the current year and the prior year as well as some ideas of plans for those funds. She noted most of the funds would go toward personnel with some funds earmarked for travel and operating expenses. She said the extension center owned its building and UNR maintained it so there were no building costs. She mentioned the opening balance was just over \$2 million. She said she was having trouble hiring and maintaining staff in the northern area, noting she had approximately 62 percent of staff positions filled. She indicated the contingency fund opening balances would be used in new programming and online education support, and she planned to add a children's festival for the community. She thought the festival would focus on health, nutrition, and life skills. She said extension staff spent a lot of time in communities of need so the rest of the public might not know about programming and she hoped the children's festival would be available to a broader audience. She planned to do a county needs assessment, noting a statewide evaluation specialist could help frame up the assessment. She expressed excitement about creating an inventory of social capital and determining how to get the most benefit to serve the community's needs. She welcomed feedback from the County and the public to help develop a map of resources. She mentioned she sourced a vehicle to help with travel costs and to provide the ability to supply transportation to programs. She was trying to develop a more efficient system, which would have a greater impact.

Ms. Gatzke explained the breakdown of contingency funds noting the backup for grant risk accounts were funds that would cover expenses while waiting for grant funds. She said the turnaround time on applying for grants could be short and funds were sometimes needed for programs before the paperwork was completed. She noted some of the personnel costs were covered by contingency funds such as short-term contracts to initiate projects. She spoke about collaborating with the County on the Washoe County Leadership Academy (WCLA) which would be launched during the summer. She said the WCLA would include courses for people to learn about the County including departments, duties, and governing work according to the rules. She stated the WCLA would also provide some leadership skills to help people prepare for positions within the County. She noted the Cooperative Extension would continue working on youth programs which they did a lot of in underserved communities, through the 4H program, and the Living with Fire program. She said staff was working on implementing more programs for the unsheltered community.

Vice Chair Hill commended Ms. Gatzke for her efforts and thanked her for the partnership with the WCLA. She expressed excitement for the start of the WCLA and thought furthering the understanding of the County's operations would be important for civic engagement in the community. Ms. Gatzke said there had been delays in implementing programs during the past two years, so she was excited to move forward. She stressed the importance of communication with all partners in the area. She said she would provide a report to the Board in the fall once program data was available.

Commissioner Jung thanked Ms. Gatzke for program expansion and the partnership with the County. She encouraged her to work with the Reno Rodeo which was looking to create western-themed preservation. She thought that partnership would be natural, particularly with the 4H animal husbandry programs. She understood the 4H program had only one part of the Cooperative Extension's programming but she believed it was important. She appreciated Ms. Gatzke's cooperation and openness on ways to address County issues as community partners.

PROCLAMATIONS

22-0426 **6A1** Proclaim June 21, 2022 as Juneteenth Recognition Day in Washoe County.

Commissioner Jung read the proclamation and expressed pride in this new federal holiday. She quoted Dr. Martin Luther King Jr. who said "Injustice anywhere is a threat to justice everywhere." She indicated Juneteenth was a way for Americans to recognize a history that was not pleasant but was still part of the Nation's history. She stated Americans had the responsibility to continue working on making the country a more perfect union by ensuring that rights were enjoyed by everyone regardless of color, creed, or race.

On the call for public comment, Ms. Elise Weatherly spoke about the importance of recognition. She believed money was a large part of having events to recognize groups or individuals. She expressed dislike for the grouping of people based on the color of their skin, opining that people should be grouped based on the content of character. She thanked the Board for the Proclamation.

On motion by Commissioner Jung, seconded by Commissioner Lucey, which motion duly carried on a 4-0 vote with Chair Hartung absent, it was ordered that Agenda Item 6A1 be adopted.

DONATIONS

22-0427 **7A1** Recommendation to accept donations of [\$10,798.07] from various businesses, organizations and individuals for Regional Parks and Open Space programs and facilities; and direct the Comptroller's Office to make the appropriate budget amendments. Community Services. (All Commission Districts.)

22-0428 **7B1** Recommendation to accept a \$220,000 donation from the Friends of the Washoe County Child Advocacy Center for the District Attorney's Office to benefit the operations of and programs in the Washoe County Child Advocacy Center, and to authorize the Comptroller to make necessary budget amendments. District Attorney. (All Commission Districts.)

22-0429 **7C1** Recommendation to accept donations to Washoe County Regional Animal Services in the amount of [\$9,170.07] retroactive for the period April 1, 2022 through May 31, 2022, from numerous donors (see attached list), in addition to donated towels and wipes from Barnhardt Manufacturing valued at \$1,690.00, to be used for the humane care and treatment of sick and/or injured, stray, abandoned, or at-risk animals; express appreciation for these thoughtful contributions; and direct the Comptroller's Office to make the necessary budget amendments. Regional Animal Services. (All Commission Districts.)

Commissioner Jung read the donations. She noted the community loved parks and open spaces, so she was proud to accept the donation on behalf of Regional Parks and Open Space. She thanked the Friends of the Washoe County Child Advocacy Center (FWCCAC) for their donation and encouraged the Board to support the Washoe County Child Advocacy Center (WCCAC). She said the WCCAC was a one-stop center for abused children so they could avoid additional trauma from having to repeat their testimony to various adults. She said she was proud to live in a community that loved and supported homeless animals.

District Attorney (DA) Christopher Hicks thanked the Board and County Manager Eric Brown for giving him a moment to address the significant contribution of the FWCCAC. He knew the commissioners were aware of and appreciated the WCCAC, which was one of his proudest achievements. He said the center had revolutionized the way the County approached child physical and sexual abuse cases because of its multidisciplinary approach. He indicated the center included law enforcement, prosecutors, medical providers, social services, and mental health workers all working together to ensure the child victims experienced the least amount of trauma while improving investigations and prosecutions. He said the WCCAC had been delivering justice and support for child victims since it opened in 2014. He stated the center also delivered punishing justice for defendants who preyed upon children in the community. He noted County funds were sometimes scarce and the Board was required to make difficult decisions about allocating those funds. The FWCCAC non-profit was created in 2016 after recognizing the needs of the WCCAC. He noted the board of the FWCCAC was comprised of dedicated and devoted community members who raised over \$200,000 over the past 6 years. He said the FWCCAC had zealously advocated for positions through the Washoe County Board of County Commissioners (BCC) and had successfully gained several new positions: a program manager, deputy district attorney, and funds to support another forensic interviewer. He noted the FWCCAC recently lobbied and successfully helped pass defining child advocacy center (CAC) language in the 2021 legislative session, which was

significant for child advocacy centers throughout the State. He wanted to recognize three groups of people: first the board members and officers of the FWCCAC for their tireless work; several entities and individuals who consistently donated money during the past six years; and the community in general for its many donations. He thanked the BCC for the opportunity to acknowledge the support.

On the call for public comment, Ms. Elise Weatherly expressed support for the DA's office. She spoke about a criminal trial she observed, a disturbing experience at the dog park, and grouping people by their belief in the truth rather than their skin color, race, or gender. She opined some people were inherently bad.

On motion by Commissioner Jung, seconded by Commissioner Lucey, which motion duly carried on a 4-0 vote with Chair Hartung absent, it was ordered that Agenda Items 7A1 through 7C1 be accepted.

CONSENT AGENDA ITEMS – 8A1 THROUGH 8H1

- 22-0430** **8A1** Approval of minutes for the Board of County Commissioners' regular meetings of May 10, 2022, and May 17, 2022. Clerk. (All Commission Districts.)
- 22-0431** **8A2** Acknowledge the communications and reports received by the Clerk on behalf of the Board of County Commissioners, including the following categories: Communications; Monthly Statements/Reports; Budgets; and Annual Statements/Reports. Clerk. (All Commission Districts.)
- 22-0432** **8B1** Recommendation to approve, on the recommendation of the Chair, the appointment of Kathie M. Julian to the Washoe County Board of Adjustment representing Commission District 1 (generally includes Incline Village and Crystal Bay, most of the Forest area along the west side of Mt. Rose Highway and portions of the Southwest Truckee Meadows area), to fill a term beginning on July 1, 2022, and ending on June 30, 2026, or until such time as Ms. Julian no longer serves on the Board of Adjustment or a successor is appointed, whichever occurs first. Ms. Julian is the only applicant. Community Services. (Commission District 1.)
- 22-0433** **8B2** Recommendation to:
- (1) approve, pursuant to NRS 278.040 and on the recommendation of the Chair, the appointment of Daniel Lazzareschi to the Washoe County Planning Commission representing Commission District 1 (generally includes Incline Village and Crystal Bay, most of the Forest area along the west side of Mt. Rose Highway and portions of the Southwest Truckee Meadows area); to fill a full term beginning on July 1, 2022 and ending on June 30, 2026, or until such time as Mr. Lazzareschi no longer serves on the Planning Commission or a successor is appointed, whichever occurs first.

Applicants include: Thomas B. Courson, Naseer Rana and Daniel Lazzareschi; and

(2) approve, pursuant to NRS 278.040 and on the recommendation of the Chair, the appointment of Rob Pierce to the Washoe County Planning Commission representing At-Large North of the River (includes areas of unincorporated County north of the Truckee River) to fill a full term beginning on July 1, 2022, and ending on June 30, 2026, or until such time as Mr. Pierce no longer serves on the Planning Commission or a successor is appointed, whichever occurs first. Applicants include: Roger M. Edwards, Robert B. Long, Steve J. Murphy, Charles (Mark) Neumann and Rob Pierce. Community Services. (Commission Districts 1, 3, 4, 5.)

- 22-0434** **8B3** Recommendation to approve the asset reassignment of multiple vehicles from various Washoe County Departments to Equipment Services Fund; and direct the Comptroller's Office to make the appropriate asset adjustments [net \$876,233.52]. Community Services. (All Commission Districts.)
- 22-0435** **8B4** Recommendation to approve a sub-lease agreement with Silver Arrow Bowmen Archery Club, a local non-profit 501-c3 organization, for continued operation of the Regional Archery Facility in Lemmon Valley, retroactive to June 4, 2022 for a term of five years, with an additional five year renewal option; and authorize the Director of the Community Services Department to sign the agreement on behalf of the County. Community Services. (Commission District 5.)
- 22-0436** **8C1** Recommendation to authorize the Tax Collector to strike names and amounts identified on delinquency/uncollectible Personal Property Tax list for fiscal years 2018-2019 through 2021-2022, totaling [\$1,132.48]. Comptroller. (All Commission Districts.)
- 22-0437** **8D1** Recommendation to accept Amendment #2 to the FY21 Public Law 116 Chafee subgrant award from the State of Nevada Department of Health and Human Services (DHHS), Division of Child and Family Services (DCFS) in the amount of [\$29,178.00; no County match required] retroactive for the period of October 1, 2020 to September 30, 2022 to support youth/young adults aging/aged out of the foster care system successfully transition to independent living; authorize the Director of the Human Services Agency to retroactively execute the grant documents; and direct the Comptroller's office to make necessary budget amendment. Human Services Agency. (All Commission Districts.)
- 22-0438** **8D2** Recommendation to retroactively approve food purchases, and future food purchases by approving FY22 budget adjustments moving [\$20,000.00] into the food purchases item budget in Fund 223 - Homelessness (net impact to Homelessness Fund is zero) and direct the

Comptroller's Office to make the necessary budget adjustments. Human Services Agency. (All Commission Districts.)

- 22-0439** **8E1** Recommendation to appoint Retiree Christine Vuletich as a beneficiary representative as Trustee on the Washoe County, Nevada Other Post-Employment Benefits (OPEB) Trust Fund Board of Trustees for a two-year term ending June 21, 2024 to replace a previously appointed beneficiary representative Dondi Armstrong, and recommend to appoint Washoe County Budget Manager Lori Cooke as Trustee on the Washoe County, Nevada Other Post-Employment Benefits (OPEB) Trust Fund Board of Trustees for a four-year term ending June 21, 2026 to replace the previously appointed County representative, Christine Vuletich. Manager's Office. (All Commission Districts.)
- 22-0440** **8E2** Recommendation to approve Commission District Special Fund disbursement pursuant to NRS 244.1505 in the amount of [\$10,000.00] for Fiscal Year 2021-2022; District 4 Commissioner Vaughn Hartung recommends a [\$10,000.00] grant to the Washoe County Community Services Department -- a governmental entity -- for use to improve traffic conditions in District 4; approve Resolution necessary for same; and direct the Comptroller's Office to make the necessary net zero cross fund and/or cross function budget appropriation transfers. Manager's Office. (Commission District 4.)
- 22-0441** **8E3** Recommendation to approve Commission District Special Fund disbursement, pursuant to NRS 244.1505, in the amount of [\$63,500.00] for Fiscal Year 2021-2022; District 3 Commissioner Kitty Jung recommends a [\$8,400.00] grant to Washoe County Sheriff's Office, Patrol Division -- a government entity -- for the purpose of purchasing a Stalker Rotatable Speed Alert Monitor (SAM-R) Trailer to be utilized along Sun Valley Boulevard and, subsequently, any areas within Washoe County; and a [\$13,913.00] grant to Washoe County Community Services Department, Operations -- a government entity -- to contract with T&T Lawns Plus for the purpose of cleanup and disposal of all debris, excess soil, trash, native sage, and leaves from drainage swale along both sides of Sun Valley Blvd., starting at 1st Avenue and terminating at Quartz Lane; and a [\$35,172.00] grant to the Sun Valley General Improvement District (SVGID) -- a government entity -- for the purposes of replacing the pump room solar panels at the Robert & Norma Fink "Sun Valley" Pool; and a [\$6,015.00] grant to the Office of the County Manager: Communications & Engagement Division, Commissioner Support -- a government entity -- for the purposes of purchasing audio/visual (AV) equipment that will allow the Sun Valley Citizens Advisory Board (CAB) to be conducted as a hybrid meeting, in-person and via Zoom; approve Resolutions necessary for same; and direct the Comptroller's Office to make the necessary disbursement of funds and net zero cross fund and/or cross function budget appropriation transfers. Manager's Office. (Commission District 3.)

- 22-0442** **8F1** Approve an overfill request for one Bailiff position for 12 weeks, direct Budget to make the necessary adjustments, and authorize Human Resources to allow the necessary staffing changes. The estimated cost of \$28,948.00 for the period of the overfill will be absorbed in the FY23 budget utilizing existing salary savings. Budget has approved this request. [Fiscal impact is estimated at \$28,948.00] Reno Justice Court. (All Commission Districts.)
- 22-0443** **8F2** Recommendation to approve five percent (5%) Training Officer differential pay on 160 hours yearly when assigned duties specifically related to staff safety/security training and law enforcement certification training. [Fiscal impact is estimated at \$397]. Reno Justice Court. (All Commission Districts.)
- 22-0444** **8G1** Recommendation to approve the reimbursement of costs incurred by the City of Reno and Washoe County for expenses related to and in support of the Enhanced 911 Emergency Response System and portable event recording devices, as recommended by the 911 Emergency Response Advisory Committee on May 19, 2022, in an amount not to exceed [\$68,712] as specified within the adopted Enhanced 911 Fund's operating budget. Technology Services. (All Commission Districts.)
- 22-0445** **8H1** Recommendation to accept Treasurer's status report for the period ending May 31, 2022, of payment of refunds and interest since last update in the amount of \$2,003,578.17 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.)

Commissioner Lucey noted Chair Hartung would distribute special district funds in the amount of \$10,000 to the Washoe County Community Services Department to improve the traffic conditions in District 4. He thanked Chair Hartung for the grant. He said Commissioner Jung would disburse special district funds: \$8,400 to the Washoe County Sheriff's Office Patrol Division for the purchase of a Stalker Rotatable Speed Alert Monitor Trailer; \$13,913 to the Washoe County Community Services Department for clean-up of Sun Valley Boulevard; \$35,172 to the Sun Valley General Improvement District for the purpose of replacing the pump room solar panels at the Robert & Norma Fink "Sun Valley" Pool; and \$6,015 to the Office of the County Manager: Communications & Engagement Division, Commissioner Support for the purchase of audio/visual equipment which would allow the Sun Valley Citizen Advisory Board to be conducted as a hybrid meeting.

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

On motion by Commissioner Jung, seconded by Commissioner Lucey, which motion duly carried on a 4-0 vote with Chair Hartung absent, it was ordered that Consent Agenda Items 8A1 through 8H1 be approved. Any and all Resolutions pertinent to Consent Agenda Items 8A1 through 8H1 are attached hereto and made a part of the minutes thereof.

22-0446 **AGENDA ITEM 24** Public Hearing: To consider and either approve or deny an Outdoor Festival Business License pursuant to Washoe County Code 25.263 through 25.305, inclusive, and associated license conditions for an application submitted by the Incline Village Crystal Bay Visitors Bureau, on behalf of the Incline Village Crystal Bay Drone SkyShow Coalition, to hold a “Drone SkyShow” event on July 4, 2022 at 948 Incline Way (APN: 127-030-15) in Incline Village at the Incline Village Visitor Center Park and ball fields.

Set-up for traffic control will begin at 5:00 a.m. on July 4, 2022 and the Drone SkyShow event will occur from 8:30 p.m. to 11:00 p.m. Event take-down and cleanup will begin immediately following the Drone SkyShow. A community clean-up day is scheduled for Tuesday, July 5, 2022 that will incorporate community volunteers, Incline Village Rotary members, and partner staff. Event organizers estimate 3,000 spectators/attendees. If approved, authorize the Director of the Planning and Building Division, Community Services Department to issue the license when all pre-event conditions have been met. Community Services. (Commission District 1.)

Vice Chair Hill thought it was very responsible for the Incline Village Visitor’s Center to host a drone show considering the fire season in Northern Nevada. She noted the public could attend the drone show in person or watch it online.

On the call for public comment, Mr. Andy Chapman thanked the Board for this agenda item and the Community Services Department staff who worked on this project. He said the coalition produced the fireworks display in 2019 after the Red, White, and Tahoe Blue festival. He noted the funds for this event were raised by the community. He expressed pride for the community and the coalition. He mentioned two other organizations on the north shore of the lake on the California side had followed the coalition’s example. He hoped to learn a lot from this event.

Mr. Michael Murphy was called but was not present to speak.

On motion by Vice Chair Hill, seconded by Commissioner Jung, which motion duly carried on a 4-0 vote with Chair Hartung absent, it was ordered that Agenda Item 24 be approved and authorized.

12:27 p.m. **The Board recessed.**

1:31 p.m. **The Board reconvened with Commissioner Lucey absent.**

BLOCK VOTE – 9, 10, 12, 13, 14, 15, 16, 17, 18, 19

22-0447 **AGENDA ITEM 9** Recommendation to approve the fiscal year 2022-2023 [payment of \$248,164] which constitutes Washoe County's share in annual funding for the Truckee Meadows Regional Planning Agency (TMRPA) pursuant to NRS 278.0264(7) and an adopted interlocal agreement. The total amount will be paid to TMRPA in quarterly installments with the first occurring on July 1, 2022. Community Services. (All Commission Districts.)

There was no response to the call for public comment.

On motion by Commissioner Jung, seconded by Vice Chair Hill, which motion duly carried on a 3-1 vote with Chair Hartung absent and Commissioner Herman voting no, it was ordered that Agenda Item 9 be approved and adopted. The Interlocal Contract for same is attached hereto and made a part of the minutes thereof.

22-0448 **AGENDA ITEM 10** Recommendation to approve Resolution R22-065 to augment the Equipment Services Fund in the amount of [\$400,000] to increase fiscal year 2022 revenue and expenses authority for diesel and unleaded gasoline in accordance with Nevada Revised Statute (NRS) 354.598005; 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 Commissioner Jung, seconded by Vice Chair Hill, which motion duly carried on a 3-1 vote with Chair Hartung absent and Commissioner Herman voting no, it was ordered that Agenda Item 10 be approved and directed. The Resolution for same is attached hereto and made a part of the minutes thereof.

22-0449 **AGENDA ITEM 12** Recommendation to approve Collective Bargaining Agreements with the Washoe County Employees Association (WCEA) for the Non-Supervisory and Supervisory bargaining units for the two (2) year period beginning July 1, 2022 through June 30, 2024; including cost of living adjustment in base wages of 5% effective July 1, 2022 [FY22/23 estimated fiscal impact \$7,830,529; \$4,024,728 Non-Supervisory; \$3,805,801 Supervisory] plus a one-time only lump sum payment of \$500.00 effective July 4, 2022, (paid on July 22, 2022) for full-time employees covered under these Collective Bargaining Agreements in effect at the time of the payment [FY22/23 estimated fiscal impact \$784,000; \$452,200 Non-Supervisory; \$331,500 Supervisory]; and changes to career incentive, bi-lingual pay, and resident remote area pay [FY22/23 estimated fiscal impact \$1,793,685; \$941,806 Non-Supervisory; \$851,879

Supervisory]; and cost of living adjustment in base wages of 3.5% beginning July 1, 2023 [FY23/24 estimated fiscal impact \$8,104,598; \$4,165,594 Non-Supervisory; \$3,939,004 Supervisory]; and changes to career incentive, bi-lingual pay, and resident remote area pay [FY23/24 estimated fiscal impact \$2,070,554; \$1,116,329 Non-Supervisory; \$954,225 Supervisory], and updated agreement language regarding salaries of personnel, sick leave, discipline and grievance, leave of absence, shift bidding, examinations, uniform and clothing, and duration of agreement. [Total estimated fiscal impact for all fiscal years is \$20,583,366.] Human Resources. (All Commission Districts.)

There was no response to the call for public comment.

On motion by Commissioner Jung, seconded by Vice Chair Hill, which motion duly carried on a 3-1 vote with Chair Hartung absent and Commissioner Herman voting no, it was ordered that Agenda Item 12 be approved.

22-0450 **AGENDA ITEM 13** Recommendation to approve Collective Bargaining Agreement with the Washoe County Sheriff's Deputies Association (WCSDA) bargaining unit for the two (2) year period beginning July 1, 2022 through June 30, 2024; including Crisis Intervention Training pay of 5% rolled into base pay, and cost of living adjustments in base wages of 5% effective July 1, 2022 [FY22/23 estimated fiscal impact \$2,452,128]; a one-time only lump sum payment of \$1,800 effective July 4, 2022 [FY22/23 estimated fiscal impact \$658,800]; and 3.5% beginning July 1, 2023 [FY23/24 estimated fiscal impact \$2,537,953]; and updated agreement language regarding Crisis Intervention Training Pay, health care subsidy, medical plan, Incline resident differential pay, discipline and grievance, and duration of agreement [estimated fiscal impact \$134,434 for both years]. [Total estimated fiscal impact is \$5,783,315]. Human Resources. (All Commission Districts.)

There was no response to the call for public comment.

On motion by Commissioner Jung, seconded by Vice Chair Hill, which motion duly carried on a 3-1 vote with Chair Hartung absent and Commissioner Herman voting no, it was ordered that Agenda Item 13 be approved.

22-0451 **AGENDA ITEM 14** Recommendation to approve the Collective Bargaining Agreement with the Washoe County Sheriff's Supervisory Deputies Association (WCSSDA) bargaining unit for the two (2) year period beginning July 1, 2022, through June 30, 2024; including a one-time pay structure adjustment, and Crisis Intervention Training (CIT) pay of 5% rolled into base pay, and cost of living adjustments in base wages of 5 % effective July 1, 2022 [FY22/23 estimated fiscal impact \$1,171,329]; and a one-time only lump sum payment of \$1,800 effective July 4, 2022

[FY22/23 estimated fiscal impact \$131,400], and 3.5% effective July 1, 2023 [FY23/24 estimated fiscal impact \$1,212,325 including CIT and pay structure adjustment]; and updated agreement language regarding salaries, Crisis Intervention Training Pay (CIT) pay, health care subsidy, medical plan, Incline resident differential pay, temporary supervisory pay, retiring deputy ID card and badge, education incentive pay, safety equipment allowance, and duration of agreement [estimated fiscal impact \$75,957 for both years]. [Total estimated fiscal impact is \$2,591,011]. Human Resources. (All Commission Districts.)

There was no response to the call for public comment.

On motion by Commissioner Jung, seconded by Vice Chair Hill, which motion duly carried on a 3-1 vote with Chair Hartung absent and Commissioner Herman voting no, it was ordered that Agenda Item 14 be approved.

22-0452 **AGENDA ITEM 15** Recommendation to approve for the Confidential Undersheriff and Chief Deputy Sheriffs a one-time pay structure adjustment, current Crisis Intervention Training (CIT) pay of 5% rolled into base pay, and Cost of Living Adjustments in base wages of 5% effective July 1, 2022 [FY 22/23 estimated fiscal impact \$96,328]; and a one-time only lump sum payment of \$1,800 effective July 4, 2022 [FY 22/23 estimated fiscal impact \$7,200]; and 3.5% beginning July 1, 2023 [FY 23/24 estimated fiscal impact \$99,700-including CIT and pay structure adjustment]; and updated health care subsidy, medical plan, retiring deputy ID card and badge, education incentive pay, safety equipment allowance [estimated fiscal impact \$4,132 for both years]. [Total estimated fiscal impact is \$207,360.] Human Resources. (All Commission Districts.)

There was no response to the call for public comment.

On motion by Commissioner Jung, seconded by Vice Chair Hill, which motion duly carried on a 3-1 vote with Chair Hartung absent and Commissioner Herman voting no, it was ordered that Agenda Item 15 be approved.

22-0453 **AGENDA ITEM 16** Recommendation to approve changes to Career Incentive [FY22/23 estimated fiscal impact \$525,163; FY 23/24 estimated fiscal impact \$640,381]; and payment of a one-time only lump sum of \$500.00 effective July 4, 2022 (paid on July 22, 2022) for full-time employees hired prior to July 1, 2022; for Unclassified Management and Non-Represented Confidential employees, District Court employees, Justice Courts employees (excluding Justices of the Peace), Juvenile Services employees, and Truckee River Flood Management Authority's Executive Director and General Counsel [FY 22/23 estimated fiscal impact \$233,000; as has been negotiated for represented employees. [Total fiscal impact \$1,398,544] Human Resources. (All Commission Districts.)

There was no response to the call for public comment.

On motion by Commissioner Jung, seconded by Vice Chair Hill, which motion duly carried on a 3-1 vote with Chair Hartung absent and Commissioner Herman voting no, it was ordered that Agenda Item 16 be approved.

22-0454 **AGENDA ITEM 17** Recommendation to approve Amended Collective Bargaining Agreements with the Washoe County Nurses' Association (WCNA) for the Non-Supervisory and Supervisory bargaining units to include updated career incentive language to increase Career Incentive for parity with Washoe County Employees Association (WCEA). [Total estimated fiscal impact \$18,944.] Human Resources. (All Commission Districts.)

There was no response to the call for public comment.

On motion by Commissioner Jung, seconded by Vice Chair Hill, which motion duly carried on a 3-1 vote with Chair Hartung absent and Commissioner Herman voting no, it was ordered that Agenda Item 17 be approved.

22-0455 **AGENDA ITEM 18** Recommendation to adopt a Comprehensive Employee Support Plan to assist Washoe County employees by providing payment for legal and personal services by outside third-party organizations in situations where employees are unfairly publicly attacked, harassed, or disparaged by members of the public or by political organizations as determined on a case-by-case basis by the Washoe County Manager with input from the Washoe County Workplace Violence Committee. The objective of the program would be to provide employees support against attacks, harassment, or disparagement that occur or originate outside of the workplace but that relate in some significant degree to the role of the subject employees as employees of the county. As such, situations where this program would be utilized are those that would fall outside the scope of representation by the District Attorney's Office or other statutorily or otherwise designated legal counsel, or the scope of services typically provided in-house by county departments. Possible outside organizations to be hired under this program include but are not limited to law firms and public relations organizations. If approved, authorize the Manager to make expenditures not to exceed \$150,000 (aggregate) per fiscal year, with any expenditures above that amount requiring specific approval by the Board of County Commissioners. And if adopted, direct the Manager's Office to work with HR, the DA's Office, and other appropriate county staff and departments to implement the plan. Manager's Office. (All Commission Districts.)

On the call for public comment, Ms. Tracey Hilton-Thomas wondered what measures would be used to determine if employees were unfairly attacked, harassed, or

disparaged. She believed it was a choice to be offended by words, and she opined if a person's emotional health was so easily impacted then that person should seek assistance from a doctor or clergy. She thought the County-provided medical benefits and employee assistance program for health and legal services were sufficient. She said County employees chose to be public servants and therefore exposed themselves to the possibility of public criticism. She believed citizens were entitled to submit feedback on the service they received from County employees because the salaries of the County employees were paid by the public. She said the person receiving the criticism should not take personal offense to it.

Mr. Nicholas St. Jon and Ms. Marsha Berkgigler were called to speak but were not present.

Mr. Timothy Burk agreed with Ms. Hilton-Thomas. He opined Agenda Item 18 was a bad idea, and he thought it worked against the public interest.

Ms. Elise Weatherly, Ms. Lisa Fleiner, Mr. George Lee, and Mr. Kenji Otto were called to speak but were not present.

Mr. E. Gerscovich noted the proposal came from County Manager Eric Brown and not the elected Board. He opined negative or false comments by the public were part of the democratic process and did not require public relations or legal support. He explained that threats of violence were illegal and should be dealt with by the police. He said legal actions by the public employees were already protected by legislation, and he believed that illegal actions by employees should be prosecuted and not defended by public money. He stated there was no need for special considerations or additional taxpayer money to be spent to protect public employees.

Ms. P.S.K. Gerscovich, Ms. Debra Yates, and Ms. Wendy Leonard were called to speak but were not present.

Ms. Kris Engstrom thanked Manager Brown for the clarification that Agenda Item 18 was for employees and not elected officials. She supported the item and talked about the hearings happening in Washington, D.C., where election workers had their lives ruined and threatened. Based on the hostility she saw in the room, she opined similar actions could happen to County employees who were just doing their jobs. She believed threats were not always taken seriously and monitored by the police. She thought the underlying goal of the aggression was to prevent people from working the elections, which would allow the elections to be taken over by hostile people. She said it was necessary to protect election workers, so they did not go bankrupt trying to protect their reputations.

Ms. Renee Rezendes explained that when she worked in the medical field, she was under the protective umbrella of the hospital and had the option to take out extra insurance to protect herself from lawsuits. She opined that Agenda Item 18 was discriminatory and unnecessary, and she thought the election workers should be covered under the Board or the hiring agency. She mentioned that Commissioner Herman was sued

and had to hire her own attorney. She worked at three different polling locations during the election, and she said procedures were different at each one, and statutes were not followed.

Mr. Wayne Gordon believed the items should not have been placed in a block vote because the issues were disparate. He opined it should not be legal to use a block vote for agenda items. He believed the Board walked out of the meeting that day for no reason, and he said the Board members abandoned their jobs.

Ms. Katherine Snedigar stated she did not fall under the State's definition of a person. She said the Board's function was to act as a representative for the people to protect the citizens from any wrongdoings done by the County, the Cities of Sparks and Reno, and the State. She believed the Board did not do the business of the people and acted in its self-interest. She did not think the Board should protect employees from words. She opined Board members violated their oaths of office when they did not represent the people. She suggested the employees who were offended should quit and work in the private sector.

Ms. Val White believed the County already protected employees by having insurance on them. She opined expenses should be paid by employees if they wanted additional coverage. She said it was not the responsibility of the citizens to pay for extra legal expenses for County employees. She thought Agenda Item 18 had been created as a way to silence comments and criticism that the Board did not want to hear. She opined the Board did not stand up for the people's freedoms and constitutional rights. She believed the item was created as a result of Commissioner Lucey's lawsuit against Assessor Michael Clark. She urged the Board to vote "no" on the agenda item.

Ms. Betty Thiessen opposed Agenda Item 18. She noted that Commissioner Herman and Assessor Michael Clark were sued and had to pay their own legal fees. She opined each County employee should have to pay for their own legal fees.

Ms. Susan Vanness recalled that Commissioner Herman was not given any assistance when she went through her lawsuit. She wondered whether Agenda Item 18 was created because the Assistant County Manager was going to be sued. She said the County needed to produce evidence showing employees had been accused and threatened. She asked why Commissioner Herman had not been protected.

Ms. Janet Butcher opined taxpayer dollars should not be spent on legal funds for employees when there were programs available for employees to purchase legal coverage. She wondered whether a particular attorney in town would benefit from the passage of this item. She believed not enough details had been given regarding Agenda Item 18. She asked who would determine what was misinformation and mentioned she would take on that role because she had witnessed misinformation from the Board.

Commissioner Herman said the Board gave her no choice but to vote against the block vote because Agenda Item 18 had been placed in the block with other agenda items. She reminded that a citizen and a homeowner's association were sued by developers

and had to pay their own fees. She explained that prior to the lawsuits, the citizen and the homeowner's association made complaints against the development. She opined it was wrong of the developers to attempt to take away the voices of the people.

On motion by Commissioner Jung, seconded by Vice Chair Hill, which motion duly carried on a 3-1 vote with Chair Hartung absent and Commissioner Herman voting no, it was ordered that Agenda Item 18 be adopted, authorized, and directed.

22-0456 **AGENDA ITEM 19** Recommendation to certify charges, levy and direct the Treasurer to collect \$375,145.27 in special assessments for fiscal year 2022/2023 as requested by the State Engineer of the State Department of Conservation and Natural Resources, for Black Rock Desert Groundwater Basin (\$68.91), Honey Lake Valley Groundwater Basin (\$8,899.94), Hualapai Flat Water District (\$8,704.30), San Emidio Desert District (\$6,853.76), Warm Springs Valley Groundwater Basin (\$7,842.50), Washoe Valley Groundwater Basin (\$3,775.86), Warm Springs/Winnemucca Creek Basin (\$4,000.00), Cold Springs Valley Groundwater Basin (\$8,000.00), Lake Tahoe Groundwater Basin (\$16,000.00), Lemmon Valley Water District (\$27,000.00), Pleasant Valley Groundwater Basin (\$6,000.00), Spanish Springs Valley Groundwater Basin (\$45,000.00), Tracy Segment Groundwater Basin (\$6,000.00), Truckee Canyon Segment Groundwater Basin (\$12,000.00) and Truckee Meadows/Sun Valley Groundwater Basin (\$215,000.00). Authorize the Treasurer to remove uncollectible assessments and/or correct assessments on the tax roll as requested by the Division of Water Resources; direct the Clerk to execute the State of Nevada Division of Water Resources certification letters and send them back to the Division pursuant to NRS 533.285; and direct the Comptroller to pay to the Department of Conservation and Natural Resources the requested funds. Manager's Office. (All Commission Districts.)

There was no response to the call for public comment.

On motion by Commissioner Jung, seconded by Vice Chair Hill, which motion duly carried on a 3-1 vote with Chair Hartung absent and Commissioner Herman voting no, it was ordered that Agenda Item 19 be certified, authorized, and directed.

22-0457 **AGENDA ITEM 11** Recommendation to adopt the 2022 Hidden Valley Regional Park Master Plan. The plan, founded on stakeholder and public input, identifies opportunities and constraints, as well as a vision to guide future development of the park. The recommended improvements include adding constructed wetlands and recharge infiltration areas with a nature trail, repurposing the existing horse arena into an informal recreational turf field, adding restrooms and landscaping, reconfiguring park circulation, and developing a bike park and pump track. The plan also includes an extensive trails component, identifying trail sections to decommission, reconfigure

and add, including an ADA-accessible trail. Community Services. (Commission District 4.)

Park Planner Sophia Kirschenman conducted a PowerPoint presentation, a copy of which was placed on file with the Clerk. She reviewed slides with the following titles: 2020 Hidden Valley Regional Park Master Plan; 2022 Hidden Valley Regional Park Master Plan; Project Background (2 slides); Project Schedule; Which New Amenities; Project Schedule; Preliminary Concept Plans; Project Schedule; Master Plan North Area; Master Plan South Area; trail difficulty; Recommendations; FAQs – General (2 slides); FAQs – Wetlands/Basins (2 slides); and FAQs – Traffic.

Ms. Kirschenman noted Hidden Valley Regional Park (HVRP) was one of Washoe County's largest regional parks. She said both of the primary access points to HVRP were through the Hidden Valley neighborhood, but there was no vehicular connection between the north and south of the park. She reviewed some of the early park amenities. She observed the last master plan for HVRP had been adopted in 2004 so staff decided to obtain feedback from the public regarding future amenities. She indicated the public greatly preferred concept "a" the best out of the three concepts developed by Stantec Inc., and they emphasized their preference for the undeveloped and open nature of HVRP. She said Stantec Inc. refined concept "a" into the preliminary master plan which was presented to the public in December 2021. The plan was refined again based on public feedback, it was presented to the community in March 2022, and to the Washoe County Parks Commission (WCPC) in May 2022.

Ms. Kirschenman reviewed some of the proposed highlights of the HVRP Master Plan. The entrance road would be reconfigured and realigned with more circulatory access to make reaching the amenities easier. A bike park and pump track consistent with what the community wanted were proposed. Some wetlands and rapid infiltration basins with a nature trail area had been proposed. She said staff received a lot of support for the constructed wetlands concept as well as many questions. She mentioned an off-leash dog pasture similar to the one at Rancho San Rafael Regional Park had been proposed. She said the plan proposed to fortify all the entrance points, install cattle guards and gates, and reinforce the perimeter fencing to keep feral horses out of the park. She indicated the plan proposed conversion of the existing horse arena to a recreational turf and a flat field. She said the equestrian community had been consulted and it was found they were not using the arena but they wanted to have horse trailer parking for access to the trails, so the plan proposed dedicated horse trailer parking. She reviewed the few amenities proposed for the southern portion of the park: additional landscaping, a new restroom, some wayfinding signage, and another gate with a cattle guard. She said the HVRP had a very robust trails component but they were somewhat disorderly. The proposed plan identified trails that needed to be decommissioned, rerouted, and updated to a more sustainable alignment. She explained the trails would be sorted and labeled by difficulty. She said the plan proposed one Americans with Disabilities Act accessible trail option which would be paved. She concluded by reviewing the list of recommendations put together by Stantec Inc. to address the concerns voiced by the community during the master plan process.

Commissioner Jung urged the Board to support this item noting the WCPC had already heard and approved the plan.

Vice Chair Hill thanked Ms. Kirschenman for her work on this project and expressed excitement about future improvements in the Hidden Valley area.

On the call for public comment, Mr. Wayne Shaffer said he had been a resident of Hidden Valley for 17 years. He expressed concern about item 40 on the master plan map which he believed was not necessary nor appropriate. He inquired why the hypothetical easement was included in a master plan. He said a developer owned property south of Hidden Valley and an undeveloped property next to the south side of HVRP. He stated a park planner advised him that the developer intended to file an application for a parkland easement. He opined item 40 could be removed without significantly affecting the master plan and he believed that would be fairer and more transparent.

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

22-0458 **AGENDA ITEM 20** Recommendation and possible action to approve execution of an "Amendment No. 2 to One Nevada Agreement on Allocation of Opioid Recoveries" which will allow the Nevada Attorney General's Office to divide the Recoveries in accordance with the percentages and terms of the One Nevada Agreement and all Amendments thereto, calculate payments to the Local Governments, calculate attorney's fees for all Local Governments pursuant to the Local Governments' applicable contingency fee agreements with their Counsel or in accordance with Amendment No. 1 where it applies, and remit payments to Local Governments and attorneys' fees to the appropriate Counsel on behalf of the Local Governments. Recoveries means settlement payments totaling \$285,679,409.03 from opioids distributor defendants AmerisourceBergen Drug Corporation, Cardinal Health, and McKesson, and opioid manufacturer defendant Janssen/Johnson & Johnson to compensate for the effects of the nationwide opioid crisis, which are then allocated to both the State and local government entities including Washoe County pursuant to a formula set forth in the original One Nevada Agreement approved by the Board on July 27, 2021, as well as any amendments thereto. Manager's Office. (All Commission Districts.)

Deputy District Attorney Michael Large noted this item concerned the One Nevada Agreement the Board entered into the prior summer for opioid settlements that were coming into the County and the State. He explained Amendment No. 2 would essentially allow the State to act as a clearinghouse for the settlement funds which would begin arriving the following month. He said the structured settlement was scheduled for the next 16 years and there was some concern about institutional knowledge which would ensure the money was allocated correctly instead of having the County pay piecemeal each

month or each year as funds were received. He noted Exhibit B of the staff report was a potential distribution schedule for the next 16 years based on the current calculations of the settlement. He said the calculations were only for the settling defendants but there were approximately 30 other defendants who were still involved in litigation.

Commissioner Lucey thanked Mr. Large for all his efforts in this settlement. He knew Mr. Large had worked diligently and spent many hours addressing this issue which he believed was one of the most difficult and complex settlements the County had faced. He opined this was probably the best resolution and he hoped those monies would reach the individuals who needed them most.

There was no response to the call for public comment.

On motion by Commissioner Lucey, seconded by Vice Chair Hill, which motion duly carried on a 4-0 vote with Chair Hartung absent, it was ordered that Agenda Item 20 be approved.

22-0459 **AGENDA ITEM 21** Recommendation to approve FY 2021-2022 purchase of a Lenco BearCat armored rescue vehicle and associated components at the cost of [\$302,331.00] from Lenco Armored Vehicles to be used by the Special Operations Division. Sheriff. (All Commission Districts.)

Vice Chair Hill asked why the purchase of this item was a sole-source purchase. Washoe County Sheriff's Office (WCSO) Special Operations Division Lieutenant Brandon Zirkle said the WCSO possessed two armored vehicles, purchased in 2002 and 2007; both were still in service. He noted threats of violence had increased in the community and securing one more piece of armor would allow the WCSO to divide and reallocate assets and put one piece of armor in Incline Village. He said the sole-source purchase had been submitted with a 26-page document explaining why Lenco Armored Vehicles led the nation in civilian armored vehicles. He indicated the deciding factor was the technology involved in safety equipment that would protect the occupants of the vehicle while maintaining mobility.

Vice Chair Hill thanked Mr. Zirkle for the clarification. She stressed the importance of going out to bid on purchases whenever possible.

Mr. Zirkle noted Lenco Armored Vehicles was the leading manufacturer of civilian-led armor used outside the military environment.

There was no response to the call for public comment.

On motion by Vice Chair Hill, seconded by Commissioner Lucey, which motion duly carried on a 4-0 vote with Chair Hartung absent, it was ordered that Agenda Item 21 be approved.

22-0460

AGENDA ITEM 22 Public Hearing: Appeal of the Washoe County Board of Adjustment's denial of Special Use Permit Case Number WSUP22-0006 (Reno Tahoe Gateway) for major grading necessary to facilitate future development on the project site. The proposal included excavation of 127,400 cubic yards of material and 104,040 cubic yards of fill material with approximately 27 acres of disturbed area - most of which has already been previously disturbed. The proposal also included a request to vary the standards of section 110.438.45(c) to allow finished grades to vary by more than ten (10) feet from the natural slope.

The applicants are S3 Development Co., and the property owner is Riverview Estates Properties LLC. The project is located at 0 Interstate 80 West, Reno, NV and encompasses two (2) parcels: APNs 038-181-01 (1.865 ac) and 038-172-14 (26.03 ac). A master plan designation has not yet been established by Washoe County since the City of Reno Sphere of Influence rollback in 2021 (in progress), however a Master Plan Designation of Industrial is being proposed. The regulatory zone is Industrial and both parcels are located in the Verdi Area Plan. Special Use Permits are authorized in Article 810 of the Washoe County Development Code.

There are two appellants: (1) S3 Development Co., project applicant, and; (2) Emanuela Heller-MacNeilage, a resident of Verdi.

The Board of County Commissioners (Board) may affirm, reverse or modify the decision of the Board of Adjustment. The Board's analysis may also include a finding on the issue of standing to bring the appeal in the first place. If the Board modifies or reverses, it may remand the matter back to the Board of Adjustment with instructions. Community Services. (Commission District 1.)

Senior Planner Courtney Weiche conducted a PowerPoint presentation, a copy of which was placed on file with the Clerk. She reviewed slides with the following titles: Appeal of WSUP22-0006; Appeal; Project Location; Background; Master Plan Amendment Status; Mass Grading Request; map (2 slides); Project Analysis; Compliant Grading Standards; Required Findings; Recommendation; and Possible Motion.

Ms. Weiche said the project was located on the south side of Interstate 80 off exit 7, north of Mogul Road, and located in the Verdi Area Plan. She said the project area encompassed 2 undeveloped parcels totaling approximately 27.9 acres. She noted the parcels had been disturbed significantly as a result of the railroad, I-80 corridor, and various utility projects in the vicinity. Located near the development were I-80 to the north, a self-storage facility to the south, The Union Pacific Railroad, and large residential parcels. She indicated the proposed grading was an allowed use in the industrial regulatory zone with approval of a special use permit (SUP) although the master plan amendment had not been adopted. She noted the grading application proposed excavation of 127,400 cubic yards of material and 104,040 cubic yards of fill material. She said the grading was intended to allow for future development of a flex space industrial park with a mix of industrial uses

as allowed in the industrial regulatory zone. She stated the applicant was requesting to vary the standards of article 438.45(c) to allow finished grades of more than 10 feet from the natural slope. She noted the proposed grading would meet the grading standards and emphasized the SUP would be limited to grading. She said the landscaping, parking, and other design standards would be addressed with future permit requirements for the build-out of the project. She indicated that Engineering and Capital Projects would have the ability to require a detailed traffic study to address driveway locations, turning movements, and delivery truck patterns as part of the future project approvals. She summarized the Board of Adjustment (BOA) cited the inability to make required findings a, b, and d.

Ms. Emanuela Heller-MacNeilage conducted a PowerPoint presentation, a copy of which was placed on file with the Clerk. She reviewed slides with the following titles: Emanuela Heller-MacNeilage; Findings 1,2,3,4 were not met; Cannot make Finding #1; image; Verdi Area Plan; Cultural Resource; Washoe Indians + Petroglyphs; Cultural Resources would be bulldozed over; Goal Four; Verdi Rural Character Management Area; Rural Character Management Area; Character; Cannot make finding #2; Westbound on-ramp is too short; The "Green Book" by the American Association of State Highway; On ramp minimal length; On-ramp length: 230 ft; Table 10-3 in The Green Book; Table 10-4; Westbound on-ramp; Recommended Merging Speed; Calculations by Peter Hausamann; Trucks merging onto I-80; Crash data exit 7; RTC predicts 5 fold traffic; 2. Intersection; Unclear right of way; Additional traffic unsafe; 3. Narrow County Road; Mogul Road cannot be widened; Adding traffic to outdated infrastructure; Cannot make Finding #4; Cannot make Finding #3; image; History of the lots getting turned down; Very problematic piece of land; Trust is low because; Mixed-employment in the City; Masterplan land-use; Land owners have rights; and Today's decision.

Ms. Heller-MacNeilage said the Verdi Area Plan clearly stated that scenic resources should be conserved. She noted the development would be going up into the scenic overlook. She acknowledged the emigrant trail marker could be moved but the Washoe Indian artifacts and prehistoric petroglyphs could not be moved. She referred to the "green book" *A policy on Geometric Design of Highways and Streets* noting that freeway on-ramps needed to be a minimum of 300 to 500 feet long, while the existing on-ramp was only 230 feet long. She said the on-ramp needed to be at least 1,100 to 1,600 feet long based on the uphill slope. She opined the decision before the Board was whether to add more traffic to that location.

Attorney Garrett Gordon conducted a PowerPoint presentation, a copy of which was placed on file with the Clerk. He reviewed slides with the following titles: Reno Tahoe Business Gateway; Vicinity Map (2 slides); Project Request; Property Disturbance; Staff Report Summary of Grading SUP; Staff Recommends Approval (4 slides); Amend Condition of Approval; Master Plan; Summary (2 slides); and Proposed Motion.

Mr. Gordon said he submitted a letter to the Board about the appellant's legal standing. He stated the County Code made it clear that an appellant needed to show actual harm to be an aggrieved party, specifically appellants needed to allege substantial injury to personal or private property rights. He noted the appellant had not presented any

examples of how they would be aggrieved by the grading permit. He stated the property had been zoned industrial for over 20 or 30 years. He said the project would not impede access to the river or the future County park. He reiterated the appeal pertained only to a grading permit, not a project or traffic. He noted the property had been disturbed for the past 70 years. He thought the three findings the BOA was unable to make were an error. He requested amending a condition of approval 1(b), the second sentence of which would tie the approval of the grading permit to future action by the Board for a master plan designation. He stated the County Code clearly indicated the master plan amendment was not relevant for this development because it was zoned industrial.

Commissioner Lucey asked about the buildings in the southeast area of the parcel. Mr. Gordon said the buildings were an existing mini-storage facility. Commissioner Lucey asked for confirmation that Mogul Road provided access to the mini-storage facility. Mr. Gordon said that was correct.

Commissioner Lucey mentioned the Board recently took the same action on a SUP for grading on another parcel in Vice Chair Hill's district. He noted some of the appointed board members were often caught up in minutia outside of the actual agenda item. He said the minutes for the BOA meeting on April 7, 2022, had not been about the grading permit, which was the item at issue. He respected the appellant's stance about the development challenges, but the only thing being considered was a grading SUP. He opined this item fell directly within the Board's purview and that he would support the reversal of the BOA's decision.

Vice Chair Hill agreed with Commissioner Lucey regarding the scope of the SUP and she did not see how the grading would be detrimental. She expressed concern about the difficulties resulting from the sphere of influence rollback, noting the County had no time to review the zoning for that area because it was previously in the City of Reno's sphere of influence. She wished the County had time to do the planning work needed in that area, which was new for her following the redistricting, but she reiterated the SUP involved only grading.

Commissioner Herman noted she spent some time looking at the property and believed the access was inadequate and the exit from the westbound I-80 was not great. She knew the only reason to apply for a grading permit was in preparation for a future development project. She thought it would be prudent to have staff perform some planning to determine zoning in that part of the district before approving the SUP for grading.

Vice Chair Hill thought legally it would be difficult for the Board to go back and plan before voting on this appeal although she wished that were possible. She acknowledged the concerns of public commenters regarding the change in the jurisdiction for this area.

Commissioner Herman provided a letter from Mr. Russell and Mrs. Marie Fromherz which was placed on the record. She said the letter expressed concerns about the development of that property. She thought more planning was needed.

Commissioner Lucey acknowledged Commissioner Herman's concerns. He noted Mogul Road was being used by the mini-storage facility and many of the public comments concerned westbound I-80, not eastbound I-80. He said eastbound I-80 and exit 7 were short and challenging but westbound I-80 was used by the majority of the community. He noted a church and Truckee Meadows Fire Protection District Station 40 were located in that area. He observed any development in that area would include improvements to Mogul Road. He expressed confidence this was the best usage for the property. He reiterated this item would not involve any development; it was only for grading.

Vice Chair Hill confirmed the Board was tasked with reviewing a grading permit. She said staff needed to be allowed to do their job by analyzing this piece of property. She stated she went out to look at the property, met with the appellant, and understood the concerns, but she knew the County's engineering and park staff would take all the issues into consideration when they reviewed a project request. She observed a master plan amendment would be presented to the Board for consideration. She said she found it difficult to not approve a grading permit for an already disturbed area, particularly with staff recommendation of approval.

Commissioner Herman observed she heard many different explanations about the reason for the City of Reno to roll the property back to the County. She thought part of it was the inability to develop that property.

Vice Chair Hill said she had not attended that regional planning meeting, but she understood the City of Reno had no fire staff to service that area.

On the call for public comment, Mr. Nathan Bader echoed the safety concerns mentioned by others. He said his two young children rode their bikes to the river through the parcel in question. He thought the additional construction traffic would increase danger with the limited capacity of the underpass. He believed the development approach had been disingenuous and would create a significant impact on the community.

Mr. Kim Toulouse was called but was not present to speak.

Ms. Liz Gonzalez, a 35-year resident of Mogul, stated the development in the area had tended to be residential neighborhoods. She expressed concern about the ingress and egress, and about the safety of pedestrians and cyclists which could be affected by grading and development traffic. She asserted the grading was not intended to beautify the neighborhood; it was in preparation for future development. She reiterated Mogul was a well-established residential neighborhood. She indicated the industrial traffic would create traffic and safety concerns, which she urged the Board to consider.

Ms. Barb Fenne provided documents for the Board, copies of which were placed on file with the Clerk. She noted a master plan designation had not been established since the sphere of influence rollback in 2021. She inquired why a SUP for grading should be granted in anticipation of the future development of a flex industrial center. She said

Mogul residents were not kept informed of meetings concerning this development. She believed the developer had not been transparent. She said recreational areas were not compatible with industrial traffic. She expressed concern about the railroad crossings, trailheads, blind spots around the underpass, and the threat to the migration of mule deer in that area. She said the proposed grading would bulldoze ground in which the Nevada Historical Society identified Native American artifacts and Donner Party trails. She opined that having an industrial park located within a scenic overlook view defied logic.

Mr. Russell Fromherz was called but was not present to speak.

Mr. Tom Potts, a 35-year resident of Mogul, asserted the area was very unsafe. He spoke about the dangers associated with railroad crossings. He asked the Board to consider the safety of children, cyclists, and animals in that area. He said the traffic had been getting worse on the Mogul freeway exits and more homes were being built which would increase traffic further. He said the area was peaceful and he believed it would be a shame to disturb it.

Mr. Matthew Potts, a long-term resident of Mogul, spoke about the recreation uses of that area. He said a primary factor in serious accidents was a change in speed, noting the I-80 onramp scarcely provided enough space for vehicles to reach the necessary speeds for freeway merging. He expressed concern about the lack of transparency for future development. He believed the planned use was not a good fit for that plot of land. He stated that various boards had voted against the proposed development. He asserted the residents wanted a peaceful environment and urged the Board to consider the safety concerns.

Ms. Kris Engstrom believed Commissioner Lucey's comments about the existing storage unit and the road were inappropriate if this item only concerned grading. She expressed distrust about having a developer grade the land on a property they did not own prior to having a development project approved. She said the traffic issues affected everyone who used I-80, not only Mogul residents. She voiced concern about Mr. Gordon's dealings with Ms. Heller-MacNeilage, which she believed were intended to intimidate. She questioned why the residents should trust S3 Development Co. She voiced her concerns about the disturbance of Native American artifacts and petroglyphs. She believed that area should not be developed.

Ms. Katherine Snedigar expressed incredulity about the lack of a development plan which would follow the grading permit. She believed the project should be proposed under a variance, not a master plan. She questioned the commissioners' motivation for approving the developer's requests. She believed the Board was unconcerned about the interests of the residents who worked hard to own homes in that peaceful area. She said the Board needed to protect residents and perform its fiduciary duty to the people.

Ms. Regan Hartzell said she was a 34-year Mogul resident and 25-year Washoe County School District teacher. She said Mogul was a well-established residential

area as indicated by the approval of numerous housing developments. She believed that approving a development contrary to the best interest of the community was reckless and contradictory. She expressed concern for the safety of all Mogul residents as well as visitors who traveled through the area. She noted the Reno-Tahoe bike trail passed through Mogul. She spoke about the issues with the existing I-80 onramps, which she believed would not be adequate for industrial traffic. She mentioned there were existing school bus stops under the overpass. She believed additional industrial traffic would increase risks for children waiting for the school bus.

County Clerk Jan Galassini advised the Board she received 30 emailed public comments in opposition to this item, which she placed on the record.

Vice Chair Hill requested clarification about the possible change to one of the conditions based on the applicant's argument. Assistant District Attorney Nathan Edwards thought the Board needed to address the condition in the motion, particularly if the appeal was approved. He said the Board would need to indicate whether they would include the modification to the condition or not. He noted the staff condition stated the SUP would not be in effect until the master plan amendment land use designation was established. He said the master plan amendment was in process but not yet completed. He thought the decision of whether the grading could be performed consistently with the overall County master plan or whether a specific master plan land use designation needed to be on the property was up to the discretion of the Board. He conjectured staff had drafted the condition as an attempt at a middle ground due to the fact that the master plan application was in process. He observed the property had many planning elements in effect such as a sphere of influence, a rollback, zoning but no master plan, and historical use.

Planning Manager Trevor Lloyd confirmed that the decision of whether to agree with the condition was at the Board's discretion. He noted the current zoning on the property was industrial so the Planning Department would look at any use under the table of uses in article 302 for appropriate legal uses when reviewing an application. He said the Board had the discretion to require the applicant to wait until after the master plan amendment was adopted or not before the County could issue a grading permit.

Commissioner Lucey asked whether the applicant would need to go through the full analysis process if they chose to take further action beyond the grading permit after the Board removed condition 1(b) and the master plan amendment was completed. Mr. Lloyd said the review process was robust but noted most industrial uses within an industrial zone were allowed by right, so it would not necessarily require the applicant to return to the Planning Commission, the BOA, or the Board of County Commissioners.

Commissioner Lucey moved to reverse the decision of the BOA and requested condition 1(b) be modified to allow for grading to commence and the grading permit to be issued. Vice Chair Hill seconded the motion but asked whether Commissioner Lucey would modify the motion to remove the modification of the condition. She thought that ideally, the Board would have reviewed the master plan and the SUP at the same time. She noted the Board would review the master plan on July 12, so she did not know whether

the condition needed to be changed. Commissioner Lucey agreed to change the motion and the seconder agreed.

On motion by Commissioner Lucey, seconded by Vice Chair Hill, which motion duly carried on a 3-1 vote with Chair Hartung absent and Commissioner Herman voting no, it was ordered that the decision of the Board of Adjustment be reversed and Special Use Permit Case Number WSUP22-0006 (Reno Tahoe Gateway) be approved. The reversal was based on the Board's ability to make the findings required by WCC Section 110.810.30, Findings.

22-0461 **AGENDA ITEM 23** Public Hearing and possible action to: (1) consider a report of each property delinquent on its utility charges and the amount of each property's delinquency, along with any objections to the report; and, (2) After considering the report and any objections to it, determine whether to adopt the report and correspondingly adopt Resolution 22-060 to collect certain delinquent utility charges on the tax roll. Community Services. (All Commission Districts.)

There was no response to the call for public comment.

On motion by Commissioner Lucey, seconded by Commissioner Jung, which motion duly carried on a 4-0 vote with Chair Hartung absent, it was ordered that Agenda Item 23 be adopted. The Resolution for same is attached hereto and made a part of the minutes thereof.

22-0462 **AGENDA ITEM 25** Public Hearing and possible action to adopt an ordinance amending Ordinance No. 1000 to change the boundaries of District No. 24 (Groundwater Remediation); AND; Public Hearing and possible action to adopt an ordinance imposing a fee on the parcels of land in Washoe County, Nevada District No. 24 (Groundwater Remediation) to pay the costs of developing and carrying out a plan for remediation. The Central Truckee Meadows Remediation District was formed in 1997 to address the tetrachloroethene (PCE) contamination of groundwater in the central Truckee Meadows area. The District is tasked with remediating PCE contamination and annually updates both the Service Area Boundary and Contaminant Boundary based on continuous analysis and modeling efforts. Community Services. (All Commission Districts.)

Jan Galassini, County Clerk, read the title for Ordinance No. 1688, Bill No. 1878.

There was no response to the call for public comment.

On motion by Commissioner Lucey, seconded by Commissioner Jung, which motion duly carried on a 4-0 vote with Chair Hartung absent, it was ordered that

Ordinance No. 1688, Bill No. 1878, be adopted, approved, and published in accordance with NRS 244.100.

4:02 p.m. Commissioner Jung left the meeting.

Jan Galassini, County Clerk, read the title for Ordinance No. 1689, Bill No. 1879.

There was no response to the call for public comment.

On motion by Commissioner Lucey, seconded by Commissioner Herman, which motion duly carried on a 3-0 vote with Chair Hartung and Commissioner Jung absent, it was ordered that Ordinance No. 1689, Bill No. 1879, be adopted, approved, and published in accordance with NRS 244.100.

4:04 p.m. Commissioner Jung returned to the meeting.

22-0463 **AGENDA ITEM 26** Public Hearing: Second reading and possible adoption of an ordinance amending Washoe County Code Chapter 5 (Administration and Personnel) by revising provisions to clarify the duties of the county manager and chief information officer; and amending Washoe County Code Chapter 15 (County Finances; Purchasing) by repealing redundant provisions and the Washoe County Bond Bank ordinance; adding a section levying a \$25.00 handling charge for payments denied by a bank; and revising provisions related to: definitions pertaining to accounting systems and policies; the basis of accounting for various fund types; the creation and abolishment of county funds; definitions pertaining to property control; property control requirements; policies and procedures related to donations of property, cash contributions and grant funding; procedures for lost or abandoned property; procedures for receiving cash and negotiable instruments; the collections division; procedures for establishing new accounts; the composition of the investment committee; the time period between reviews of rates charged by the county for its various services; overpayments to the county and refunds; updating the responsibilities of the department of finance; removing references to the director of finance and creating the position of chief financial officer; the powers and duties of the comptroller; the position of budget manager; and the powers and duties of the purchasing and contracts manager, including increasing the limit for purchasing supplies, materials, equipment and contractual services from \$100,000 or less to \$300,000 or less; and all matters necessarily connected therewith and pertaining thereto. Manager's Office. (All Commission Districts.)

County Clerk Jan Galassini read the title for Ordinance No. 1690, Bill No. 1880.

There was no response to the call for public comment.

On motion by Commissioner Lucey, seconded by Commissioner Jung, which motion duly carried on a 4-0 vote with Chair Hartung absent, it was ordered that Ordinance No. 1690, Bill No. 1880, be adopted, approved, and published in accordance with NRS 244.100.

22-0464 **AGENDA ITEM 27** Public Comment.

Mr. Cliff Nellis was called but was not present to speak.

Mr. Vance Rushing said the members of the Board were his neighbors. He referenced the Supreme Court case he spoke about previously, noting the Board could look it up under *New York Times Companies vs. Sullivan* 376 U.S. 254. He opined Agenda Item 18 was a breach of Article 1 Section 9 of the Nevada Constitution and the First Amendment of the Bill of Rights. He mentioned his military service. He opined any proposal that violated the State or federal Constitution was a form of tyranny.

Mr. George Lee and Ms. Barb Fenne were called but were not present to speak.

Ms. Katherine Snedigar informed she was not a natural person as defined by State law because if the State defined it the State controlled it. She demanded to see the administrative procedures used to create Item 18. She said she had never heard of a company that would supply a legal fund for its employees if a customer were to get mad at them for something. She believed the District Attorney's Office civil division would not take these cases on and they were not criminal so they could not be handled by the criminal division. She spoke about the need for evidence. She hoped some of the money being given to the Sheriff's deputies would be used for training. She thought the deputies who came to her home were unprofessional and she wanted the Board to do something about law enforcement.

22-0465 **AGENDA ITEM 28** Announcements/Reports.

Commissioner Jung thanked Vice Chair Hill for her great job running that day's meeting. She announced that the Manager's Office Assistant Alexandra Wilson got approval from NV Energy to have utility boxes painted. She thought that was great news and was excited art projects could be created throughout the districts. She informed that no further approval was needed to paint the boxes, and she opined the project would be a great use of the Board's discretionary funds. She said art in public spaces was one of the most powerful ways to improve the quality of life, a sense of community, and pride in the region. She asked the Board to speak with her and she would work with staff to get the boxes painted in all the districts. She hoped the project would be completed by January when her term ended.

* * * * *

4:14 p.m. There being no further business to discuss, the meeting was adjourned without objection.

VAUGHN HARTUNG, Chair
Washoe County Commission

ATTEST:

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

*Minutes Prepared by:
Carolina Stickleby, Evonne Strickland, & Lauren Morris, Deputy County Clerks*

Pending Board Approval