

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

TUESDAY

10:00 A.M.

OCTOBER 17, 2023

PRESENT:

Alexis Hill, Chair
Jeanne Herman, Vice Chair
Michael Clark, Commissioner
Mariluz Garcia, Commissioner*
Clara Andriola, Commissioner

Cathy Smith, Chief Deputy County Clerk
Eric Brown, County Manager
Nathan Edwards, Assistant District Attorney

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

23-0674 AGENDA ITEM 3 Invocation.

Marilyn McDonald, First Church of Christ, Scientist, Reno, said she was honored to have been invited and provided the Invocation.

Chair Hill thanked Ms. McDonald.

23-0675 AGENDA ITEM 4 Public Comment.

County Manager Eric Brown reviewed the rules for public comment. He advised this item was eligible for virtual public comment in Incline Village (IV) and Gerlach when available. He explained virtual public comment availability could be confirmed by contacting the Office of the County Manager (OCM) at Washoe 311 the day before any meeting.

Ms. Helen Neff informed she was an IV resident, thanked the Commissioners for allowing virtual comment, and shared her perspective on Agenda Item 11. She remarked it sounded like the agreement to pass authority from the Tahoe Regional Planning Agency (TRPA) and the Tahoe Transportation District (TTD) to Washoe County for planning the Crystal Bay (CB) to IV section of the Nevada Stateline-to-Stateline Bikeway needed to be done to avoid losing public funding. She referenced a staff report that explained that due to bandwidth, the TTD was no longer able to support the administrative functions of the grant. She was disturbed by that statement for a number of reasons, which she said she trusted were being addressed by the TTD and the TRPA. She

wanted to communicate to the Board of County Commissioners (BCC) that the public outreach component of the planning process was critical, and IV residents had many comments to share regarding the effects of the already-built East Shore trail. She felt it had turned into a tourist attraction with related issues of added traffic, traffic violations, overcrowding, parking, and trash, not to mention the conflict with e-bikes. She reaffirmed the importance of public outreach to avoid repeating past mistakes. She recalled that in the Washoe Tahoe Transportation Plan, formally recognized by the BCC on April 26, 2023, the CB path extension was listed as long-term, meaning ten years or more. The plan also had three pages of recommendations that were listed as near-term and mid-term and many were needed to address safety concerns, which was the highest priority of residents taking the related survey. She said the maps and report showed segments of the multi-use paths that had not been completed and were scheduled for earlier completion than the CB path. She was concerned that Washoe County would take over responsibility for the CB extension and, due to the fear of losing grant funds, would give it priority over completing other long-overdue local bikeways which would directly benefit the IV town center and local residents. She highlighted the importance of snow clearance on pathways so people did not have to walk on roads during winter months. She understood the grant funding was allocated to one specific project that the report claimed would enhance visitor and community experience. She contended IV residents sought assurance that the recommendations in the Transportation Plan were also taken on as a responsibility of Washoe County and planned to be completed in a timely manner. She thought it would be helpful to know when a specific update to the recommendations in that plan would be communicated to the residents.

Ms. Daniella Reynolds provided her perspective on Agenda Item 16, the appointment of candidates to fill two vacancies on the Board of Equalization (BOE). She shared she had submitted an application and believed she would serve the BOE and the community well coming from a business background. She disclosed she did not have any other experience on a board, but thought it would be a great opportunity to bring the experience she had as a professional who had done a substantial amount of project management and asset evaluation. She acknowledged her background might seem odd to apply to tax assessment in Washoe County but claimed it would actually be an asset. She cited additional examples of parallels between her business experience and the skills needed for the BOE appointment.

Chair Hill mentioned Item 18 was continued by request of Safe Embrace. She explained people could speak on Item 18 during public comment or at the time of the scheduled public hearing at the meeting that day. She stated it would be agendaized again for a date in November.

Ms. Vickie DiMambro thanked the Commissioners for allowing her to speak. She informed she was in attendance on behalf of a victim/survivor, Ms. Susannah Case, who went through the Safe Embrace program and stayed in the shelter in the early days. Ms. DiMambro read a statement from Ms. Case relaying her experience as a survivor of domestic violence. The letter emphasized the importance of Safe Embrace and the crucial role it served in the success of Ms. Case rebuilding her life and protecting herself

and her family from her former abuser. She imparted the tremendous need for the shelter to exist. Ms. DiMambro added she had known Ms. Case for many years and watched her open her own non-profit, which provided assistance for homeless males, most of whom were severely physically and mentally disabled. Ms. DiMambro echoed that Ms. Case had achieved this because of Safe Embrace.

Ms. Katie Knepper spoke on behalf of Alferd Knepper due to an Americans with Disabilities Act (ADA) accommodation. She opined the County had quite obviously taken sides with Safe Embrace. She elaborated that even before the Board of Adjustment (BOA) meeting, she and her husband supplied the Planning Commission (PC) with proof that Safe Embrace only had 2,756 square feet of livable space, allowing for a maximum of 16 occupants. Ms. Knepper reported the PC indicated it would forward the information to the Washoe County Building Program, but Ms. Knepper said she never received a reply. During the BOA meeting on August 3, 2023, Ms. Julee Olander referred to specific permit numbers being finalized, which Ms. Knepper affirmed was correct, but she disputed Ms. Olander's claims about the relevance of those permits to the conversion of the garage and attached structures on the property into livable space. Ms. Knepper displayed an image to provide additional details about the spaces and structures in question, copies of which were distributed to the Board and placed on file with the Clerk. She concluded the structures were not properly permitted and were also of insufficient size for the proposed shelter expansion. Ms. Knepper disclosed Ms. Olander's last email to her on October 5, 2023, which said Washoe County would worry about the living space if the special use permit (SUP) was approved. Ms. Knepper contended it was important to know that Safe Embrace never had livable space for 18 occupants, much less the 25 it requested with the SUP. She questioned the trust of Ms. Olander's calculations and held that if BOA members had known of these prior and persistent violations, they would most likely have denied the application unanimously. She declared no matter what was decided, she and her husband never made a false or inaccurate public comment as Safe Embrace's attorneys claimed. She shared she and her husband worked for hours and hours on their presentations to make sure they had them right, and no specific examples of the alleged inaccuracies were provided by Safe Embrace's attorneys. She contrasted this with inaccurate and potentially false statements from Safe Embrace given in September 2023 meetings. She emphasized her perspective on the unsuitability of a residence with such a high number of occupants on a lot intended for a single-family dwelling, regardless of the type of facility. She read additional remarks from Safe Embrace attorneys.

Ms. Katie Knepper provided public comment on her own behalf. She recalled appearing before the BCC in 1994 with regard to this facility, and at that time it was made clear to Mr. and Ms. Knepper and their attorney that Bridges in Consciousness was a group home like any other group home, and was allowed anywhere in the County with a maximum of only five permanent residents. Ms. Knepper mentioned the facility had operated as a group home for over 30 years. She remarked the contribution of Safe Embrace towards road maintenance was insufficient based on its impact. She cited additional examples of neighborhood disturbances and insufficient support from Safe Embrace staff for responding to disturbances.

Ms. Penny Brock questioned the presence of three Washoe County Sheriff's Office (WCSO) deputies in the room that day and wondered if that was a sign of a lack of safety. She stated metal detectors were not used for meetings of Congress in Washington, D.C., and asked why they were in place for BCC meetings. She suggested the metal detectors were in place to intimidate members of the public and deter them from speaking to the Board. She believed there was no threat and requested the metal detectors be removed. Ms. shared that the senior centers in Washoe County had been brought under the umbrella of the County and were not managed by the Cities of Sparks or Reno. She mentioned the City of Sparks had at least two senior centers in addition to community centers. She was informed that the City of Sparks provided the buildings and the County provided the staff, which she thought was great. She contrasted this with Reno, which she claimed had no senior center. She observed the Senior Center on Ninth Street was increasingly utilized by Cares Campus residents, and other senior citizens were not using it much. She wondered about using libraries in Reno for seniors, as Las Vegas and Sparks had. She said she lived in District 2 which had a lovely library on Wedge Parkway that she suggested could be a venue for senior lunches. She stated there was no need for venues to have a kitchen to host lunches for seniors. She believed this was a need that was being overlooked by Senior Services. She asked that the Commissioners look into why staff in Senior Services were not addressing seniors in Reno. She added there was a nice library in Northwest Reno that could be used along with other buildings possibly owned by the City of Reno. She noted seniors were a growing demographic in Washoe County and were already the largest.

***10:18 a.m. Commissioner Garcia joined the meeting.**

Ms. Samantha Gonzalez explained the importance of confidentiality of domestic violence shelter addresses. She noted the federal government took address confidentiality very seriously and prohibited federal grant recipients from disclosing the address or location of shelters. She said failure to do this could result in loss of grant funding. She added the State of Nevada shared these concerns and passed legislation in 1997 to create a confidential address program so victims could avoid being tracked through public records. She stated there were over 1,500 Nevadans using the program at that time. She described safety concerns voiced by residents of Ponderosa Drive. She noted women were dropped off and picked up in front of their houses and at the end of the street both day and night. She reported neighbors had individuals ask them for a ride, then found out those individuals lived at the shelter. She recalled Safe Embrace invited cameras into the shelter to generate publicity and immediately after that there was increased traffic on their street. She said Washoe County had repeatedly listed the address on many documents regarding Safe Embrace, including a link on the SUP application that, when clicked, would zoom into the map and the house itself. Even the agenda items for the meeting that day included the address and parcel numbers. She reported Washoe County had three domestic violence murders in the last six months in which the partner tracked the woman down and murdered her. All three women had temporary protective orders (TPOs) against their assailants. She held that safety concerns expressed by neighbors of Safe Embrace were repeatedly invalidated and dismissed. Ms. Gonzalez also explored the issue of domestic violence shelter licensing in the County. She expressed concern about the lack of licensing

for Safe Embrace through the Human Services Agency (HSA). She said because the shelter was not licensed, it was not held accountable to any entity or any person, which endangered the health, safety, and well-being of minors on the premises. Ms. Gonzalez wondered what the scope of a kids' club referenced in Safe Embrace documents was. She was concerned about minors sharing small common spaces with unrelated adults. She added that the residents were by definition transient, meaning they were only there for a maximum of 90 days, which she said came with good and bad. She described some residents as quiet and friendly, while others were not. She remarked all neighbors were concerned about the lack of staff presence from Safe Embrace at night. Ms. Gonzalez contended that approval of the SUP would allow for more circumstances ripe for disaster.

Ms. Nora Constantina stated her opposition to the Safe Embrace SUP on the grounds of health and safety. She detailed changes to the Ponderosa Drive neighborhood that occurred over the years as it morphed from being a quiet street with established residents and an end-of-life care facility to now being a very busy street with people coming and going at all hours. She questioned whether it was legal and safe to have a domestic violence shelter in that neighborhood. She was concerned about the supervision of the children when the women were coming and going, and about the health and safety of the entire neighborhood. She pondered the safety of the women at the shelter given the public availability of the address of the shelter. In the best interest of public health, she strongly recommended denial of the SUP.

Ms. Ann Silver, Chief Executive Officer (CEO) of the Reno+Sparks Chamber of Commerce (Chamber), encouraged approval of the Safe Embrace SUP. She said satisfaction with one's neighbors was a time-honored tradition. She respected the concerns of neighbors who did not appreciate that the Safe Embrace residence was located in their quiet neighborhood, but she pointed out the variety of social support facilities embedded throughout communities everywhere. She believed women seeking assistance from Safe Embrace were brave and resolute in their efforts to change the trajectory of their lives and needed the transition assistance of the Safe Embrace shelter to leave situations of domestic abuse and terror. She contended society was in an age of indignation, lack of respect for others, and diminishing compassion for those in need of help. She urged the BCC to permit an increase to the number of beds at Safe Embrace for the sake of the women and children determined to emerge invigorated and ready to live independently. She offered the Chamber as a mediator between Safe Embrace and the concerned neighbors and believed common sense and constructive dialogue would lead to a resolution of the dispute.

Ms. Tracey Hilton-Thomas thanked the Commissioners for the opportunity to provide comment regarding her application for appointment to the BOE. She also thanked Commissioner Andriola for contacting her to learn more about her interest and qualifications for the opening. She appreciated interest from candidates who had previously served on the BOE and had reapplied but she requested consideration for new members who had not yet had the privilege of serving on a board. She read a quote from the Bible and provided details from her resume that highlighted her skills relevant to the opening.

Ms. Cheryl Guinan stated she was a survivor of domestic abuse. She said domestic violence was a scary and taboo subject to talk about, mostly because it was not talked about enough. She said sharing could be hard as a victim, and it could also be very hard to understand from the outside. She emphasized domestic violence was too common in the area not to have the discussion. She alleged there were already inadequate resources to combat domestic violence and those should be added to, not reduced. She disclosed her personal experience of having worked in a profession where she was surrounded by mandated reporters. In 2012 she went to work covered in bruises, which she had stopped trying to hide. She imparted that moment was her bravest attempt to silently ask for help. In that environment in 2012, not a single person asked if she needed help or if she was okay. She explained her story illustrated how hard it was for a victim to get help, though it should have been easy. She said she was terrified for the safety of herself and her toddler at that time. She was trying to overcome and escape and expressed gratitude for Safe Embrace and the services it provided. She contrasted her past to her present, where she became a strong, safe, and healthy woman through support from resources like Safe Embrace. She reiterated more shelters were needed, and resources should be added rather than cut. She reported that with the help of Safe Embrace, she stood before the BCC as a contributing member of society and the community. She added she created a scholarship that would be awarded to survivors of domestic abuse so they too could get out of their situation through education. She believed she would not have been able to do that without organizations that affirmed her worthiness for a safe and healthy life like all community members. She implored the BCC to vote in favor of the SUP application from Safe Embrace, and thanked everyone for starting the conversation, regardless of their perspective. She believed the community healed and grew stronger together through conversation.

Mr. Matthew Wilkie provided updates on an individual who was previously houseless but managed to find temporary housing at Hope Springs, obtain a bus pass, speak with a case manager, and develop a clear path going forward. Mr. Wilkie stated this was possible because of connections made in the community, as assistance from the County was regrettably absent. He commented that following the BCC meeting the week prior, Chair Hill asked a staff member to meet with Mr. Wilkie, which they did. He alleged he reached out to County officials roughly 24 hours after that meeting to request information but unfortunately did not receive a response by 5:00 p.m. on Friday of that week. He said he did receive a response on Saturday afternoon after he sent another email requesting an update. He was told the information was sent to Human Resources (HR) personnel and he would be updated but he indicated he had not received any further information at that time. In light of those experiences, he requested information on how to gain access to the Cares Campus and take a tour to figure out the ball that was dropped. Additionally, he reiterated his request from the prior week to include real-time counts for the Cares Campus on an agenda and prioritize the establishment of warming shelters with winter rapidly approaching. He emphasized housing should be a top priority, and urged the BCC to take decisive actions in that regard. Mr. Wilkie expressed support for the appointment of Thuy Tran to the Senior Services Advisory Board (SSAB.)

Mr. Gary Schmidt displayed a document, copies of which were distributed to the Board and placed on file with the Clerk. He expressed concern about the Gerlach General Improvement District (GGID). He believed a Washoe County Master Plan Amendment (WMPA) zoning change application would be presented to the BCC in early November, and enumerated reasons why the application should be rejected. First, he claimed it was blatantly illegal according to Nevada Revised Statute (NRS) 318, which outlined provisions that were allowed for GIDs. He alleged the GGID was trying to enter into the private development business with residential, industrial, and commercial properties. He reported the GGID's minutes clearly reflected a desire to build buildings, become landlords, and compete in the private sector in the development business, which he believed was illegal and in violation of the County charter. He added it was in violation of the character statement in the Master Plan, and the original zoning of the property was appropriate for the area whereas the application for increased lot density was not. The third reason he provided was a lack of support from Gerlach residents for the zoning change, contrary to statements made by County staff. He reported there were only five GGID members and one public member on the record who supported the application as it existed. He stated he had petitions and letters from approximately 50 people opposed to the application, in a community of only 110 people. Finally, he supposed the reason for the lot shortage in Gerlach was that the GGID had held 18 acres off the market for seven years, and during that time it paid no property tax. He concluded that if the GGID successfully developed the property as it wanted to, it would never pay any property tax on it, which was unfair competition to the private sector and not in the best interest of the community.

Ms. Sandee Tibbett expressed gratitude to the BCC for recognizing the rise in suicide and mental health issues in children, though she felt the Washoe County School District (WCSD) superintendent, WCSD trustees, and the BCC were all unwilling to admit to the real root cause. She suggested undue blame was given to the COVID-19 (C19) pandemic when responsibility should have been placed on elected officials to discern what was right and wrong. She encouraged individuals to exercise their free will and discernment rather than be led by fear. She referenced a number of large-scale events reported in the news in recent years to underscore her point of view.

Ms. Elizabeth Abdur-Raheem, Executive Director of the Nevada Coalition to End Domestic and Sexual Violence (NCEDSV), thanked the BCC for the opportunity to speak at the meeting and observed the timeliness of the conversation during October, which she informed was Domestic Violence Awareness Month. She provided a summary of the mission, work, and tireless victim advocacy undertaken by Safe Embrace. She explained the work of Safe Embrace depended on being able to safely house victims/survivors during their transitions to keep them safe and healthy. She noted the Safe Embrace shelter was one of only two emergency shelters for victims/survivors of domestic violence in Washoe County. As such, she claimed it was vitally important for it to operate at full capacity. She stated that at the time of the meeting, Nevada ranked second in the nation for domestic violence per capita and had ranked in the top 10 states for 23 of the past 25 years for the rate of women killed by men. She shared details of a 24-hour period in September 2022 during which 571 victims/survivors were served across Nevada. Of those served, a majority found safety in emergency shelters, but some were unable to have

their needs met due to decreased capacity. Ms. Abdur-Raheem also mentioned the prevalence of homelessness in Nevada and added that Washoe County had the highest rates in the State. She said domestic violence continued to be the leading cause of homelessness among women, and reasoned that limiting safe shelter forced victims/survivors to choose between staying with an abuser and homelessness. She suggested everyone present consider the difficulty of that decision.

Chair Hill restated the continuance of Agenda Item 18 by request of the appellant. She informed the Public Hearing would be held in November, though the item would still be opened that day to allow for public comment.

10:47 a.m. **The Board recessed.**

11:00 a.m. **The Board reconvened with all members present.**

23-0676 **AGENDA ITEM 5** Announcements/Reports.

Commissioner Clark expressed dissatisfaction with the late notice he received about the change to Item 18. Chair Hill responded that she learned of the change immediately before the meeting.

Commissioner Clark spoke about offsite meetings and wanted to ensure adequate space for citizens was considered when evaluating the suitability of alternative public meeting spaces.

Commissioner Clark revisited the treatment of a former Cares Campus resident who contacted him for assistance in September 2023 after she was no longer allowed on the Cares Campus. He questioned the process and findings of the subsequent investigation. He wondered if hiring an external vendor to investigate would provide different results than the County investigating itself.

Commissioner Clark referred to a recent incident at the Senior Center, and the importance of transparency in evaluating actions and results. He remarked on the limitations of the food, service, and programming available at the Washoe County Senior Center, which he contrasted with the superior options and service in Douglas County at the community center. He wanted to see senior citizens better served in Washoe County and challenged all the Commissioners to visit the senior programs in Carson City and Douglas County to see how they operated.

Commissioner Clark pondered whether a Washoe County facility was needed to serve women escaping situations of domestic violence.

Commissioner Garcia provided an update from the Washoe County Regional Animal Services (WCRAS) Advisory Board which continued to monitor capacity challenges for both dogs and cats. She reminded everyone it had been an incredibly difficult year as animal adoptions slowed and families surrendered more animals. She relayed if

animals were not transferred out, WCRAS was unfortunately forced to euthanize healthy, adoptable animals for space reasons. She reported that had not been done in the region since 2008, and they did not want to euthanize due to lack of space.

Chair Hill reiterated the Public Hearing for Item 18, the appeal from Safe Embrace originally planned for that day, would be heard on November 28, 2023. She advised she would open up the item if people wanted to speak since it was agendaized.

Chair Hill congratulated the staff of Washoe County for receiving an award from the American Planning Association (APA) in the category of Outstanding Cultural and Environmental Plan for the Washoe County Green Recovery Plan. She reported staff received the award the previous night. She shared there was a consultant who helped with the plan, Ms. Lynne Barker, who passed away earlier that month. Chair Hill celebrated the award and Ms. Barker's tremendous contributions to conservation and sustainability in the community.

Chair Hill referred to comments made earlier that day by Ms. Helen Neff regarding the Nevada Stateline-to-Stateline Bikeway and what Washoe County was doing on the rest of the Washoe Tahoe Transportation Plan. Chair Hill assured Incline Village (IV) residents and the community that she had a meeting scheduled with the Nevada Department of Transportation (NDOT) Director as well as Nevada Secretary of State (SOS) Francisco Aguilar to discuss how immediate needs for IV on Highway 28 could be moved forward. She affirmed she would keep the community updated, and it was a priority of hers.

23-0677 **AGENDA ITEM 6** Presentation and Update on FY 23/24 First Quarter Status Report for the Washoe County Regional Detention Facility to include security of the jail, conditions of confinement, staffing and medical care of inmates housed at the Washoe County Sheriff's Office. Sheriff. (All Commission Districts.)

Detention Operations Division Captain Andrew Venn presented on behalf of the Washoe County Sheriff's Office (WCSO). He conducted a PowerPoint presentation and reviewed slides with the following titles: COVID-19; Washoe County Detention Facility Health Risk; Welfare of the Inmates; Welfare of Inmates, 1st Quarter.

Captain Venn reported that during the first quarter of 2023, there were 46 active cases of COVID-19 (C19) within the facility. As of that morning, there were 13. He explained spread was mitigated using isolation techniques while providing full rights and privileges to inmates. During the quarter, 200 suicide attempts were averted. He informed the average daily population (ADP) was 1,224 and the average length of stay was 17 days, which was consistent with statistics from the prior quarter. He stated fentanyl continued to be an issue and they had nine suspected overdoses in the facility during the first quarter. He acknowledged that 18 inmates graduated from the "Getting Ahead while Getting Out" (GAGO) program in June, and thanked Chair Hill for her presence at the graduations and her support of the program. He invited all the Commissioners to attend future graduations.

WCSO MAT Clinician Maggie Dickson conducted a PowerPoint presentation and reviewed slides with the following titles: WCSO MAT; Medication Assisted Treatment Team; Weekly Team Meetings; Medication Assisted Treatment Program Process; gender charts; race and ethnicity charts; MAT - WCSO Inducted recidivism comparison chart; MAT Continued from Community recidivism comparison chart; Since inception of the OPT/MAT Program; WCSO MAT - Accomplishments; We continue to expand and collaborate; Planning for the Future; Questions.

Ms. Dickson stated she was a dually licensed clinician who treated mental health disorders and substance use disorders (SUDs), and that she ran the Medication Assisted Treatment (MAT) Program at the jail. She explained that MAT was designed to help Opioid Use Disorder (OUD) and Alcohol Use Disorder (AUD) by combining medications with behavioral therapy. She said the program started in the fall of 2019 after they became the first jail in the State of Nevada to have a licensed opioid treatment program. Ms. Dickson indicated the goal of MAT was to stabilize patients using medication so they could fully engage in behavioral counseling and address the underlying issues of why they used it. She reported the multidisciplinary MAT team held weekly team meetings with Northern Nevada HOPEs (HOPEs) and the specialty MAT Court of the Second Judicial District Court. She relayed the MAT team provided staff support during discussions about treatment plans, discharge plans, and any relevant court updates. She added they also discussed any facility behavior issues with their participants. If any program participants were sentenced to prison, they discussed tapering or discontinuing their medication because the Nevada Department of Corrections (NDOC) did not have MAT services in their facilities at that time. She said they continued to support individuals who came in and were already participants in a community program. Ms. Dickson shared that the MAT team liaised with the community program to verify the status, the medication, and the dose the incoming individual was on. Participants were required to go to weekly group sessions on substance use and meet with Ms. Dickson at least once per month for individual counseling. She advised individuals who came in and were not currently in treatment could apply for admittance into the MAT program. Ms. Dickson detailed comparative demographic information compiled about facility residents and MAT program participants. She highlighted the positive correlation between MAT program participation and reduced recidivism rates compared to national averages.

Ms. Dickson mentioned efforts from the WCSO MAT team beginning in 2021 to establish communication with the NDOC and expand MAT into their facilities, enabling better continuity of care for newly sentenced inmates. She reported that in March 2023, a major step towards that expansion was achieved when the first patient on MAT transferred from Washoe County to the Florence McClure Women's Correctional Center in Las Vegas, continued her MAT treatment, and was doing well at the time of the meeting. The MAT team won a 2022 Washoe Impact Award for effective communication and presented the MAT program in Atlanta, Georgia, at the 2023 Rx Summit. They applied to present a session at the Rx Summit in 2024. Collaboration efforts continued to expand locally and nationally. She explained that as an application (app) based outpatient treatment, this model was especially appealing to younger generations. She referenced Assembly Bill (AB) 156, which, if passed, would mandate substance abuse treatment in

prisons and jails throughout the State. She predicted exponential expansion of the MAT program at that time. Ms. Dickson reported she was working with executive staff to provide a specific housing unit dedicated to treatment, which would offer 24/7 support services, have clinicians and peer support in the unit every day, and provide a structured therapy community, all of which would improve treatment outcomes. She said they were also working with Join Together Northern Nevada (JTNN) to create a peer-support system. Once peers were vetted through their background process, they hoped rapport could be established through regular interactions so that when people on treatment were released, that support would continue into the community. She hoped to make their facility a supervision site through the Nevada State Board of Examiners for Alcohol, Drug and Gambling Counselors (ADGC) which would enable them to bring in Master's level practicum students and licensed interns, which would add lower-cost counseling services and resources for underserved populations and also increase exposure of the MAT program to clinicians who were not used to that environment. She acknowledged programs offered at the detention facility, such as MAT, were made possible by the support of the citizens of Washoe County and through the Board of County Commissioners (BCC). With continued support, she believed the program would continue to grow and increase efforts to help the population transition back into the community successfully.

Chair Hill remarked on the outstanding work, leadership, and program vision of Ms. Dickson.

Commissioner Andriola thanked Ms. Dickson for her work and noted the statistics on recidivism reduction alone were worth celebrating. She hoped AB156 would pass to better address the opioid crisis and the impact of fentanyl in the State. She echoed Chair Hill's praise of the impact Ms. Dickson generated.

Commissioner Garcia admired the efforts of Ms. Dickson to extend care beyond the local community and support program participants throughout the transfer process, which she thought was an incredible vision. She endorsed Ms. Dickson's plan to strengthen the provider pipeline.

Vice Chair Herman heartily thanked Ms. Dickson and emphasized how much this work was needed.

Chair Hill thanked Captain Venn, Ms. Dickson, and the WCSO team.

PROCLAMATIONS

23-0678

7A1 Proclaim the month of October 2023 as National Community Planning Month.

Commissioner Andriola read the Proclamation and expressed gratitude for the hard work of all the planners in Washoe County.

Planning Manager Trevor Lloyd thanked the Board of County Commissioners (BCC) for recognizing planning and the profound impact it could have on a community. He felt the timing was perfect as the planners were just wrapping up Envision Washoe 2040. He acknowledged the efforts and expertise of the staff who worked on that project. He was grateful for the recognition of community planning through this Proclamation.

Planner Julee Olander added that Ms. Sarah Chvilicek was honored by the State of Nevada the night before as a citizen planner and had done amazing work in the community and Statewide.

11:36 a.m. **The Board recessed.**

11:40 a.m. **The Board reconvened with all members present.**

On the call for public comment, Ms. Penny Brock agreed it was important to recognize planning, and also felt acknowledgment of Nevada Day would be appropriate. She was proud of the statehood of Nevada and suggested Nevada Day be formally recognized at the BCC meeting the following week.

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

DONATIONS

23-0679 **8A1** Recommendation to accept a donation in the amount of [\$4,326.50] from the Vera Silberstein Gift Trust for improvements to Bowers Mansion located at 4005 Bowers Mansion Road, New Washoe City, Nevada; and direct the Comptroller's Office to make the necessary budget amendments. Community Services. (Commission District 2.)

23-0680 **8B1** Recommendation to accept approximately one hundred (100) used DVDs donated totaling an estimated market value of [\$500.00] from Mark Neumann to the Human Services Agency - Senior Center in support of seniors in our community retroactive to September 20, 2023. Human Services Agency. (All Commission Districts.)

There was no response to the call for public comment.

On motion by Commissioner Garcia, seconded by Commissioner Andriola, which motion duly carried on a 5-0 vote, it was ordered that Agenda Items 8A1 and 8B1 be accepted.

CONSENT AGENDA ITEMS – 9A1 THROUGH 9F1

- 23-0681** **9A1** 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. Clerk. (All Commission Districts.)
- 23-0682** **9B1** Recommendation to 1) approve roll change requests, pursuant to NRS 361.765 and/or NRS 361.768, for errors discovered on the 2020/2021, 2021/2022, 2022/2023 and 2023/2024 secured and unsecured tax rolls 2) authorize Chair to execute the changes described in Exhibits A and B and 3) direct the Washoe County Treasurer to correct the error(s). [cumulative amount of decrease to all taxing entities \$27,474.94]. Assessor. (All Commission Districts.)
- 23-0683** **9C1** Recommendation to acknowledge the grant award from the Office of Traffic Safety to the Second Judicial District Court, in the amount of \$93,773 (\$23,444 in-kind match required), for one year beginning at the effective date of authorization to September 30, 2024 and direct the Comptroller's Office to make the necessary budget amendments. District Court. (All Commission Districts.)
- 23-0684** **9D1** Recommendation to appoint Thuy Tran [District 2] to the Washoe County Senior Services Advisory Board for the term ending March 31, 2027; and to appoint Charles Neuman and Denise Myer [District 3] for the term ending September 30, 2027. Human Services Agency. (All Commission Districts.)
- 23-0685** **9E1** Recommendation to approve and accept grant funding from the State of Nevada Department of Health and Human Services in the amount of \$63,875.00 [no County match] for personnel and operating expenses relating to the National Violent Death Reporting System (NVDRS) program, for a retroactive term of September 1, 2023 through August 31, 2024; and if approved, authorize the Chief Medical Examiner & Coroner of the Washoe County Regional Medical Examiner's Office to sign the grant award documents necessary to receive the grant; and if approved authorize the Comptroller's Office to make the necessary amendments to the Regional Medical Examiner's Office's Fiscal Year 24 budget to reflect the receipt and use of the grant funds. Regional Medical Examiner. (All Commission Districts.)
- 23-0686** **9E2** Recommendation to approve and accept grant funding from the State of Nevada Department of Health and Human Services [with no County match] in the amount of \$104,758.00 for personnel expenses related to investigating drug-related deaths, to perform advanced toxicology testing on decedents, to input data into the Overdose Data to Action (OD2A)

system and other expenses relating to the Overdose Data to Action (OD2A) program for a retroactive term of September 1, 2023 through August 31, 2024; and if approved, authorize the Chief Medical Examiner & Coroner of the Washoe County Regional Medical Examiner's Office to sign the grant award documents necessary to receive the grant; and if approved, authorize the Comptroller's Office to make the necessary amendments to the Regional Medical Examiner's Office's Fiscal Year 24 budget to reflect the receipt and use of the grant funds. Regional Medical Examiner. (All Commission Districts.)

- 23-0687** **9F1** Recommendation to accept a Grant Award from Best Friends Animal Society in the amount of [\$15,000.00; no County match] retroactive to September 19, 2023 through June 30, 2024, to support the expansion and marketing of community-based microchip scanning stations; retroactively authorize the Director of Regional Animal Services to execute the Grant Agreement; and direct the Comptroller's Office to make the necessary budget amendments. Regional Animal Services. (All Commission Districts.)

On the call for public comment, Ms. Penny Brock addressed Item 9D1. Though she did not object to the automatic reappointments to the Senior Services Advisory Board (SSAB), she asked that District 2 be reopened for appointments.

Commissioner Clark pointed out that neither Mr. Charles Mark Neumann nor Ms. Denise Myer served a full term, and he supported the appointment of all the recommended SSAB candidates.

On motion by Commissioner Andriola, seconded by Commissioner Garcia, which motion duly carried on a 5-0 vote, it was ordered that Consent Agenda Items 9A1 through 9F1 be approved.

BLOCK VOTE – 10, 11, 12, 13, 14, AND 17

- 23-0688** **AGENDA ITEM 10** Recommendation to acknowledge receipt of Change Log shown in Exhibit A for the 2023/2024 Assessment Roll that results in a net increase of \$613,859,281 in assessed values. Assessor. (All Commission Districts.)

Public comment for each item in the Block Vote was held together.

On the call for public comment, Ms. Penny Brock addressed Items 10, 12, 13, and 14. The timer was paused while Assistant District Attorney (ADA) Nathan Edwards clarified the protocol for public comment on items within a Block Vote. He informed that each commenter could speak for up to three minutes per Block, and could

address any items within the Block as they chose during that time. Ms. Brock's full three minutes were restored.

Ms. Brock expressed concern about the expenditures in Item 12 and felt they were excessive given that only the first quarter of the year had elapsed. She did not think the Board of County Commissioners (BCC) should approve that item. She also felt the expenditures detailed in Item 13 for transportation of children in foster care were excessive considering existing allocations. Ms. Brock questioned components of the proposed budget for the Tuberculosis (TB) Clinic in Item 14, and though she understood the cost of building the clinic, she noticed other spending that seemed like fluff that could be reduced.

Chief Deputy County Clerk Cathy Smith advised the Board she received an emailed public comment, which was placed on file.

In the interest of transparency regarding Item 13, Commissioner Garcia stated she was no longer employed by the Washoe County School District (WCSD) as of June 2023.

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

23-0689 **AGENDA ITEM 11** Recommendation to: (1) accept the 2023 Regional Grant Program Agreement from the Tahoe Regional Planning Agency in the amount of \$1,139,932.00 [required match \$60,000.00] for the period retroactive to October 1, 2023 through October 31, 2026; (2) authorize Assistant County Manager Dave Solaro to execute award documentation and any related amendments; and (3) direct the Comptroller's Office to make the necessary budget amendments. Community Services. (Commission District 1.)

Public comment for each item in the Block Vote was held concurrently; see Agenda Item 10 for the public comment relevant to this item.

On motion by Vice Chair Herman, seconded by Commissioner Garcia, which motion duly carried on a 5-0 vote, it was ordered that Agenda Item 11 be accepted, authorized, and directed.

23-0690 **AGENDA ITEM 12** Recommendation to retroactively approve contracts and purchases that have exceeded or are expected to exceed [\$300,000.00] that include library books, legal software services, temporary services, court reporting services and necessary goods and services for all County departments. A full list of specific contracts, vendors, and amounts is viewable in the staff report. The aggregate amount of known expenditures under these contracts to date is \$12,419,946.94. Comptroller. (All

Commission Districts.)

Public comment for each item in the Block Vote was held concurrently; see Agenda Item 10 for the public comment relevant to this item.

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

23-0691 **AGENDA ITEM 13** Recommendation to accept a Federal Title IV-E Subgrant award from the State of Nevada, Department of Health and Human Services, Division of Child and Family Services in the amount of [\$19,547,034.00; \$9,422,012.00 county match] for Washoe County Child Welfare Services retroactive July 1, 2023 through June 30, 2024; authorize the Interim Director of the Human Services Agency to execute the sub-grant award and related documents; authorize a Subgrant Agreement between Washoe County and the Washoe County School District to pass through Title IV-E federal funds to reimburse for actual expenses incurred to provide out-of-zone transportation for children in foster care allowed under Title IV-E of the Social Security Act which is estimated to be an annual cost of [\$450,000.00] for a retroactive period from July 1, 2023 through June 30, 2024; direct the Comptroller's Office to make the necessary budget amendments; and authorize the Purchasing and Contracts Managers to sign the agreement between Washoe County and the Washoe County School District and approve the Resolution (R23-140) necessary for same. Human Services Agency. (All Commission Districts.)

Public comment for each item in the Block Vote was held concurrently; see Agenda Item 10 for the public comment relevant to this item.

On motion by Vice Chair Herman, seconded by Commissioner Garcia, which motion duly carried on a 5-0 vote, it was ordered that Agenda Item 13 be accepted and authorized. The Resolution for same is attached hereto and made a part of the minutes thereof.

23-0692 **AGENDA ITEM 14** Recommendation to approve budget amendments and the necessary net-zero, cross-fund budget appropriation transfers to the Community Services Department (CSD) for the design and construction of the Tuberculosis (TB) Clinic totaling an increase of [\$10,000,000.00; no county match] in both revenue and expenditures to the State of Nevada Department of Health and Human Services, Division of Public & Behavioral Health TB Clinic Grant retroactive to July 1, 2023, through December 31, 2026, and direct the Comptroller's office to make the appropriate budget amendments and the necessary net-zero, cross-fund budget appropriation transfers. The purpose of this grant funding will support the design and construction of a Tuberculosis (TB) Clinic and other Public Health or Community and Clinical Health Services offices to serve

the residents of Washoe County. Northern Nevada Public Health. (All Commission Districts.)

Public comment for each item in the Block Vote was held concurrently; see Agenda Item 10 for the public comment relevant to this item.

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

23-0693 **AGENDA ITEM 17** Recommendation to retroactively approve the Interlocal Agreement between Washoe County on behalf of Washoe County Sheriff's Office and the City of Reno on behalf of the Reno Police Department for Forensic Laboratory Analysis Services, performed by the Washoe County Sheriff's Office Forensic Science Division, fees for the retroactive term of July 1, 2023 to June 30, 2024 with a total income of [\$1,500,000.00]. Sheriff. (All Commission Districts.)

Public comment for each item in the Block Vote was held concurrently; see Agenda Item 10 for the public comment relevant to this item.

On motion by Vice Chair Herman, seconded by Commissioner Garcia, which motion duly carried on a 5-0 vote, it was ordered that Agenda Item 17 be approved. The Interlocal Agreement for same is attached hereto and made a part of the minutes thereof.

23-0694 **AGENDA ITEM 15** Recommendation to approve, pursuant to NRS 271.6312, a resolution for the creation and administration of a district, which shall constitute the entire jurisdictional boundaries of the County, with the purpose of allowing the financing of one or more Qualifying Improvement Projects with willing owners of Qualifying Commercial or Industrial Real Property ("District"); and a program generally known as a "Commercial Property Assessed Clean Energy Program" or "C-PACE Program", and to establish an administrative fee to be charged to cover the actual costs of reviewing applications. Manager's Office. (All Commission Districts.)

Sustainability Manager Brian Beffort conducted a PowerPoint presentation and reviewed slides with the following titles: What is C-PACE; How C-PACE Works; Benefits of C-PACE; What Types of Projects are Eligible; The English Hotel Las Vegas; Thank You.

Mr. Beffort presented a proposal to adopt a Commercial Property Assessed Clean Energy (C-PACE) Program in Washoe County. He explained that C-PACE was a financing structure that allowed commercial building owners to borrow money from third-party lenders. He stated no Washoe County funds were involved in those transactions. Mr.

Beffort shared that C-PACE had been adopted by more than 37 states nationwide and, as of 2021, more than 3,000 commercial buildings had been upgraded with \$5.2 billion financed and over 65,000 job years created. He reported that C-PACE was enacted in Nevada by the Legislature in 2017 and revised again in 2021. He said eight Nevada counties and cities had adopted C-PACE resolutions with four projects totaling \$38 million in investments.

Mr. Beffort noted he had heard that in previous years, C-PACE had not been very popular nationwide, but following an increase in federal interest rates, C-PACE became more attractive and garnered more attention. He clarified that C-PACE was for commercial properties only, and Nevada had not yet passed a residential PACE program. He explained that C-PACE utilized third-party lenders, and the debt incurred was attached to a lien on the property and stayed with the property through sales. He indicated the nature of this collateral and longer loan period meant lower risk to lenders and often resulted in lower interest rates. He outlined the role of Washoe County, which would be contract review and recording and assigning of assessment liens. He relayed that the County would not undertake billing, collections, or enforcement. He stated Nevada Revised Statutes (NRS) allowed the County to enact an administrative fee to charge for staff time and added that nationally, rates were from 2.5 to 3 percent of the amount financed. The proposal presented that day recommended a 2.75 percent fee for the Washoe County program.

Mr. Beffort recalled that in January 2023, the Board of County Commissioners (BCC) directed staff to find ways to reduce greenhouse gas emissions across the County. He reasoned attracting private investment was one of the easiest ways to advance that directive and could help alleviate emissions from commercial and industrial sectors, which comprised about 26 percent of emissions in Washoe County. He said the result would be cleaner air, more stable and reliable energy costs, and increased grid and community resilience. He pointed out that well-paced C-PACE loans did not result in higher costs for borrowers. C-PACE projects and the debt were set up after an energy audit was conducted which ensured the value of the improvements exceeded the value of the debt. He opined these improvements reduced energy and operating costs, increased building comfort, increased net operating income, and increased property values with no up-front costs. He advised many greenhouse gas reduction programs were funded by the federal government, which meant funded by taxpayers. He contrasted that model with the C-PACE program, which incentivized private investment in greenhouse gas reduction technologies resulting in increased economic activity and more jobs, which would benefit the region. He reiterated the low risk to Washoe County and stated the proposed program would be consistent with most other C-PACE programs in Nevada, creating a uniform borrower and lender experience. He listed many types of eligible projects, including energy efficiency improvements such as heat pumps and light-emitting diode (LED) conversions, renewable energy improvements such as solar and battery storage, water efficiency upgrades, and projects that could improve building resiliency in the face of seismic events, electrical outages, and other environmental hazards. He highlighted an example of a C-PACE project in Las Vegas at The English Hotel that used C-PACE financing to improve energy efficiency with heat pumps, add LED lighting outside and inside, increase the insulation value of their roof and building, and improve water conservation and efficiency.

Ultimately, he advocated for sustainability programs to be evaluated by how well they delivered triple bottom line (TBL) benefits to profit, people, and the planet. Mr. Beffort declared that C-PACE promised to do all three, and he recommended support of the proposal.

Chair Hill commended the team for preparing the C-PACE proposal and the County Manager for incentivizing sustainable development in Washoe County. She asked Mr. Beffort how the program would be promoted if it was approved. Mr. Beffort responded that the program would be based in the Community Services Department (CSD) and proposed working with Sustainable Real Estate Solutions (SRS), the Connecticut-based company that provided C-PACE administration for seven of the eight jurisdictions in Nevada. He reported SRS had all the forms and a template website that would be branded for Washoe County. He said CSD would work with planners and others in the County to inform developers of the availability of opportunities.

Commissioner Clark requested Mr. Beffort repeat the name of the company currently administering the C-PACE program in other Nevada counties, and Mr. Beffort responded the name of the company was Sustainable Real Estate Solutions (SRS). He added the hope was to work with a local company, but there were no local C-PACE administrators at that time. Commissioner Clark asked about competitors, to which Mr. Beffort replied there were other companies, and he knew of at least one other provider. Due to the specificity of the field, he recommended additional finance and contract questions be directed to Chief Financial Officer (CFO) Abbe Yacoben. Commissioner Clark expressed his concern about monopolies and wondered if borrowers would have a choice of who to borrow from. Regarding SRS, he queried whether there was a contract between SRS and the County, and, if so, what the duration of the contract was. He also wanted to know what oversight was in place, what type of reputation and rating the company had, and what was known about them. Ms. Yacoben replied that SRS was administering seven of the eight other communities in Nevada, which was information her team weighed in their selection. She explained the alternative was to do a request for proposal (RFP) and potentially engage a separate company which would result in an inconsistent appearance and experience Statewide. She believed there was a variety of lenders available for borrowers to choose from, but for administration purposes, ease of website use, and consistency across the State, they proposed a joinder with the City of Las Vegas.

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

Ms. Penny Brock mentioned a paper published by the University of California, Berkeley (UCB) School of Law which found problems with residential PACE program implementation, and she wondered if those findings could also be applied to the commercial sector. She did not think the Washoe County government should be involved in this program and reasoned if a commercial entity wanted a loan it should go directly to the private sector. She especially objected to green energy programs being managed by the

government and subsidized by taxpayers. She advocated for transparency about how much money was going towards green energy programs, including this one.

Mr. Nick Vander Poel was not present when called to speak.

Chief Deputy County Clerk Cathy Smith advised the Board she received an emailed public comment, which was placed on file.

Chair Hill reiterated this was a property assessment and that no taxpayer money would go towards the C-PACE program. She stated it would be administered through the Recorder's and Assessor's Offices.

On motion by Chair Hill, seconded by Commissioner Andriola, which motion duly carried on a 3-2 vote with Vice Chair Herman and Commissioner Clark voting no, it was ordered that Agenda Item 15 be approved and established. The Resolution for same is attached hereto and made a part of the minutes thereof.

23-0695 **AGENDA ITEM 16** Recommendation to appoint two candidates from a pool of applicants including: John Boren, John Briscoe, Lynnelle Carter, Roger Edwards, Denise Jones, Eugenia Larmore, Daren McDonald, Daniella Reynolds, Joe Rodriguez, Gerald Schumacher, Brad Snedeker, Cilia Suhayda, Tracey Thomas, and Charles Wellington II to fill two vacancies on the Washoe County Board of Equalization with terms beginning on January 1, 2024, and ending on June 30, 2027. Manager's Office. (All Commission Districts.)

Community Outreach Coordinator Alexandra Wilson prefaced the vote with information for the Commissioners on the format of the ballot. She explained Mr. Joe Rodriguez requested the withdrawal of his application, and his name was removed. She also noted two candidates on the ballot sheets, Ms. Eugenia Larmore and Mr. Daren McDonald, were potential reappointments, which would usually have been separated but were included in this case due to a miscommunication with staff. Ms. Wilson advised all selections could be done simultaneously. Chair Hill asked if the Commissioners were supposed to select their top three candidates, and Ms. Wilson confirmed they were.

On the call for public comment, Ms. Daniella Reynolds reported that she spoke during an earlier public comment section, and would give her time back to the Board of County Commissioners (BCC) rather than speak again.

Mr. Bill Simms expressed support for Ms. Reynolds as a candidate for the vacancy. He believed she would serve well and bring a good perspective given her past experience.

Commissioner Clark emphasized the importance of appointing the right people to serve on the Board of Equalization (BOE). He added his perspective as a former Assessor that appraisal was an opinion at a certain point in time. He recalled prior appraisal

issues that resulted in large refunds. He stated the Assessor's Office needed the BOE to check their work, which was why the selection of qualified non-partisan applicants was imperative. He supported the re-appointment of Ms. Larmore due to her experience.

Commissioner Andriola agreed with Commissioner Clark's remarks on the need for qualified candidates on boards. She shared her experience reaching out to each candidate for a conversation exploring their interest in the appointment. She said a specialized understanding was required because of Nevada's unique model for tax assessment, and she appreciated the expertise brought by many candidates on the ballot that day.

Chief Deputy County Clerk Cathy Smith read the Commissioner votes aloud. Chair Hill summarized the top candidate was Ms. Eugenia Larmore with four votes. Chair Hill and Ms. Wilson reviewed all votes and determined there was a four-way tie between Mr. Roger Edwards, Ms. Denise Jones, Mr. Daren McDonald, and Ms. Daniella Reynolds. Chair Hill directed the Commissioners to each select one of the four remaining candidates. Ms. Smith read the results, which narrowed the pool to a two-way tie between Mr. McDonald and Mr. Edwards. Chair Hill again directed the Commissioners to each select one of the two remaining candidates. Ms. Smith read the results naming Mr. McDonald as the preferred candidate. Chair Hill congratulated Ms. Larmore and Mr. McDonald.

On motion by Commissioner Garcia, seconded by Commissioner Andriola, which motion duly carried on a 5-0 vote, it was ordered that Eugenia Larmore and Daren McDonald be appointed to the Washoe County Board of Equalization with terms beginning on January 1, 2024, and ending on June 30, 2027.

23-0696 **AGENDA ITEM 18** Public Hearing: Appeal of the Washoe County Board of Adjustment's inability to approve Special Use Permit Case Number WSUP22-0019 (Safe Embrace). The applicant requests approval of a special use permit to allow a group care facility for up to 25 occupants if connected to city sewer, or up to 18 occupants if utilizing the existing septic system. The regulatory zone of the parcel is Low Density Suburban (LDS) and a special use permit is required per Washoe County Code Table 110.302.05.2. The proposal also requests to modify the parking requirements in Washoe County Development Code Article 410 by not requiring any additional paved parking spaces or additional lighting in the parking area.

The applicant and property owner is Safe Embrace. The address is 1995 Ponderosa Drive in Sparks. The Assessor's Parcel Number is 026-422-14.

The Board of County Commissioners shall consider the appeal based on the record and any testimony and materials submitted at the public hearing. The Board of County Commissioners may approve or deny the special use permit. Community Services. (Commission District 3.)

Chair Hill noted this item would be continued to November 28, 2023, but public comment would be opened because it was on the agenda for the meeting that day. She stated no Commissioner deliberation on this item would take place. Assistant District Attorney (ADA) Nathan Edwards affirmed this as appropriate protocol.

On the call for public comment, Ms. Nora Constantina clarified that she was not opposed to Safe Embrace and believed in its mission and the need for domestic violence and sexual assault care, not only in Washoe County but in Nevada and the United States (US). She specified her concern was about the proposed expansion of that site, and how activities related to the existing Safe Embrace shelter had already negatively affected residents and property values. She emphasized that the safety of everyone should be considered.

Mr. Bill Simms hoped the Commissioners would approve the Safe Embrace appeal because of the need for these services. He declared victims/survivors should not be ignored solely to preserve the comfort of other area residents.

Ms. Elizabeth Abdur-Raheem was not present when called to speak.

Ms. Katie Knepper spoke on behalf of Alferd Knepper on Americans with Disabilities Act (ADA) accommodation. She reminded the Commissioners of the Codes, zoning regulations, and deed restrictions that existed to protect the integrity of neighborhoods. She claimed the City of Sparks let Safe Embrace down when it approved the illegal expansion and should take the blame and offer the solution. She emphasized it was time for Safe Embrace to realize and respect this instead of disparaging homeowners on Ponderosa Drive. She reasoned homeowners should be protected by County zoning and Codes which were supposed to prevent situations like that. She reiterated Safe Embrace was welcome to stay as a group home, subject to residential use. Ms. Knepper cited the Low-Density Suburban (LDS) zoning restriction of one dwelling unit per acre and stated this special use permit (SUP) application was trying to change Safe Embrace from residential use to civic commercial use with three dwelling units on a one-acre LDS lot. She reported the Planning Commission (PC) said residential rules did not apply if the use changed, even though residential uses were referenced in the commercial use sections of the Code. She held that in any event, the residential use Code applied since it was a group home. Ms. Knepper believed Safe Embrace violated many Codes during the time it operated as a group care facility before its license was revoked. Ms. Knepper alleged Safe Embrace incorrectly claimed operation as a group care facility for the past 20 years, adequate roadway improvements, absence of deed restrictions prohibiting the proposed use, inflated estimates of total livable square footage, safety and security of the location, and adequate landscaping and screening materials to encompass the total property line.

Ms. Katie Knepper provided comments on her own behalf. She argued facts were purposely misstated by Safe Embrace, Christy Corporation, and Safe Embrace's attorney, which she claimed was another reason the SUP needed to be denied. She detailed findings from the Board of Adjustment (BOA) that supported her preference for denial of the SUP. She believed the proposed expansion was obviously out of character with the

surrounding residential properties and would be even more so with all the changes needed to bring existing structures up to Code. She stated the PC had been ordered not to meet with her and her husband when they wanted help understanding the permitting. She expressed frustration with the lack of a resolution to the dispute regarding expansion at that location, and concern for the safety of residents in the neighborhood, many of whom she said were senior citizens. She concluded an additional location to serve the growing needs of the community was an appropriate solution, but further expansion on Ponderosa Drive was not.

Ms. Penny Brock observed the status of Item 18 as an appeal. She said the applicants wanted the Board of County Commissioners (BCC) to overrule the decision of the BOA, which looked at the original SUP in depth. She encouraged the BCC to deny the appeal when the time came. She also stated she had information about a problem with the financials of Safe Embrace, which she claimed were being withheld from their board. She said Safe Embrace board members were resigning over this, and she recommended additional investigation before any decision on the SUP. She advised Safe Embrace to sit down with the appropriate people to look at its financials, and that the BCC take Ms. Ann Silver up on her offer to help mediate. She thanked the Commissioners for postponing the discussion and vote.

Ms. Samantha Gonzalez recalled a comment earlier that day about drug and alcohol homes, foster homes, and other group homes throughout Washoe County, which she said was true, but she countered that those facilities were all licensed and reported to a licensing entity. She remarked on the protections and recourse provided with oversight of that kind, which was not the case with Safe Embrace. She reiterated there was never a request from Ponderosa Drive homeowners for Safe Embrace to close. She prefaced her comments for the Public Hearing on the SUP and encouraged people to look up Google reviews of Safe Embrace prior to that.

Ms. Vickie DiMambro was not present when called to speak.

Ms. Daniella Reynolds was not present when called to speak.

Chair Hill closed public comment on Item 18 and reiterated the Public Hearing would be continued to November 28, 2023, per the appellant's request.

23-0697 **AGENDA ITEM 19** Public Hearing: Subject to a finding that the related special use permit approved by the Planning Commission in WSUP23-0020 conforms with the Truckee Meadows Regional Plan by the regional planning authorities, to approve a resolution initiating an amendment to the 2019 Truckee Meadows Regional Plan Map 3 – Regional Utility Corridors & Sites to include an extension of a 2-mile long, 69 kilovolt (kV) transmission line within existing utility easements from NV Energy's Fort Sage Substation through Washoe County to the California State Line. (WSUP23-0020- PSREC Transmission Line) Community Services. (Commission District 5.)

Chair Hill opened the public hearing.

Planner Julee Olander conducted a PowerPoint presentation and reviewed slides with the following titles: Request; Site Vicinity Map; Background; Evaluation (3 slides); Modifications; Neighborhood Meeting; Reviewing Agencies & Findings & Motion; Thank You.

Ms. Olander provided a summary of the special use permit (SUP). She said the original request was for an extension of a 2-mile long 69-kilovolt (kV) transmission line, to modify landscaping requirements, and to allow a height of up to 35 feet. She contextualized the project location, the parcels involved, and the role of the Plumas-Sierra Rural Electric Cooperative (PSREC). She indicated the Community Services Department (CSD) could supply more details regarding the SUP and amendment if desired.

There was no response to the call for public comment.

On motion by Commissioner Andriola, seconded by Commissioner Garcia, which motion duly carried on a 4-1 vote with Vice Chair Herman voting no, it was ordered that Agenda Item 19 be approved. The Resolution for same is attached hereto and made a part of the minutes thereof.

23-0698 **AGENDA ITEM 20** Public Hearing: Second Reading and possible adoption of an ordinance amending Washoe County Code Chapter 55 (Animals and Fowl) by adding a section governing variance permit renewals; by modifying the threshold requiring a variance permit from three dogs to five dogs; and by amending provisions related to the variance permit requirements for: the permit application; the mandatory premises inspection(s); containment of dogs and cats; approval or denial of a variance permit; renewal fees; and permit revocation. The ordinance also amends a section related to dangerous and vicious dog registration by changing the word “dangerous” to “vicious” in one sentence; and all matters properly relating thereto. Authorize the chair to execute the amended ordinance. Regional Animal Services. (All Commission Districts.)

Chair Hill opened the public hearing.

Chief Deputy County Clerk Cathy Smith read the title for Ordinance No. 1708, Bill No. 1897.

Chair Hill asked the Board members if they desired a staff summary.

Chair Hill invited Commissioner Garcia, as the Board of County Commissioners' (BCC) representative on the Washoe County Regional Animal Services (WCRAS) Advisory Board, to provide some background on the Ordinance. Commissioner Garcia advised the language of the Ordinance was brought forward by WCRAS Director

Shyanne Schull. She recalled the WCRAS voted unanimously to approve the original wording from the version presented at a WCRAS meeting in April 2023. She believed the long-term evaluation of the Ordinance allowed ample opportunity for stakeholders to weigh in, and reported that she had not heard any concerns from constituents, other WCRAS board members, or fellow Commissioners since the discussions in April 2023. She mentioned an Adisa assessment that recommended increasing the limit to six dogs, which Ms. Schull felt was excessive. Commissioner Garcia remarked on the rich discussions and public comments, many of which advocated for keeping the limit at three dogs, and she thought five was a comfortable compromise. She stated the power to revoke permits would be retained by WCRAS and could be exercised to address potential situations of animal neglect or negative effects on neighbors. Commissioner Garcia asserted the plan was very good overall and would streamline processes for constituents and WCRAS staff. She was confident regarding constituent support of the Ordinance but acknowledged the legal opinion provided, which did not support the proposed increase in the number of dogs allowed.

Assistant District Attorney (ADA) Nathan Edwards stated the opinion of the District Attorney's (DA) Office for the record. Their advice from a legal standpoint was to not change the number of allowed dogs from three to five, which he said was a drastic increase. He thought an increase to four was better, and added there was an existing process for people who needed to obtain a permit for more animals due to living circumstances. He described the three points he made in his opinion, which were the effects on neighbors, the effects on the animals, and the lack of empirical data. He added all the data he had seen were anecdotal, which he acknowledged could be informative, but were not empirical. Regarding the effect on neighbors, he criticized the uniform application of the proposed increase and provided a theoretical example of five German Shepherds being allowed in a one-bedroom apartment. He expressed concern about increased noise and accumulation of animal waste and felt the burden on affected neighbors to pursue a successful legal remedy was excessive with this change. He felt the current cap of three dogs provided a necessary safeguard against inhumane circumstances for the animals. He reiterated the recommendation from the DA's Office to not change the existing cap on the number of dogs.

Commissioner Andriola thanked Commissioner Garcia for her summary and ADA Edwards for his clarification on the legal opinion. She asked for clarification regarding the layout and materials the Commissioners received. She did not see anything in the application materials provided that would give WCRAS the ability to deny an application due to inadequate space. She noted there were detailed requirements regarding space for cats, and wondered why similar specifications would not be in place for dogs.

Ms. Schull informed square footage was something added as amended language. She said a majority of permit holders utilized their residence as part of the enclosure if not the whole enclosure for the containment of their dogs. She referenced language in the draft amendment to Washoe County Code (WCC) Chapter 55.410, Subsection 1B, about square feet per dog which she stated WCRAS would start to track if the Ordinance was amended and adopted. She added kennel size was also adjusted to be

more standardized in the draft amendment, and those updates would improve owners' ability to keep their animals inside their homes.

Commissioner Andriola asked ADA Edwards whether square footage requirements would give any relief to any of the legal concerns. ADA Edwards responded no because the square footage requirement referenced by Ms. Schull was for six or more dogs. Commissioner Andriola wondered if there was any way to find a compromise that would reduce legal exposure while preserving the hard work that WCRAS had already invested into the version presented that day. ADA Edwards affirmed additional compromise was possible, but was unsure how much could be done from the dais that day. He suggested property size caps that allowed different numbers of dogs as an example but acknowledged that the WCRAS had invested significant skill and experience in drafting the amendments as presented. Commissioner Andriola asked if WCRAS was amenable to exploring additional parameters. Ms. Schull advised restrictions regarding property size had already been proposed and considered by the WCRAS Advisory Board. It was determined property size evaluation and assessment would create an additional layer of work onto an already extremely labor-intensive process. Ms. Schull reported each permit already took approximately eight hours of staff time. She added that the WCRAS was undergoing a fee study to potentially revise fees. The proposed full cost of the variance permits was projected to be over \$700 each. She said the goal was to streamline and make the work of the WCRAS more efficient, not more complex. She affirmed the WCRAS was not in the land surveying business and did not wish to add that to its purview. She noted when the permit process was handled by planning and departments rather than animal services, regulations of that type were more administratively feasible.

Commissioner Garcia added her support and understanding of the position of the WCRAS. She also said other parts of the plan included improvements to the application and renewal process, including disclosure of reasons for the variance request. She cautioned against streamlining processes for the WCRAS in ways that would complicate work for the DA's Office. She reiterated that having considered all the information together, she had no major concerns. She did see possibilities for abuse of the system but thought it would be possible to address those as they arose.

Ms. Schull added some data from the five years the permit had been in place. She stated there were approximately 115 variance permit holders at that time, and acknowledged that number varied as people moved into and out of the County or chose to not renew their permit. She reported she had denied 37 variance permit applications in the past five years based on past activity including complaints and violations. She reported she had only revoked 9 out of over 100 variance permits. She said because the WCRAS undertook an inspection and property history review as part of an annual review, permit holders were held to a higher standard to remain in good standing.

Commissioner Clark expressed his faith in the expertise of the WCRAS and Ms. Schull.

Commissioner Andriola echoed Commissioner Clark's assessment. She appreciated the time, summary, patience, and clarity given by Ms. Schull.

Chair Hill thanked everyone for their questions and comments and stated the importance of having the discussion on the record.

On the call for public comment, Ms. Jill Dobbs, Executive Director of the Society for the Prevention of Cruelty to Animals (SPCA) of Northern Nevada, thanked the BCC for the opportunity to speak on this topic. She informed she was appointed to the WCRAS Advisory Board in 2017 by the BCC as a subject matter expert, and served until she termed out earlier in 2023. She said she was very familiar with the permitting process as she was on the WCRAS Advisory Board as they went through Code amendments. She encouraged the BCC to approve the amendments as presented that day and shared the only argument she personally heard against the amendments was about the increase of the cap from three to five dogs. She stated that as a trained, experienced animal welfare professional she did not see a problem with the increase. She believed the variance process was time and resource-intensive and should be reserved for special circumstances of owning more than five dogs. She advised there were existing legal processes like welfare checks, citations, and appeals either included in the amendments as previously detailed and mentioned or in the existing County Code to address concerns of too many dogs living in inhumane circumstances. She addressed the hypothetical situation of three to five Great Danes living in a 600-square-foot apartment. She understood the importance of risk assessment, and the tendency to entertain worst-case scenario fears, but she challenged the assumption that those Great Danes were highly active puppies running around. She provided the example of her own small residence, which was home to a number of Pit Bulls and Mastiffs at any given time. She said her dogs got their exercise and daily needs met in other ways. She claimed the vast majority of people did not want to own five or more dogs. She added those who did often owned smaller dogs, and she cautioned the BCC against spending too much time on hypotheticals. She restated her approval of the amendments as proposed.

On motion by Commissioner Garcia, seconded by Commissioner Andriola, which motion duly carried on a 4-1 vote with Vice Chair Herman voting no, it was ordered that Ordinance No. 1708, Bill No. 1897, be adopted, approved, and published in accordance with NRS 244.100.

23-0699 **AGENDA ITEM 21** Public Comment.

On the call for public comment, Ms. Penny Brock addressed what she perceived as an inadequacy of services for seniors. She stated that because she now knew Washoe County was responsible for these services, she would direct her concerns to the Board of County Commissioners (BCC). She recalled Commissioner Clark's observations about unhoused citizens being prioritized over senior citizens in Washoe County. She felt the budget allocations for seniors and unhoused people were disproportionate compared to the population size of those groups and needed to change. She noted the absence of shopping carts along Ninth Street that day and wondered if that was done purposefully in anticipation of public attendance at the BCC meeting. She hoped the Commissioners would realize something needed to be done to correct the problem of inadequate facilities for

seniors to congregate and would consider utilizing library spaces in Reno for that purpose immediately.

Mr. Nick Vander Poel from Flynn Giudici Government Affairs congratulated the Commissioners for approving a Property Assessed Clean Energy (PACE) Program in Washoe County. He recalled working with Senator Chris Brooks during the 2021 legislative session to get details of the program worked out with numerous stakeholders. He noted the positive economic opportunities enabled by the approval of the program.

Mr. Bill Miller introduced himself as a citizen deeply concerned about the climate crisis. He thanked the BCC for voting in favor of the C-PACE program. He stated this action would increase climate resiliency while supporting local businesses in increasing their energy efficiency.

23-0700 AGENDA ITEM 22 Announcements/Reports.

Commissioner Clark restated his concern about the suitability of offsite meeting space. He wanted to ensure adequate seating was available for members of the public and mentioned the disparity between security measures in place in the regular meeting location and in the Sparks Library site planned for the next meeting.

County Manager Eric Brown reminded everyone about the offsite Board of County Commissioners' (BCC) strategic planning workshop scheduled for 9:00 a.m. on Tuesday, October 24, 2023, at the Sparks Library. He reported it would be livestreamed and participants were welcome to join in-person or remotely.

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1:16 p.m. There being no further business to discuss, the meeting was adjourned without objection.

ALEXIS HILL, Chair
Washoe County Commission

ATTEST:

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

Minutes Prepared by:
Heather Gage, Deputy County Clerk