

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

TUESDAY

10:00 A.M.

AUGUST 4, 2020

PRESENT:

Bob Lucey, Chair
Marsha Berkbigler, Vice Chair
Kitty Jung, Commissioner (via telephone)
Jeanne Herman, Commissioner

Nancy Parent, County Clerk
Eric Brown, County Manager
David Watts-Vial, Assistant District Attorney (via Zoom)

ABSENT:

Vaughn Hartung, Commissioner

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, the Clerk called the roll and the Board conducted the following business:

20-0543 **AGENDA ITEM 3** Public Comment.

A voicemail from Mr. Eric Norcross was played in Chambers. Mr. Norcross spoke about the heavy traffic and speeding on Nectar Street in Lemmon Valley. He said traffic signs had not discouraged speeding and suggested speed bumps as a possible solution. He expressed concern about the hazard of speeding vehicles in a neighborhood with many children. He said six-foot rubber speed bumps could be purchased for \$60, which he considered to be a cost-effective solution. He requested the Board consider this issue.

County Clerk Nancy Parent read an email by Mr. Daniel Purdy. In it, Mr. Purdy mentioned his brother Thomas Purdy. He thought the Board did not listen to voters. He said he lost his brother because of the Board's inaction towards resolving abuse at the County jail. He thought better oversight was needed. He urged the Commissioners to listen to the voters who elected them.

20-0544 **AGENDA ITEM 4** Announcements/Reports.

In reference to the public comments made by Mr. Norcross, Commissioner Herman said the neighbors offered to pay for the speed bumps if the County would install them. She mentioned she received a number of calls from constituents after the Legislature meeting the prior week. Her constituents felt it would be safer to remove the political party

affiliations printed on paper ballot envelopes, and they thought handwriting experts should be available to check signatures on ballots. She expressed concern because some voters were notified their vote was not counted, but the notice arrived too late for them to vote in person. She requested that notices for unacceptable ballots be sent out promptly so voters would have time to vote in person. She said her constituents believed better supervision was needed during voting, particularly during early voting.

Vice Chair Berkbigler said she received emails requesting that County baseball fields be opened, but she thought County parks had been opened. She requested a report specifying which County facilities were closed and whether sports teams were prevented from playing. She mentioned it was the worst election she had witnessed, and she implored everyone to be more polite and kind to others during this election season.

Chair Lucey mentioned he received emails requesting clarification about the Governor's most recent COVID-19 press conference. He said the County would continue working with the Governor's office to clarify the County's authority, but he understood enforcement was a large component. He stated the County would continue working on enforcement, contact tracing, and testing. He noted the Legislature passed Assembly Bill 4 (AB4) the prior day and it was signed by the Governor. AB4 addressed mail-in ballots for this general election. He urged registered voters to validate their mailing address to ensure they received their ballots. He stated there would be discussions with the County Manager and the Registrar of Voters to ensure a flawless election in November, but participation from the public was important. He said voters could validate their information online at washoecounty.us or on the Secretary of State (SOS) website nvsos.gov.

In reference to Vice Chair Berkbigler's comment about parks, Chair Lucey said he had similar discussions on the topic. He understood the County continued to follow Centers for Disease Control and Prevention guidelines, so parks and open spaces could be opened for sporting events without spectators. He stated playgrounds remained closed because not enough Parks Department staff was available to sanitize the playground equipment. He noted the Washoe County School District (WCSD) decided to reopen schools in August. He applauded the WCSD for making that difficult decision. He mentioned many public comments were heard on the issue. He asserted the County was committed to supporting community partners and helping students and families find a balance in this new normal environment. The County would work with the WCSD to facilitate contact tracing, testing, and providing information about self-evaluating and self-testing before taking children to school in an effort to continue to flatten the curve.

Vice Chair Berkbigler thanked Chair Lucey and Commissioner Herman for mentioning AB4. She noted there was language in AB4 which allowed people to get help from others when marking their ballots. She asked for information from the Registrar of Voters about how they would ensure there was no fraud based on AB4's language. She said the SOS expressed concern about the potential of fraud in that type of setting. The SOS planned extensive discussions with all Voter Registrars, but Vice Chair Berkbigler wanted to know how the Washoe County Registrar of Voters planned to prevent fraud.

20-0545

AGENDA ITEM 5 Presentation, discussion, and possible action to approve a proposed settlement agreement between Washoe County and the League to Save Village Assets, Inc., the terms of which will result in dismissal by Washoe County of the appeal of the District Court's decision in Village League to Save Incline Assets, Inc., et.al. vs. State of Nevada, et.al., Case No. CV03-06922, Supreme Court case no 80092, and other associated cases described in the agreement; payment by Washoe County of refunds to Incline Village/Crystal Bay residential property owners/taxpayers for the 2003-04, 2004-05, and 2005-06 tax years in the total estimated amount of \$56 million, the County's portion of which is \$23.8 million and the remaining portion of which is attributable to the Washoe County School District, North Lake Tahoe Fire Protection District, Incline Village Improvement District, State of Nevada, with refund payments beginning July 1, 2021 and made pursuant to claims processes and timelines described in the agreement; an interest holiday during which time no interest will accrue from July 1, 2021 to June 30, 2023; and other terms as described in the settlement agreement; if the settlement agreement is not approved, discussion and possible action by the Board to authorize staff to present alternative terms of a proposed settlement to the Incline Village/Crystal Bay residential property owners/taxpayers through their counsel. Manager's Office. (All Commission Districts.).

Chair Lucey called for a brief recess so staff could address technical difficulties.

10:21 a.m. The Board recessed.

10:25 a.m. The Board reconvened with Commissioner Hartung absent.

Deputy District Attorney Herbert Kaplan said this agenda item involved a proposed settlement agreement between the County and Incline Village and Crystal Bay (IVCB) residential taxpayers. He explained a few taxpayers from IVCB challenged certain methods used by the Washoe County Assessor in valuing their properties for the 2003-04 tax year. The Nevada Supreme Court found the valuations unconstitutional because the State failed to provide regulations for the methodologies used by all Assessors in Nevada. The court voided the valuations and reinstated the prior year's valuation. He said this lawsuit was filed in November 2003 by the IVCB taxpayers who failed to go through the mandated administrative process. In addition to challenging their valuations because the Assessor had used those same unconstitutional methods in valuing their properties, the taxpayers also claimed their values were higher than properties in Douglas County. He stated the District Court dismissed the case because the taxpayers failed to adjust their administrative remedies.

The Supreme Court eventually upheld the dismissal, Mr. Kaplan said, but the case was remanded to the District Court to determine the viability of the county-by-county equalization claim. He noted the IVCB taxpayers amended their complaint to make

it a regional equalization claim. He said the Court issued a writ in 2012 requiring State Courts to conduct open agendized meetings for statewide equalization. Hearings were conducted in the fall of 2012 and the State Board issued an order for the County Assessors to reappraise the values of IVCB residential properties. He stated taxpayers challenged the decision and the Supreme Court agreed with them, finding the State would not have the authority to order reappraisal. The case was remanded, and the State Board conducted another statewide equalization hearing in 2017, during which they found no equalization action was required. Taxpayers challenged the decision and the District Court found in their favor. Regional equalization was performed for all IVCB residential property in the same way as the case involving taxpayers who had gone through the administrative process. He summarized the decision remained pending in the queue for the Supreme Court.

Mr. Kaplan said the parties discussed a proposed settlement which was the basis for the proposed agreement before the Board. The main terms of the settlement included the County processing payment refunds for approximately 9,000 IVCB taxpayers with interest calculated at the rate of six percent from the date the overpayment was made. He stated the estimated amount of refunds was \$56 million. The County's portion was approximately \$23.8 million with the remainder being attributable to the Washoe County School District (WCSD), the North Lake Tahoe Fire Protection District (NLTFPD), the Incline Village General Improvement District (IVGID), and the State of Nevada. Refund payments would begin July 1, 2021 with an interest holiday from July 1, 2021 to June 30, 2023. He noted there were changes to the agreement to accommodate deadlines and the refund process.

Mr. Kaplan expressed concern about two provisions in the agreement. First was the potential termination of the interest holiday. He said the agreement specified the County had to process an average of 300 refunds each month or the interest holiday would be terminated. He said the period used to calculate the average was unclear, but the taxpayers declined to discuss changing that provision. His second concern was the potential impact of the WCSD's decision to challenge the withholding of their portion of the refund. He noted the other tax units were collectively responsible for more than half the refund and, in the unlikely event the Supreme Court found the County was not able to withhold funds, it would more than double the County's anticipated financial responsibility.

On the call for public comment, County Clerk Nancy Parent advised the Board she received a three-page letter from the WCSD signed by WCSD Board President Malena Raymond and Superintendent Dr. Kristen McNeill, which she placed on the record.

Using the Zoom app, Mr. Aaron Katz said he was a current IVCB property owner, but he was not an owner during the 2003 to 2006 tax years. He asked about the source of funds for the proposed settlement. He conjectured the County's portion would be funded by general fund revenues, but current property owners would end up paying the portion owed by the other tax units. He noted the NLTFPD increased their ad valorem tax rate and the IVGID used their recreation fee to cover the cost of the previous refund. He thought it was not acceptable for current property owners, who would not receive refunds,

to pay for the settlement. He believed the agreement needed to be changed so only property owners who received refunds would pay for the settlement.

Chair Lucey noted the next commenter was the representative for the Village League to Save Incline Assets, Inc. (VLSIA). He said a group representative was usually allotted five minutes to make comments.

Using the Zoom app, Mr. Todd Lowe said the proposed agreement was an important step in settling a long dispute. The settlement process began after District Court Judge Kathleen Drakulich's ruling on October 2019. He stated the agreement between taxpayers and the County was memorialized on February 4 before a Supreme Court Settlement Judge. He thanked the participants who signed the agreement including Chair Lucey and Vice Chair Berkbigler. He noted many details were negotiated to reach an agreement but then the pandemic materialized, and additional terms related to the pandemic were added. He said the final details were negotiated two weeks prior. He acknowledged the efforts of Vice Chair Berkbigler, County Assessor Michael Clark, Chief Deputy Assessor Corinne Burke, and County Manager Eric Brown. He stated this settlement agreement would clear several court cases and save County taxpayers an additional \$25 million; he thought it was the right thing to do.

Vice Chair Berkbigler confirmed a significant amount of time and effort was focused on resolving this issue. She thanked Mr. Clark and County Treasurer Tammi Davis for their efforts. She said she was not aware of the other tax entities raising their fees, so she believed that was not under consideration. She noted the County and the WCSD had no ability to raise rates, so the settlement would be paid out using existing funds. She highlighted that millions of dollars would be saved by resolving this issue. She expressed her support of the settlement and hoped the other Commissioners would also be supportive.

Commissioner Herman said she thought the County should pay its bills. She believed this settlement was long overdue and she supported approving the agreement. She thanked everyone who worked on the settlement.

Commissioner Jung asked about the attorneys representing the IVCB taxpayers. She understood the interest holiday and the withholdings were not fully delineated. Commissioner Jung asked whether Mr. Lowe had the authority to answer questions, assuage her concerns, and sign the settlement agreement. Mr. Lowe answered yes, he was authorized by the Board of Directors of the VLSIA to speak on their behalf and sign the settlement agreement.

Commissioner Jung asked Assistant District Attorney David Watts-Vial and Mr. Kaplan what needed to be said in the motion regarding the average month refunding and the interest holiday to better delineate those provisions of the agreement. She wanted to ensure any legal concerns were addressed before she would support the agreement. Mr. Watts-Vial pointed out a proposed motion was included in the staff report. He said Commissioner Jung could ask Mr. Lowe questions which he might choose to answer, but his answers would only go into effect if there was a dispute over one of the terms in the

agreement. He stated the interactions, rights, and duties of the parties were generally governed by the terms of the agreement. He noted Mr. Lowe was represented by counsel.

Commissioner Jung clarified she wanted to know what legal terms would be needed in the motion to assuage Mr. Kaplan's concerns related to the County's interest holiday. Mr. Watts-Vial understood the concern with the interest holiday had to do with the average cases per month. He believed a previous version of the agreement proposed averaging 300 refunds per month over a six-month period. He said Commissioner Jung could make a motion to approve the settlement agreement along with the phrase "if the agreement was changed to reflect", and then she could state the terms of the agreement she wanted changed.

Commissioner Jung reiterated she wanted Mr. Watts-Vial, as the legal representative, to specify the language that needed to be included in the motion to assuage Mr. Kaplan's concerns in a legal contractual manner. She indicated she would not support the settlement agreement if those concerns were not addressed.

Mr. Lowe thought the concerns were based on a misunderstanding of the settlement agreement. He indicated the settlement agreement provided for resolving details and misunderstandings at a later time because there would be other concerns that would arise over time. He said the VLSIA was prepared to discuss issues but they were not willing to change the settlement agreement at this time. He stated the agreement was a product of a lot of work, and making changes would result in at least \$25 million in additional costs. He introduced his counsel, Attorney Norman Azevedo.

Mr. Azevedo said there was language in the settlement agreement that addressed the calculation and termination of the interest holiday, citing page 12 paragraph C of the agreement. He noted the agreement included examples to provide clarity about how termination might occur.

Vice Chair Berkbigler said the agreement was discussed with Ms. Davis and she had not expressed concern about the terms of the agreement. Vice Chair Berkbigler understood the District Attorneys needed to ensure all legal details were addressed. She asserted the County Treasurer was satisfied with the agreement as written.

With regard to the language which Mr. Azevedo pointed out, Ms. Davis said it appeared as though the averaging would reset each month for a two-month period. She noted other parts of the agreement mentioned a six-month period, so she requested clarification of the rules.

Mr. Lowe said the agreement called for a simple average that extended over all time. He stated there was no language in the agreement about a two-month period. He noted there were examples included in the agreement. He clarified the number of refunds would be divided by the number of months during which refunds were issued. He thought the terms were a reasonable precaution.

Vice Chair Berkbigler asked whether it would be fair for Mr. Lowe or Mr. Azevedo to state that the VLSIA had no intention of waiving the interest holiday as long as the Treasurer continued to issue refunds. She thought the County had no intention of stopping payments once it had agreed to issue refunds. She knew the VLSIA had no underlying desire to go after the County, they simply wanted to ensure there was forward motion on issuing refunds. She thought the questions were intended to clarify intentions for the record.

Mr. Lowe confirmed the intentions of the VLSIA were to ensure the refund process would continue once it began; the terms of the agreement had no other purpose.

Chair Lucey confirmed the VLSIA asserted the interest holiday would start on July 1, 2021 and last until July 31, 2023. Mr. Lowe clarified the interest holiday would begin when refund payments started but no later than July 1, 2021. Chair Lucey asked whether the interest holiday end date would be July 31, 2023. Mr. Lowe said yes, it was a two-year holiday. Chair Lucey asked whether payments could begin at any time but no later than July 1, 2021. Mr. Lowe said that was correct. Chair Lucey stated the County currently accrued interest based on the judgement by Judge Drakulich, which Mr. Lowe confirmed. Chair Lucey asked for the names of the VLSIA Board members. Mr. Lowe said the VLSIA Board had four members: Todd Lowe, Les Barta, Dale Akers, and Dean Ingemanson. Chair Lucey confirmed the VLSIA was represented by Norman Azevedo as legal counsel. Mr. Lowe said the VLSIA legal counsel included Norman Azevedo, Jessica Prunty, and Suellen Fulstone.

Vice Chair Berkbigler read the motion in the staff report to approve the settlement agreement. Commissioner Herman seconded the motion.

Chair Lucey asked whether the settlement agreement included a release for future claims based on the motion read by Vice Chair Berkbigler. He noted the dismissal of the case was indicated. Mr. Watts-Vial believed there was no release of future claims. Mr. Kaplan believed there was no such provision in the agreement, but the nature of property taxation would eliminate any basis for challenge on those particular taxes.

Chair Lucey clarified he wanted to know whether there was a release for the County from future claims which might be filed by persons who paid into those tax years. Mr. Kaplan replied the agreement provided for a claims process so all property owners would be identified and notifications would be sent out to anyone entitled to a refund, who would then have the opportunity to submit a claim. He stated there was the possibility a property owner would be inadvertently left off of the list of parcels, in which case that individual owner could file a claim. He said there was a provision in the agreement which required individual owners to go through the Assessor and the Treasurer first to try to reconcile the issue. He felt those cases would most likely be resolved through that process. He noted the calculation of the refund could be challenged by an individual property owner, but the VLSIA represented all property owners and calculated those refunds, so owners had a good basis for their expected refunds.

On motion by Vice Chair Berkbigler, seconded by Commissioner Herman, which motion duly carried on a 3-1 vote with Commissioner Jung voting “no” and Commissioner Hartung absent, it was ordered that Agenda Item 5 be approved.

20-0546 **AGENDA ITEM 6** Recommendation to accept a federal assistance of Coronavirus Relief Fund (CRF) allocation from the State of Nevada Governor’s Finance Office in the amount of [\$20,254,818; no county match], retroactive from March 1, 2020 through December 30, 2020. Authorize the County Manager to sign award documents, and direct the Comptroller’s Office to make the necessary budget amendments; and possible direction to staff regarding expenditure of award funds. (All Commission Districts.).

County Manager Eric Brown noted the County would work with the Cities of Reno and Sparks to determine how to utilize funds for shared costs related to COVID-19 (C19). He said Assistant County Manager Christine Vuletich and Grants Administrator Gabrielle Enfield had a presentation for the Board which would provide information about past expenses and the categories contemplated for spending the grant fund balance. He noted Washoe County Health District (WCHD) Officer Kevin Dick was available to answer questions.

Ms. Vuletich conducted a PowerPoint presentation, a copy of which was placed on file with the Clerk. She reviewed slides with the following titles: Washoe County CRF-Cares Award and Coronavirus Aid, Relief and Economic Security Act (CARES).

Ms. Vuletich stated some entities were able to receive funding directly based on population level. The cutoff point was a population of 500,000 or greater. She said Clark County had received a direct allocation of CARES funds several months prior but Washoe County fell below the population cutoff so it would receive funds through the State.

Ms. Enfield continued the presentation and reviewed slides with the following titles: CARES – Eligible Costs and What’s Required to Receive the Funding?

Ms. Vuletich continued the presentation and reviewed slides with the following titles: Washoe County Expenditures as of June 30; Regional Expenses; First Allocation; Initial Spending Plan; and Second Allocation.

Ms. Vuletich noted the County was part of a unified command structure in response to the public health emergency, and it was the entity that incurred Incident Management Team (IMT) expenditures. She noted the County contemplated joining a program administered by the National Association of Counties (NACO) for disbursement of the \$500,000 allocated as economic support funds.

Vice Chair Berkbigler referred to slide 8 of the presentation and asked whether the figures represented only Washoe County’s portion of the CARES funds. She

inquired whether the Cities of Reno and Sparks would submit a reimbursement request for their portion of money already spent, and whether they would then reimburse the County. Ms. Vuletich directed the Board to slide 6. She said the amounts listed on the bottom right of the slide were the responsibility of the Cities of Reno and Sparks under the cost sharing agreement. She indicated the expenses were eligible for CARES funds reimbursement, but she was unsure of whether those jurisdictions would file a request. Mr. Brown said the Cities would file for reimbursement. Ms. Vuletich confirmed the initial reimbursement request comprised the County's portion of the non-Federal Emergency Management Agency (FEMA) eligible CARES reimbursement and other costs outlined by category. The County would expect reimbursement from the Cities on their part of the cost sharing expenses.

Chair Lucey asked for confirmation that the \$2.3 million, which was the County's portion of the non-FEMA eligible CARES reimbursement, represented 50 percent of the remaining 25 percent of funds. Ms. Vuletich said that was correct. Chair Lucey noted there was an allocation for each municipality. He confirmed the Cities of Reno and Sparks would need to apply for reimbursement for the costs attributed to each of them. Ms. Vuletich agreed.

Chair Lucey referred to slide 8 and asked for clarification of whether the economic support for small businesses program would be administered through NACO or through the City of Reno as stated in the staff report. Ms. Vuletich said the City of Reno program was considered, but staff received additional information the prior day which indicated the NACO program would be simpler because a subgrant would need to be issued and monitored if the County pursued the City of Reno program. Mr. Brown mentioned getting the specifics of the scalability of the City of Reno program had been difficult, so staff reviewed the NACO program which was modeled after Clark County. He stated staff recommended the NACO program given the specific timelines to which the County would need to adhere.

Chair Lucey asked whether all businesses in Washoe County would be able to apply for the economic support funds or whether only businesses in the unincorporated area would be eligible. Mr. Brown responded staff would take direction from the Board on eligibility. The assumption was only businesses in the unincorporated County would be eligible since both the Cities of Reno and Sparks planned to administer similar assistance programs within their jurisdictions.

Commissioner Jung asked whether staff had considered giving the Cities of Reno and Sparks the County's funds for economic support programs and having the Cities give the County their public health funds for contact tracing and case management. She asked whether the \$500,000 was the only money completely targeted for small businesses. She wondered whether there were funds targeted for the public health emergency. She thought the Cities would keep businesses open more effectively if the WCHD had rapid tests and 100 percent case management. She inquired whether there was a natural division and whether the County had the authority to make those decisions based on the Governor's announcement the prior day. Mr. Brown said there had been discussion on those issues. He

understood the Cities of Reno and Sparks were using other grant sources, such as block grants, which the County could not access. He agreed expanding contact tracing and testing was necessary. He noted funding for testing and contact tracing was complicated because additional funding from the State had emerged. He said the County primarily used the Nevada State Public Health Lab for testing, with additional testing performed by local partners like Renown Health. He stated the commitment was to exhaust all available resources to expand contact tracing and testing capabilities. He said the County continued to have discussions with the Cities of Reno and Sparks about how to apportion expenses.

Commissioner Jung mentioned the City of Reno asked its constituents how they wanted the City to spend their CARES funds, but she thought expenditures needed to be based on science and not public opinion. She asked staff to provide the Board with options and then let the policy makers find the required funds. She wanted staff to stop focusing on performing more tests per day and start focusing on getting faster test results. She said results needed to be available in 72 hours or less in order for them to be useful in contact tracing. She wanted the County's actions to reflect the state of emergency.

Commissioner Hartung recalled the State had agreed to pay for all future personal protective equipment (PPE). Mr. Brown responded the State had paid for PPE at the onset of the pandemic. The County had recently been notified the State would no longer pay for PPE. He noted the CARES fund projection included \$2.5 million for PPE for all three jurisdictions through the end of the year.

With regard to Commissioner Jung's comments, Chair Lucey noted the businesses that previously worked with the County for licensing needed to continue working with County staff because of how licenses were issued. He thought the focus should be on businesses in the unincorporated County. He said the Cities of Reno and Sparks should focus on businesses within their jurisdictions and each municipality should procure funds and administer their own small business assistance program. He agreed with Commissioner Jung's comments about the County's role during emergencies. He thought the cost sharing agreement needed to be discussed with the Cities of Reno and Sparks. The County offered a significant amount of support for contact tracing, testing, and public relations. He thought there needed to be even cost sharing between all entities. He noted staff budgeted \$1.8 million for testing and contact tracing, but he thought that allocation needed to be increased because this was an emergency. He believed efforts needed to focus on getting test results within 48 to 72 hours. He thought there was a need to increase public outreach focused on self-testing and wearing masks. He noted the school year would commence in the near future and sporting events would continue, so increasing public awareness was important. He said changes needed to happen immediately so progress could be made. He referred to the figures presented by staff and asked whether the \$6 million was enough or whether more funds were needed. He wondered whether the \$500,000 earmarked for small businesses was required or whether some of those funds should be reallocated for other needs such as contact tracing and testing. He inquired about the best way to address public relations through the cost sharing agreement.

Mr. Brown said the Board had been clear to staff and Mr. Dick about the need to reduce test turn-around times and increase contact tracing. He noted it was a national issue because labs were at capacity throughout the country. He stated the County would continue to look for additional lab capacity and testing capabilities. He said staff would work with State labs and private labs to increase testing capacity if possible. He indicated CARES funds would allow the County to expand contact tracing. He noted the decommissioning of the National Guard had caused some difficulties. He said the lack of available resources was more of an issue than the lack of funds.

Chair Lucey requested more details about capacity so the Board could determine what the County would be willing to spend to increase capacity. He believed additional services could be found but the cost might be significantly higher. He stated the Board would decide how much to spend to acquire additional resources. He said additional details would help the Board decide whether \$6 million was enough or whether more funds were needed. Mr. Brown said the purpose of the presentation was to highlight an overview of the plan and get feedback from the Commissioners. He indicated staff would make adjustments to the plan and provide additional details based on the Board's comments. He understood the Commissioners wanted to know whether the planned spending would deliver a 24- to 48-hour turnaround for tests and timely contact tracing.

Chair Lucey said he would not want to delay spending by requesting additional information. He wanted staff to prioritize spending and then return to the Board to report how the money was spent to address the needs of the community.

Vice Chair Berkbigler agreed with Chair Lucey's statements about testing and contact tracing. She wanted additional information about the funds budgeted for small business assistance. Mr. Brown said Assistant County Manager Dave Solaro was available to provide additional information. Vice Chair Berkbigler said it would be easier if Mr. Solaro provided information to the Commissioners in writing.

Mr. Brown said staff wanted guidance from the Board about the small business assistance program funds. He stated eligibility requirements and approved use of funds needed to be defined. He believed there were two broad categories: working capital and employee expenses. He said working capital included PPE, hand sanitizers, and other C19-related expenses. He noted employee expenses would be based on the size of the business.

Vice Chair Berkbigler thought the small business assistance program was important because this was the new normal and the County should determine how best to help local businesses. She expressed concern about affordable housing in the community. She wondered whether some of the CARES funds might be used to fund the affordable housing trust fund, which had been established but not yet funded. She suggested the Cities of Reno and Sparks might be interested in contributing to the trust fund as well. She said Mr. Solaro and his counterparts would determine which developers and contractors would receive money from the trust fund to build affordable housing. She thought the issue needed to be discussed.

Commissioner Jung asked where the National Guard members had gone. Mr. Brown replied the White House had not approved the extension of the Guard posting beyond the end of the month. He said the Governor approved the Guard posting but it was a State-level engagement as opposed to a federal posting. Commissioner Jung noted the population density in the County was below 500,000. She stated the redeployment of the Guard to Clark County was a signal that Washoe County would need to be self-reliant. She said the County was good at being self-reliant, and having a County Manager with experience in private industry would be beneficial. She wanted everyone to acknowledge this information when making decisions.

Chair Lucey thought the Nevada System of Higher Education would recruit students to help with contact tracing and at testing posts after the Guard was recalled. He believed those students could be trained in as little as two weeks. Mr. Brown said that was correct but modeling the new scenario was difficult. Staff would review costs of hiring contact tracers directly into the WCHD and provide more information to the Board.

Chair Lucey noted the County was static during the initial response to C19 because the scope of what was needed was unclear. The response to C19 and spending decisions had been reactive and not dynamic. He said everyone had a better understanding of what it would take to flatten the curve. He concurred with Commissioner Jung's comments about needing to be dynamic and develop plans which would allow flexible spending. He noted changes happened quickly, such as the new directive announced by the Governor the prior day that changed the statewide initiative to a county-specific initiative. He wanted flexibility with specific direction towards addressing testing capabilities, contact tracing, and public relations. He opined spending money on a contact person similar to the Incident Manager was not a waste. He thought having someone to manage the CARES funds on behalf of the Board and Mr. Brown would help the County address the needs of the community in a dynamic fashion.

Ms. Vuletich acknowledged the need for flexibility, noting the plan for the second allocation could be changed as the situation changed.

In response to Chair Lucey's comments, Ms. Enfield noted the \$6 million identified in the first allocation was a regional shared cost. She said staff was cognizant of the urgency.

Ms. Vuletich said the public outreach campaign was included in the first allocation along with some department requests. She continued the presentation and reviewed slides with the following titles: CARES- Second Allocation and Subgrants to Other Organizations.

Ms. Vuletich welcomed additional suggestions for possible expenditures for the second allocation. Chair Lucey noted the Washoe County School District (WCSD) planned to reopen for the upcoming school year. He said the County needed to discuss daycare and distance learning options in the event the WCSD or the Health Officer felt reopening was not feasible. He mentioned some parents might have to return to work so

assistance with daycare and programming for children needed to be considered as a potential expenditure. He said future community needs were difficult to anticipate and reiterated the importance of spending flexibility and a manager to oversee those funds.

Commissioner Jung asked whether County staff familiar with case management could be reassigned to perform contact tracing instead of waiting for University of Nevada, Reno (UNR) students to complete a two-week training course. She believed collective bargaining units would be unable to interfere with the reassignment because the County was under emergency orders. She noted the Board promised to avoid layoffs, but jobs might be eliminated, so offering staff other positions made sense. She thought the County Manager had the authority to reassign staff because of the emergency order and noted the County had almost 3,000 full-time equivalent positions. Mr. Brown replied the County had been reassigning staff from a range of departments since the beginning of the pandemic. He thought the challenge with the two-week timeline was the nominal period required to identify and train individuals. He said it was not a particularly long period for that process. He noted contact tracers would be part of the new normal and training temporary staff only delayed the issue, so the partnership with UNR meant identifying a resource for contact tracers.

Commissioner Jung mentioned the parents of children under the age of 12 who relied on daycare or school for child supervision, allowing them to be productive members of society. She said discussing options for childcare was crucial and finding solutions would require a community-wide effort. She stated the WCSD provided the curriculum, but she thought the three jurisdictions needed to work together to bolster adult supervision and programming for young children. She asserted parents of young children relied on those traditional services to allow them to work and pay bills and taxes. She thought government failed parents by not providing those options which they relied on and prepaid through taxes. She reiterated the need for fast test results and contact tracing.

Mr. Brown thanked the Commissioners for their feedback, saying the guidance from the Board was clear and staff would provide more specific information.

Ms. Vuletich spoke about the requirements for subgranting CARES funds and reviewed the eligibility requirements as per Nevada Revised Statutes.

Chair Lucey thanked Ms. Vuletich and Ms. Enfield for the presentation. He noted the healthcare emergency was still in effect. He said the County had to ensure everyone in the community received the support they needed.

Commissioner Jung expressed pride and appreciation for Chair Lucey's leadership of the Board. She thanked him for calling the special meeting to address the emergency agenda items. Chair Lucey thanked Commissioner Jung for the compliments. He said everyone did what was needed, including the Legislature which had met the prior weekend.

There was no response to the call for public comment.

On motion by Vice Chair Berkbigler, seconded by Chair Lucey, which motion duly carried on a 4-0 vote with Commissioner Hartung absent, it was ordered that Agenda Item 6 be accepted, authorized, and directed.

20-0547 **AGENDA ITEM 7** Public Comment.

A voicemail from Ms. Annemarie Grant was played in Chambers. Ms. Grant alleged the Commissioners had neglected their duties under Nevada Revised Statute 211.020, which resulted in many deaths, including that of her brother Thomas Purdy who died at the County jail. She played part of the audio recording of her brother's arrest.

A voicemail from Mr. Dan Stanfield was played in Chambers. Mr. Stanfield expressed concern about traffic and speeding vehicles on Nectar Street in Lemmon Valley. He noted Nectar Street was the only access to that neighborhood because of flood-related street closures. He said there was significant traffic in the morning when people left for work and in the evening when they returned. He stated children waited for the bus on the corners along Nectar Street when school was in session. He requested the Engineering & Capital Projects Division perform a traffic study, but nothing had been done. He wondered whether residents could install speed bumps or stop signs at their own cost. He said vehicles drove down Nectar Street at 50 to 60 miles per hour during the morning rush hour.

A voicemail from Inmate 137492 was played in Chambers. He mentioned Governor Steve Sisolak's mandate that masks be worn in all public spaces and Sheriff Darin Balaam's report about five Washoe County jail employees testing positive for COVID-19 (C19). He asked whether masks had been provided for inmates housed in the jail and whether any inmates had been tested for C19. He asserted his questions were relevant for the community because people were processed in and out of the jail every day. He said some people might be forced to stay in the facility for several days if they were unable to make bail, and they might be exposed to C19 if precautions were not taken.

20-0548 **AGENDA ITEM 8** Announcements/Reports.

There were no announcements or reports.

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12:37 p.m. There being no further business to discuss, the meeting was adjourned without objection.

BOB LUCEY, Chair
Washoe County Commission

ATTEST:

NANCY PARENT, County Clerk and
Clerk of the Board of County Commissioners

Minutes Prepared by:
Carolina Stickley, Deputy County Clerk

Pending Board Approval