

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

TUESDAY

10:00 A.M.

AUGUST 31, 2020

PRESENT:

**Bob Lucey, Chair**  
**Marsha Berkgigler, Vice Chair**  
**Kitty Jung, Commissioner (via Telephone)**  
**Vaughn Hartung, Commissioner**  
**Jeanne Herman, Commissioner**

**Nancy Parent, County Clerk**  
**Eric Brown, County Manager**  
**Nathan Edwards, Deputy District Attorney (via Zoom)**

The Washoe County Board of Commissioners convened at 10:02 a.m. in special 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:

**20-0580      AGENDA ITEM 3 Public Comment.**

A voicemail from Ms. Carole Black was played in Chambers. Ms. Black spoke about the lack of air quality monitoring in the Lake Tahoe area, mentioning the smoke settling over the lake from distant fires. She asked the Board to review and remedy the situation by providing accurate key indicator metrics for health interventions and environmental monitoring. She brought up challenges created by an increase in tourism including trash, traffic, and adhering to COVID-19 guidance. She said the root cause was area occupancy, which had not been addressed. She provided estimates of the impact on Incline Village by short-term rentals (STRs). She asked the Board to review occupancy and infrastructure to target feasible and safe tourism levels.

Ms. Parent read an email from Ms. Gina Bararita. In it, Ms. Bararita provided a photo of a mother bear and two cubs inside a garage with a broken door. She said the house in the photo was an STR located two doors down from her property in Incline Village. She noted renters did not always read or abide by the strict garbage rules provided by property owners, so bears frequently broke in to get at the garbage. She said the mother bear was euthanized by law enforcement after her third documented break in. She mentioned parking issues at STRs which included large numbers of vehicles parked illegally. She expressed concern about emergency vehicle access on residential roads because of the excessive number of cars. She asked the County to revise STR guidelines to match those of Las Vegas. She provided guidelines for Las Vegas STRs.

**20-0581      AGENDA ITEM 4 Announcements/Reports.**

County Manager Eric Brown mentioned the County planned to open Chambers during meetings for a limited number of public attendees in accordance with State and Centers for Disease Control and Prevention guidelines. He hoped Chambers would be opened for the September 8 Board of County Commissioners meeting.

Mr. Brown reported that the County, along with seven other counties in Nevada, would launch the small business assistance program on September 8. The program would provide assistance to businesses impacted financially by the COVID-19 (C19) pandemic. The County partnered with the National Association of Counties and adopted their business assistance program. He said there would be a press release announcing the program, and additional information was available at [www.naco.org](http://www.naco.org).

Mr. Brown mentioned the Our Place facility had fully opened during the previous few weeks, but the facility was already filled to capacity. He said staff would work with Human Services Agency Director Amber Howell and Assistant County Manager Kate Thomas to identify additional shelter space to accommodate overflow. He said some of the capacity issues were driven by C19 social distancing requirements, which had not been anticipated when Our Place was developed. He thought the County would be able to accommodate individuals in need of shelter, but it would require more work than expected. He believed the region would see additional need for shelters as the number of evictions and unemployment increased.

Mr. Brown noted the agenda item addressing short-term rentals (STRs) was not rescheduled for this meeting. Staff would work on improving the proposal by addressing some of the concerns raised by the public. He said the item would be brought before the Board once changes were made to the proposal.

Vice Chair Berkbigler expressed appreciation that the STR regulation would be reviewed. She received letters from Incline Village (IV) and Crystal Bay citizens regarding the many issues associated with STRs. She referred to the photo provided by Ms. Bararita during public comment of bears in a garage, stating bears were a constant concern in IV. Visitors did not always understand they were in bear country, so they left food out and doors open, which attracted bears. She stated bears were a frightening issue for full-time residents.

Vice Chair Berkbigler expressed concern about trucks driving on Country Club Drive in IV because it was a steep, relatively narrow curvy road, and there was no place for trucks to pull off if their brakes malfunctioned. Truck drivers used Country Club Drive because it provided faster access into the town, but residents who lived along that street were concerned about possible danger. She asked whether there was a way to prevent trucks from using that road while still allowing access to fire trucks and ambulances.

Vice Chair Berkbigler mentioned the issue of trailers and campers being parked long-term on streets in IV. Visitors launched their boats into the lake and then found

street parking for their trailers when trailer parking lots were full. Other visitors used street parking for campers in which they spent the night after a day at the lake. She was unsure whether County regulations prohibited this type of street parking, but she thought it should not be allowed. She said Sheriff Darin Balaam hoped the issue would be partially resolved when two new deputies came on board and began ticketing and towing vehicles if necessary. Vice Chair Berkbigler thought the issue needed to be prioritized. She thanked Sheriff Balaam for responding to her inquiry about the incident involving journalist Don Dike-Anukam. Sheriff Balaam said the assailants could not be compelled to return to Nevada to face charges because the assault was a misdemeanor. A warrant was issued for the assailants and they would be prosecuted if they returned to Nevada and were arrested. Vice Chair Berkbigler corrected her previous statement in which she indicated Mr. Dike-Anukam was struck on the head by the mayor's gavel, stating the victim was kicked several times during the assault. She expressed concern about the inability to compel out-of-state assailants to return to Nevada for prosecution when they injure a Nevada resident.

Vice Chair Berkbigler reminded staff and the Board of a prior discussion about whether the County should limit food delivery fees to a maximum of 15 percent. She knew Clark County had a 15 percent limit and restaurants were not allowed to take a higher percentage of the delivery service fee. She noted local delivery fees were as high as 30 percent in some cases. Many seniors who lived on fixed incomes were unable to go out because of C19 and they had to pay unreasonably high fees for food delivery. She thought the Board should discuss the issue.

Commissioner Herman said she looked forward to seeing the public in Chambers at future Board meetings.

Commissioner Hartung requested an explanation of the C19 task force. He knew of constituents who wanted to serve on the task force so he wanted clarification of who could participate. He mentioned a constituent who contacted him and other Commissioners about reopening youth sports, which he believed could be done effectively. Commissioner Hartung thought it would be good for children to go outside and return to practicing sports if it was allowed and manageable.

Commissioner Hartung said the County could not have one set of STR regulations for all areas of the County. Some of the issues experienced in IV as a result of STRs were not applicable to other parts of the county. He noted the Cities of Reno and Sparks had their own STR Codes so the Board only dealt with the unincorporated areas of the County. He said the Board needed to study the different areas of the county when determining STR regulations, which was not an abnormal practice as evidenced by the Regional Plan and the various area plans. He thought it would be best to review the STR Code with other areas of the county in mind.

Commissioner Hartung asked staff to continue working with the Regional Transportation Commission and the Nevada Department of Transportation (NDOT) to install traffic signals on Sunset Springs Lane and Egyptian Drive in the City of Sparks. He mentioned school buses had to cross five lanes of traffic to cross Pyramid Highway, and

drivers on Pyramid Highway accelerated as they approached the intersection. He hoped the County could be proactive and not reactive in resolving this issue. He noted it was an NDOT right of way, so the County had to adhere to NDOT traffic signal warrants, but the warrant for that intersection had been met.

Chair Lucey said he served as the Washoe County liaison for the Local Empowerment Advisory Panel (LEAP) working with the Governor's Office to write policy and directives for reopening and defining C19 adjustments throughout the community. He spoke about traveling to Las Vegas the prior week for a LEAP meeting where potential statewide conventions were discussed. He noted the conversations between representatives of Las Vegas strip properties, the Governor's office, the State doctor, the Nevada Gaming Control Board, and the LEAP team were interesting and produced ideas for future steps. He hoped some guidance and direction would be provided soon. He said Commissioner Hartung's sentiments about youth sports were concerning to communities throughout the state. The challenge was that every county and community was different, and the C19 impact on each community was unique. There had been efforts to push governance toward County governments. He noted Washoe County allowed youth sport practices to continue, but scrimmages or games were not permitted.

Chair Lucey mentioned the LEAP team had discussed reopening bars. He said one of the challenges with opening bars was enforcement. He urged people to behave in accordance with the seriousness of this ongoing public health crisis that affected everyone in the community. He noted everyone made choices about whether to leave their home and frequent a bar. He asked everyone to wear masks and practice social distancing if they chose to patronize bars or shops. He stated the directives were not followed by some bars and restaurants. He noted businesses in unincorporated Washoe County had almost 96 percent compliance, but businesses in the Cities of Reno and Sparks had not adhered to the directives as diligently. He said the County was working with staff from the Cities of Reno and Sparks to improve compliance and enforcement because opening businesses would benefit everyone. He urged the LEAP team to give counties control over enforcement and management. He stated the actions of a few had significant impact on those who adhered to the directives and tried to sustain their businesses. He asked everyone to continue working together for the benefit of the community.

Chair Lucey said the County Manager and staff created plans which they submitted to the Governor's C19 task force two weeks prior, but the plans were rejected because of weak enforcement levels. An updated plan would be submitted to the State later in the week. The plan included new metrics and updates about rapid testing and molecular testing as well as contact tracing. He spoke about COVID Trace, a contact tracing mobile app. He stated the current public health crisis was not something to take lightly. Children were back in school and positive cases had emerged within schools. The Washoe County School District was handling those cases diligently, and the Washoe County Health District was helping with contact tracing to ensure schools remained safe. He urged everyone to remain vigilant for the sake of the economy, the community, children, and loved ones.

Commissioner Jung thanked Chair Lucey, Mr. Brown, and staff for the work they performed behind the scenes. She said the Commissioners would follow the Chair's direction. She expressed confidence in his efforts to obtain data from different communities, get children back in school, reopen the economy, and foster creative convention gatherings to drive the local economy.

**CONSENT AGENDA ITEMS – 5A THROUGH 5G6**

- 20-0582**      **5A** Approval of minutes for the Board of County Commissioners' regular meetings of July 14, 2020 and July 21, 2020. Clerk. (All Commission Districts.)
- 20-0583**      **5B1** Recommendation to approve an Agreement for Professional Consulting Services between Washoe County and NCE, Inc., commencing August 25, 2020 through December 31, 2021, to complete the Environmental Assessment and Permitting for the Pleasant Valley Reach 3 Sanitary Sewer Interceptor Project within the South Truckee Meadows Water Reclamation Facility service territory [\$53,000.00 for a total project contract amount of \$165,260.00]. Community Services. (Commission District 2.)
- 20-0584**      **5B2** Recommendation to approve a License for Access and Staging of Snow Removal Equipment between Washoe County and Truckee Meadows Water Authority [\$700 annual cost, plus a one-time cost reimbursement to TMWA for electrical improvements, not to exceed \$5,000]. Community Services. (Commission District 2.)
- 20-0585**      **5B3** Recommendation to approve a Grant of Easement between Washoe County (Grantor) and Sierra Pacific Power Company d/b/a NV Energy (Grantee) for a permanent, non-exclusive easement on a portion of APN 142-011-02, commonly known as the South Valley Regional Park, to construct, operate, add, modify, maintain and remove communication facilities and electric line systems for the distribution and transmission of electricity consisting of poles, cables and other appurtenances (Utility Facilities) and service boxes/meter panels, equipment and fixtures (Additional Utility Facilities) upon, over, under and through Grantor's property associated with the construction of the Community Ice Rink under an approved Development Agreement and Ground Lease with the Greater Reno Community Ice Skating Association [at a value of \$1.00]. Community Services. (Commission District 2.)
- 20-0586**      **5C** Recommendation to approve the use of bond liquidation proceeds from Western Insurance Company to pay Granite Construction for work to be performed on Geiger Grade Road in the amount not to exceed [\$44,411.07]. Comptroller. (Commission District 2.)

- 20-0587**      **5D1** Recommend that the Board of County Commissioners retroactively acknowledge the Professional Services Agreements for behavioral health services between Prison Reentry Court and Center for Behavioral Health, in an amount not to exceed [\$5,000] (no match required), to support the Specialty Court program, effective August 1, 2020 through June 30, 2021. District Court. (All Commission Districts.)
- 20-0588**      **5D2** Recommend that the Board of County Commissioners retroactively acknowledge the Professional Services Agreements for behavioral health services for Medication-Assisted Treatment Court and Youth Offender Diversion Court, between the Second Judicial District Court and Northern Nevada HOPEs, in an amount not to exceed [\$116,602] (no match required), to support the Specialty Court programs, effective August 1, 2020 through June 30, 2021. District Court. (All Commission Districts.)
- 20-0589**      **5D3** Recommendation to retroactively acknowledge the Professional Services Agreements for behavioral health services for Adult Drug Court, between the Second Judicial District Court and Ridge House, and Quest Counseling, in an amount not to exceed [\$145,964 per provider] (no match required), to support the Specialty Court programs, effective July 1, 2020 through June 30, 2021, with a provision for a one year extension through June 30, 2022. District Court. (All Commission Districts.)
- 20-0590**      **5E** Recommendation to approve Certification Page between the County of Washoe (Juvenile Services) and the Nevada Department of Agriculture, Child Nutrition Programs, designating Christine Eckles, Division Director and Frank Cervantes, Director, as the authorized signers for the National School Lunch and School Breakfast Program sponsor application; and if approved, authorize Washoe County Department of Juvenile Services to accept reimbursements from the program for Fiscal Year 2020/21 for youth detained at Wittenberg Hall Detention Facility. Juvenile Services. (All Commission Districts.)
- 20-0591**      **5F** Recommendation to accept a 2021 Nevada State Emergency Response Commission (SERC), United We Stand (UWS) grant for [\$32,000.00, no County match required]. Grant Term is retroactive to July 1, 2020 through June 30, 2021. If approved, authorize the Chairperson to execute grant documents and authorize the County Manager or his designee, to sign the Sub-Grant Agreement between Washoe County and the Washoe County School District in the amount of \$6,410.00; approve Resolution necessary for same; and direct the Comptroller's Office to make the appropriate budget amendments. Manager's Office. (All Commission Districts.)
- 20-0592**      **5G1** Recommendation to accept a grant award from the Walter S. Johnson Foundation in the amount of [\$10,000; no county match] to purchase laptops for foster youth in Washoe County's custody to assist with digital learning as a result of the Covid-19 pandemic retroactive from April 1, 2020

through March 31, 2021; and direct the Comptroller's Office to make the necessary budget amendments. Human Services Agency. (All Commission Districts.)

- 20-0593**      **5G2** Recommendation to accept a Children's Justice Act grant from State of Nevada, Division of Child and Family Services in the amount of [\$53,950; no county match required] retroactive from July 1, 2020 through June 30, 2021; authorize the Director of Human Services Agency to retroactively execute the grant award; and direct the Comptroller's Office to make the necessary budget amendments. Human Services Agency. (All Commission Districts.)
- 20-0594**      **5G3** Recommendation to approve a Federal Title IV-B Subpart 2 grant award from the State of Nevada, Division of Child and Family Services in the amount of [\$25,856; \$8,619 County match] for Family Support services, retroactive to July 1, 2020 through June 30, 2021; retroactively authorize the Director of Washoe County Human Services Agency to execute the grant agreement; and direct the Comptroller's Office to make the necessary budget amendments. Human Services Agency. (All Commission Districts.)
- 20-0595**      **5G4** Recommendation to approve a Federal Title IV-B Subpart 2 grant award from the State of Nevada, Division of Child and Family Services in the amount of [\$31,397; \$10,466 County match] for Family Reunification services, retroactive to July 1, 2020 through June 30, 2021; retroactively authorize the Director of Washoe County Human Services Agency to execute the grant agreement; and direct the Comptroller's Office to make the necessary budget amendments. Human Services Agency. (All Commission Districts.)
- 20-0596**      **5G5** Recommendation to accept a FY21 Coronavirus Aid Relief and Economic Security (CARES) Act, Federal Title IV-B sub-grant award from the State of Nevada Department of Health and Human Services, Division of Child and Family Services (DCFS) in the amount of [\$82,028; no county match] retroactive from July 1, 2020 to June 30, 2021 to provide child welfare services related to increased or alternative needs due to the coronavirus pandemic with a focus on keeping families together; retroactively authorize the Director of Washoe County Human Services Agency to execute the grant agreement; and direct the Comptroller's office to make the necessary budget amendments. Human Services Agency. (All Commission Districts.)
- 20-0597**      **5G6** Recommendation to approve Amendment #1 to the current Nevada Aging and Disability Services Division Independent Living Grant for Homemaker Services to increase award in the amount of [\$25,000; \$3,750 county match] and to change Subaward Type from Fixed-Fee to Categorical to allow funds to be used per Administration for Community Living and the

State Emergency Declaration for COVID-19 response efforts during March through June 2020, retroactive from July 1, 2019 through June 30, 2020; and authorize Director of Human Services Agency to retroactively execute the grant and related documents. Human Services Agency. (All Commission Districts.)

Vice Chair Berkgigler highlighted Agenda Item 5G1, which was a grant from the Walter S. Johnson Foundation to aid with distance learning for youth in the County's custody. She thanked the foundation for the donation. She thought it was a great time for businesses to contribute to community needs.

There was no public comment on the Consent Agenda Items listed above.

On motion by Vice Chair Berkgigler, seconded by Commissioner Hartung, which motion duly carried on a 5-0 vote, it was ordered that Consent Agenda Items 5A through 5G6 be approved. Any and all Resolutions pertinent to Consent Agenda Items 5A through 5G6 are attached hereto and made a part of the minutes thereof.

**BLOCK VOTE – 7 through 16**

**20-0598**      **AGENDA ITEM 7** Recommendation to retroactively adopt Resolution R20-025 to temporarily reduce reclaimed water use rates by fifty-percent for the 2020 irrigation season to encourage improved management practices of reclaimed water irrigation and increased use. Adjusted rates would be effective retroactively to the January 2020 billing cycle. Community Services. (Commission District 2.)

Commissioner Hartung mentioned Agenda Items 7 through 9 were for the South Truckee Meadows Water Reclamation Facility (STMWRF). He said bonding previously approved by the Board would provide funding for upgrading the facility. He noted current and future rate payers would pay for the project. He stated the STMWRF plant would potentially be the first treatment plant in the region to treat water to an A+ standard. He expressed pride in the work performed by staff for the project. He acknowledged the efforts of Director of Engineering and Capital Projects Dwayne Smith and Assistant County Manager Dave Solaro.

There was no response to the call for public comment.

On motion by Vice Chair Berkgigler, seconded by Commissioner Hartung, which motion duly carried on a 5-0 vote, it was ordered that Agenda Item 7 be adopted. The Resolution pertinent to Agenda Item 7 is attached hereto and made a part of the minutes thereof.



**20-0599**      **AGENDA ITEM 8** Recommendation to authorize the Construction-Manager-At-Risk (CMAR), MWH Constructors and KG Walters Construction (MWH&KGW), a joint venture, and approve the Owner-CMAR construction agreement, to procure and supply Enclosed Screw Pumps and Perforated Plate Escalator Screen under a Guaranteed Maximum Price agreement, GMP 2A, a separate guaranteed maximum price agreement for the South Truckee Meadows Water Reclamation Facility 2020 Expansion Project in the amount of [\$1,236,283]. Community Services. (Commission District 2.)

There was no response to the call for public comment.

On motion by Vice Chair Berkbigler, seconded by Commissioner Hartung, which motion duly carried on a 5-0 vote, it was ordered that Agenda Item 8 be authorized and approved.

**20-0600**      **AGENDA ITEM 9** Recommendation to approve an Agreement for Professional Consulting Services between Washoe County and Jacobs Engineering Group, commencing August 28, 2020 through December 31, 2024, to provide final design engineering services for the South Truckee Meadows Water Reclamation 2020 Facility Expansion Project within the South Truckee Meadows Water Reclamation Facility service territory [\$12,004, 520]. Community Services. (Commission District 2.)

There was no response to the call for public comment.

On motion by Vice Chair Berkbigler, seconded by Commissioner Hartung, which motion duly carried on a 5-0 vote, it was ordered that Agenda Item 9 be approved.

**20-0601**      **AGENDA ITEM 10** Recommendation to approve the removal of uncollectible accounts receivable totaling [\$194,450.71] for the accounts past statute of limitations. Comptroller. (All Commission Districts.)

There was no response to the call for public comment.

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

**20-0602**      **AGENDA ITEM 11** Recommendation to approve budget amendments totaling an increase of [\$1,000,356.00] in both revenue and expense to the FY21 Epidemiology and Laboratory Capacity (ELC) CARES Subaward retroactive to January 20, 2020 through April 22, 2022 and direct the Comptroller's office to make the appropriate budget amendments. Health District. (All Commission Districts.)

There was no response to the call for public comment.

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

**20-0603**      **AGENDA ITEM 12** Recommendation to approve budget amendments totaling an increase of [\$8,113,566.00] in both revenue and expense to the FY21 Epidemiology and Laboratory Capacity (ELC) Enhancing Detection Subaward retroactive to January 20, 2020 through June 30, 2022 and direct the Comptroller's office to make the appropriate budget amendments. Health District. (All Commission Districts.)

There was no response to the call for public comment.

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

**20-0604**      **AGENDA ITEM 13** Recommendation to approve the License Agreement between Washoe County Health District and ASM Global Reno on behalf of the Reno Sparks Convention & Visitors Authority for the Reno Sparks Livestock Events Center (RSLEC) in the amount of \$326,862.00 retroactive to June 8, 2020 through June 21, 2021 for use of RSLEC parking lot, event labor and security services for COVID-19 testing. Health District. (All Commission Districts.)

There was no response to the call for public comment.

On motion by Vice Chair Berkbigler, seconded by Commissioner Hartung, which motion duly carried on a 5-0 vote, it was ordered that Agenda Item 13 be approved.

**20-0605**      **AGENDA ITEM 14** Recommendation to approve and execute the 2021 Agreement to Use Account for Affordable Housing Welfare Set-Aside Program by Washoe County between Washoe County and the Nevada Housing Division of the State of Nevada Department of Business and Industry in the amount of [\$181,341; no county match] retroactive to July 1, 2020 to June 30, 2023 to provide emergency housing assistance; direct the Comptroller's office to make the necessary budget amendments. Human Services Agency. (All Commission Districts.)

There was no response to the call for public comment.

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

**20-0606**      **AGENDA ITEM 15** Recommendation to update the 911 Emergency Response Five-Year Master Plan to include, but not be limited to, inclusion of a plan for Public Safety Answering Point (PSAP) back-up sites, a Computer Aided Dispatch upgrade, and modifications to NRS from the 2019 Nevada State Legislature, as recommended by the 911 Emergency Response Advisory Committee on July 16, 2020. Technology Services. (All Commission Districts.)

There was no response to the call for public comment.

On motion by Vice Chair Berkbigler, seconded by Commissioner Hartung, which motion duly carried on a 5-0 vote, it was ordered that Agenda Item 15 be updated.

**20-0607**      **AGENDA ITEM 16** Recommendation and possible action to approve and authorize the Chair to sign a Compromise and Settlement Agreement between Washoe County and Betty and Oscar Dykes the terms of which provide for a payment by Washoe County in the amount of \$325,000 in exchange for conveyance by the Dykes to Washoe County of clear title to the properties at Washoe County APN 534-561-06 and APN 534-561-07 upon which the North Spanish Springs Flood Control Facility is constructed; a complete and full settlement of any and all ownership or other claims by the Dykes concerning the County's use and construction of the North Spanish Springs Flood Control Facility; other terms consistent therewith as described in the Compromise and Settlement Agreement; authorize staff to take all actions necessary to finalize and fulfill the terms of the Agreement; and authorize the Chair to sign and execute all documents necessary to effectuate the final conveyance of title to the two properties by the Dykes to Washoe County and any other terms of the Agreement. District Attorney. (All Commission Districts.)

Commissioner Hartung noted a developer intended to dedicate this parcel to the County, but the developer went bankrupt during the 2008 downturn, so the project was not built. He asked staff about the parcel on multiple occasions because the title listed Mr. and Ms. Dykes as owners but it had been included in the storm water utility. He noted the \$325,000 payment for conveyance of the parcel was paid by the storm water utility from rate payers in Spanish Springs, not from the County's general fund.

There was no response to the call for public comment.

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

**AGENDA ITEM 6** Presentation and Update on FY 19-20 Fourth 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; acknowledge receipt of Report. Sheriff. (All Commission Districts.)

Sheriff's Office (SO) Chief Deputy Jeff Clark conducted a PowerPoint presentation via Zoom, a copy of which was placed on file with the Clerk. He reviewed slides with the following titles: Welfare of the Inmates (2 slides); COVID-19 Update (2 slides); Medical 4<sup>th</sup> Qtr.; NaphCare Quarterly Stats; Booking Data (2 slides); Inmate Average Daily Population; and Additional FY 19-20 Jail Data.

Chief Deputy Clark noted the jail status report had been submitted several months earlier, but the presentation was delayed due to COVID-19 (C19), so he would update some statistics as part of the presentation. He said the SO tried to feed inmates for under \$1 per meal. He credited staff for finding the best prices on food, and he noted the presentation and values of meals had increased significantly. He stated the overall population in the jail had decreased during the past fiscal year, but the mental health population had increased. He acknowledged the Commissioners understood mental health was an issue throughout the community. He reported there were no completed suicides during the past year. He said the SO partnered with community stakeholders to increase staff training. He acknowledged the SO's medical provider NaphCare and Dr. Lawrence, who he said had a very difficult job.

Chief Deputy Clark spoke about the Veteran's Barracks, which was a pilot program that housed veteran inmates who were interested in additional resources available through community partnerships. He said the number of inmates in the program declined because of the overall population decline, but the program was ongoing and would be useful for tracking recidivism and helping veterans when they re-entered the community. He said the Tablet Program was another new initiative which would provide access to online visitations and serve to deliver programs to more inmates. He noted the SO had been working diligently on bridging the gap of program access since Sheriff Darin Balaam was elected. The goal was for inmates to understand how much help was available when they were released from custody so they could have a successful transition. He mentioned the Virtual Housing Unit, which was a third new program specifically for individuals aged 18 to 24. The SO had partnered with the University of Nevada to develop this program and it planned to partner with Eddy House.

Chief Deputy Clark said the SO had taken the C19 threat very seriously from the start of the pandemic. He noted a pandemic or outbreak could spread very rapidly throughout the population of a jail, as evidenced each year during influenza season. The SO took aggressive steps both to prevent C19 from entering the jail and to mitigate the C19 threat. He noted the SO policy had been updated since the initial staff report to include a mask requirement for all staff when they interacted with the public and when they were in public places. He reported over 238 inmates had been quarantined, 114 inmates were tested for C19, and there had been no positive cases within the jail. He said six inmates arrived at

the facility with C19, but those individuals were immediately isolated. In reviewing the 4th quarter report from NaphCare, he highlighted the number of chronic care sick calls had increased significantly in June, but the number of chronic care inmates had remained steady; he would monitor the number of chronic care sick calls carefully. He emphasized the number of inmates taking mental health medication was almost 50 percent of the population.

Chief Deputy Clark noted the total number of bookings and releases were down for the 4th quarter, in part due to the efforts of court administrators. He said court administrators used risk assessment, but they had made an effort to keep the number of inmates low to prevent C19 from entering and spreading throughout the jail. He noted the number of inmate visits remained the same, but they were i-web visits and not in-person visits. He mentioned arrests increased over the prior month as businesses reopened, so the average population of the jail had increased to approximately 900 inmates. He said the SO had started tracking more data, and the new website, which would be introduced in several months, would increase transparency by providing more statistical data. He noted diversity data was collected for staff, the inmate population, arrests, citations, and any interactions with the public.

Chair Lucey acknowledged the efforts of the SO and thanked Chief Deputy Clark for the report.

Commissioner Hartung noted the reason for the report was Nevada Revised Statute 211.020. He commended the SO for the inmate meal efficiency, video arraignments, and the Veteran's Barracks program. He approved of the social bubbles created to prevent the spread of C19. He expressed concern about the large number of mental health inmates, asserting the issue had to be dealt with because incarcerating mental health patients would not serve them well. He acknowledged staff had been working on the issue but he thought it needed to be addressed during the next strategic planning session.

Vice Chair Berkbighler applauded the SO's meal efficiency. She said the statistics for suicides and battery incidents impressed her and demonstrated the excellent efforts staff made to protect inmates. She thanked Chief Deputy Clark for the report.

There was no response to the call for public comment.

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

**20-0609**

**AGENDA ITEM 17** Recommend to accept FY21 Victims of Crime Act (VOCA) Traditional sub-grant award from the State of Nevada, Division of Child and Family Services in the amount of [\$1,000,000; \$250,000 County match] retroactive for the period of July 1, 2020 to June 30, 2021; authorize Director of Human Services Agency to retroactively execute the sub-grant and related documents; approve a one-year VOCA Victim's Services Coordinator Professional Services Agreement with Megan Lucey, Esq. retroactive for the period of July 1, 2020 to June 30, 2021 in the amount of [\$75,000]; and direct the Comptroller's office to make the necessary budget amendments. Human Services Agency. (All Commission Districts).

Chair Lucey announced that, on the advice of the District Attorney's office, he would abstain from voting on Agenda Item 17, per Nevada Revised Statute 281A.420. He disclosed he was married to Megan Lucey, Esq., who provided professional services as an independent contractor for the Human Services Agency. This agenda item involved the renewal of Ms. Lucey's contract and he therefore had a personal financial interest in this item.

**11:12 a.m.** Chair Lucey left the meeting and Vice Chair Berkbigler assumed the gavel.

County Manager Eric Brown commended Chair Lucey for agendizing this item. He noted the item would not normally need Board approval, but Chair Lucey agendized it to ensure transparency.

Vice Chair Berkbigler said the item was a renewal of a contract that had been in place for some time.

Commissioner Hartung asked whether the item would not normally need Board review because of the size of the contract. Mr. Brown said yes. Commissioner Hartung believed it was the fourth time Ms. Lucey's contract was reviewed. Vice Chair Berkbigler believed that was correct. Commissioner Hartung noted the contract initially went out for bids and Ms. Lucey was chosen because she was a qualified and competent lawyer. Vice Chair Berkbigler noted Ms. Lucey had been remarkably effective. Commissioner Hartung agreed.

Commissioner Jung stated the Victims of Crime Act Victim's Services Coordinator was one of the most difficult legal jobs. She thought Ms. Lucey should take her services across the country because she ensured that victims and the vulnerable had a legal voice so their lives could be improved. Among other things, she ensured children who were eligible for adoption had permanent placement. She thought Ms. Lucey was a role model, and the Commissioner could not think of anyone better suited for the job.

Commissioner Hartung mentioned this item was associated with a large grant and the County needed someone who could manage that grant.

There was no response to the call for public comment.

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

**11:16 a.m.**     **Chair Lucey returned to the meeting and Chair Lucey assumed the gavel.**

**20-0610**     **AGENDA ITEM 18** Public Comment.

Ms. Parent read an email from Ms. Elie Massabki. In it, Ms. Massabki said she owned a secondary residence in Incline Village that she rented to vacationers. She had self-managed the property for several years and her rental agreement included rules to address all resident and stakeholder concerns. She expressed concern about the proposed rule that would require a local property manager or representative for rental properties. She saw no reason for the requirement and stated the condition would cause her to incur additional costs without a clear benefit to the community. She requested that the words “local” and “onsite” be stricken from the proposed clause.

**20-0611**     **AGENDA ITEM 19** Announcements/Reports.

Vice Chair Berkbigler reported the Tahoe Transportation District (TTD) had been looking for ways to finance additional transportation in the Lake Tahoe Basin. A piece of legislation about the issue was under consideration for the next legislative session. She wanted a presentation from the TTD to the Board before then. She thought one of the things under consideration was the possibility of charging a fee for entering the Tahoe Basin. She noted charging a fee would impact constituents who lived near Lake Tahoe as well as visitors.

Vice Chair Berkbigler understood the TTD received national grants as well as a grant from the Nevada Department of Transportation. The grants would allow them to purchase the old schoolhouse in Incline Village (IV) and put a bus transfer station at that location. She said IV residents were not interested in the project. She would ask TTD District Manager Carl Hasty to conduct a presentation for the Board prior to signing any documentation for the project.

In reference to Vice Chair Berkbigler’s report, Commissioner Hartung said the TTD essentially planned to put up a tollbooth, which he believed was illegal in Nevada under Nevada Revised Statutes. He knew of no tollbooths in Nevada, so he looked forward to a presentation from the TTD about that concept. He expressed interest in providing Coronavirus Aid, Relief and Economic Security Act (CARES) funds to the local Boys & Girls Clubs of America if funds were available. County Manager Eric Brown responded those discussions were underway.

Chair Lucey said he spoke with University of Nevada Cooperative Extension (UNCE) Northern Area Director Holly Gatzke about programming. He wanted to discuss how funds and programming could be utilized to bolster individuals throughout the community who might not have access to education. He said Ms. Gatzke reviewed the UNCE budget and programming. He wanted a presentation from the UNCE so the Board could provide guidance about programming. He thought the UNCE offered great opportunities and the County had CARES funds available for community outreach.

In response to Vice Chair Berkbighler's comments about the TTD, Chair Lucey said the Regional Transportation Commission (RTC) gave \$300,000 to the TTD each year for transit. He understood the TTD also received CARES funds. He said the TTD would use those savings for a pilot program that would run buses to and from the Tahoe Basin. He hoped the program would help minimize the impact from traffic, congestion, and parking issues.

Chair Lucey thought the County needed to continue improving COVID-19 (C19) testing in the community. He knew Mr. Brown had worked on hiring a firm to perform public outreach. He noted the media often reported new C19 cases and deaths, but the number of hospitalizations was not frequently mentioned. He acknowledged there were a significant number of new cases, but the number of active cases had remained relatively stable. The County had about 1,000 cases amongst a population of 500,000 residents. He expressed optimism about the County's ability to endure by working together and relying on community partners. He urged everyone to wash their hands, practice social distancing, and be proactive.

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**11:30 a.m.** There being no further business to discuss, the meeting was adjourned without objection.

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**BOB LUCEY**, Chair  
Washoe County Commission

ATTEST:

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

*Minutes Prepared by:*  
*Carolina Stickley, Deputy County Clerk*