BOARD OF COUNTY COMMISSIONERS
WASHOE COUNTY, NEVADA

TUESDAY 10:00 A.M. MARCH 26, 2024

PRESENT:

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

Janis Galassini, County Clerk
Eric Brown, County Manager
Mary Kandaras, Chief Deputy District Attorney

Pending Board Approval

The Washoe County Board of Commissioners convened at 10:00 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, County Clerk Jan Galassini called roll and the Board conducted the following business:

24-0168 **AGENDA ITEM 3** Public Comment.

Ms. Tammy Freeman stated she was a dog owner who enjoyed visits to Rancho San Rafael Park; however, she alleged the dog park was now too dangerous to visit. She spoke about a recent incident where a firearm was intentionally discharged at the park and resulted in the loss of a dog's life. She advised the *Reno Gazette-Journal* (RGJ) discussed the incident with the Washoe County Sheriff's Office (WCSO), who reported no charges had been filed because while the Washoe County Code (WCC) prohibited the discharge of any weapon in a County park, there was an exception that allowed a person to lawfully discharge a firearm in protection of their life and property. Ms. Freeman researched Chapter 95 of the WCC and found that 95.280 outlined that the discharge of weapons in County parks was prohibited except in County-operated shooting ranges and archery parks. She pointed out that 95.500 explained that anyone who violated provisions outlined in Chapter 95 was guilty of a misdemeanor. She expressed disapproval that the individual responsible for the incident was not held criminally accountable for their actions. She believed the individual and their dog were not in sufficient danger; therefore, the individual's actions were unwarranted. She asked the Board of County Commissioners (BCC) to add a section to WCC 95.280 or 95.500 to establish there were no exceptions to the discharge of a firearm in any park in Washoe County.

Mr. Bill Miller read from a document that was distributed to the Board and placed on file with the Clerk.

Rabbi Benjamin Zober provided a document that was distributed to the Board and placed on file with the Clerk. He asserted the document was drafted by a broad coalition of faith leaders united in their moral visions regarding the camping ordinance in Agenda Item 11. He remarked faith leaders often took cues from their religious texts to help guide people toward an ideal society. He applauded the Board's compassion as demonstrated in their efforts to aid unhoused residents. He claimed people were united in the idea that everyone should have a safe place to live with the security and tools necessary to prosper and thrive. He commented Ordinance 1715 was punitive and created problems instead of solutions. He hoped the Board would deny the ordinance and continue its work to ensure people were cared for.

Reverend Clare Novak provided documents that were distributed to the Board and placed on file with the Clerk. She believed Ordinance 1715 had flaws. She pointed out that on April 22, 2024, the United States (US) Supreme Court would hear arguments about whether camping ordinances were unconstitutional. She asked Board members to listen with their hearts. She declared homelessness was not a problem that could be solved through punishment, and the County could not arrest its way out of a housing crisis. She spoke about the Regional Homelessness Plan adopted by the Board in January 2022. The primary goal of that plan was to build a system capable of housing people experiencing homelessness so it would become rare, brief, and non-recurring. She claimed the plan showed common sense and compassion that would change lives. She requested the Board empower experts in housing and homelessness to increase essential services and shelter options. She asserted the ordinance should not be approved.

Ms. Eileen Bidwell expressed opposition to the proposed camping ordinance in Agenda Item 11. If the Board supported the ordinance, she asked the Commissioners to create alternatives and safe spaces where people experiencing housing instability could sleep. She suggested the community create safe and legal camping spaces for people who lived in their vehicles. She informed that some people who lived in recreational vehicles (RVs) could not stay in RV and mobile home parks because older vehicles were prohibited. She asserted people who owned RVs were not homeless, and many communities throughout the Country established safe and legal parking areas for cars, vans, trucks, and RVs used as homes. She believed the camping ordinance criminalized poverty. She said homelessness affected the health and well-being of the entire community. She speculated passage of the camping ordinance would be unhelpful and prolong homelessness. She opined the County's time and energy should be used to create solutions that contributed to the community through the provision of safe, healthy, accessible, and affordable homes.

Ms. Aspen Nay theorized the proposed camping ordinance was counterintuitive to solving the issue of homelessness. She declared access to the Cares Campus was not always guaranteed, but people still needed a dry place to live and sleep, especially in the winter. She alleged the proposed ordinance would put people's lives at risk by limiting their access to reliable shelter from the elements. She claimed people were not service-resistant if they did not want to go to a shelter. She said people deserved access to quality affordable housing. She mentioned people were only allowed to bring two bags

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to the Cares Campus and wondered what people living in their vehicles should do with the rest of their belongings. She asked about exit plans for people once they entered the Cares Campus and asserted people deserved better.

Ms. Lisa Lee spoke in opposition to Agenda Item 11. She declared that the County could not arrest its way out of the homelessness problem. While she understood the intentions of a unified regional approach to homelessness, she thought reactionary ordinances criminalized housing instability. She claimed tactics to coerce people into the Cares Campus were ineffective and wasted tax dollars. She pointed out there were 62 full-time outreach workers in the region. She said if the services offered by the County failed to meet people's needs, it was not the people who failed; it was the system. She urged the Board to reconsider using the term service-resistant in the ordinance. She speculated the ordinance would violate people's Fourth and Eighth Amendment rights, which safeguarded citizens from unreasonable government intrusion, prohibited excessive fines, and prohibited cruel and unusual punishment. She spoke about the affordable housing crisis throughout the US and suggested the County explore safe parking options with amenities for people living in their vehicles. She said the WCSO was a leader of innovation in the community and applauded the programs it implemented. She wanted the community to work together to ensure people could access supportive housing.

Mr. Terry Brooks read an original poem that discussed how people adapted after the loss of their homes.

Mr. Rick Hilton suggested the County issue permits that allowed people to camp in County parks for six months, which he opined would help people get back on their feet. He declared it was easy to fall into homelessness but hard to get out because the community lacked stable places to live. He thought camping permits would afford the County an opportunity to create a registry of people experiencing homelessness and track their progress toward permanent housing.

Ms. Rachel Rakaczky said she planned to bring some of her unhoused friends to the meeting, but their camp was swept that morning, and they were forced to relocate to another area in the County. She asserted her friends did not want to go to the Cares Campus but did not have other housing options. She suggested homelessness was a vicious cycle and the criminalization of poverty would not be helpful. While businesses and homeowners did not want to see unhoused individuals outside their residences, she thought no one wanted to live in a warehouse. She stated the shelter was not a good option for many people and the County needed to provide alternate resources.

Mr. David Jennings pointed out that Washoe County Housing and Homeless Services reported on March 22, 2024 that there were an estimated 2,067 people experiencing homelessness in the County. He speculated there were not enough beds in all the shelters combined to meet the needs of every unhoused person in the community. He noted the US had the highest prison population and recidivism rate in the world. He said that section 425.1 of the proposed camping ordinance stipulated homelessness was not a crime and would not be the sole basis for detention or law enforcement action. However,

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other sections outlined evidence of homelessness that were punishable with a misdemeanor. He specified section 425.1B explained that services, including housing options, would be provided to the extent necessary for people experiencing homelessness. He alleged there were not enough services to reach every unhoused resident of the County.

Ms. Elise Weatherly spoke about her health, God, and lessons from the Bible. She mentioned money and declared she gave millions of dollars to the Internal Revenue Service (IRS) and Social Security. She expressed consternation with homeowners associations (HOA). She thought opening public comment was too lengthy and Board Members were likely tired when it was time to address other items on the agenda. She suggested that the Board hold special meetings for public comment. She discussed translations of the Bible and believed it was translated correctly. She communicated her trust in the Board.

Ms. Rosie Zuckerman expressed opposition to Agenda Item 11. She reasoned the proposed ordinance was inhumane, specifically targeted poor and homeless individuals, and would not solve the issues of poverty or the lack of affordable housing. She claimed the County needed comprehensive approaches, not punitive measures. She asked the Board to do the right thing.

Mr. Matthew Wilkie declared he opposed Agenda Item 11 and the criminalization of homelessness. He believed people should not be penalized if they slept in their cars. He thought the Board should prioritize compassion and support for unhoused residents rather than punitive measures that exacerbated people's struggles. He claimed investment in mental health support, addiction treatment, job training, and affordable housing would more effectively address the root causes of homelessness. He theorized the community should focus on providing long-term solutions and empowering people to rebuild their lives with dignity and respect. He speculated that many people had jobs but lived in their vehicles, and the proposed ordinance would threaten their well-being and sense of security. He said the community needed to work together to create a place that valued the individuals' rights to safe and stable housing through investment in comprehensive, supportive services that helped people transition out of homelessness and regain independence. He stated behind every statistic was a person with stories, dreams, and struggles. He urged the BCC to choose empathy over fear, understanding over misconception, and proactive solutions over punitive actions to build a more inclusive and compassionate community where everyone could thrive.

Ms. Aspen Murillo expressed concern regarding the ordinance proposed in Agenda Item 11. She suggested the language in the ordinance extended more power to law enforcement. She spoke about the mention of river pollution in Ordinance 1715. She informed that she attended some river clean-up events and claimed the event organizers thought the ordinance would not protect the river. She pointed out that the Community Homelessness Advisory Board (CHAB) had not met since September 2023 and had no further meetings scheduled. She asserted she worked in victim services and reported there was a shelter for women and children that consistently had people waiting outside for a space to free up. She said many people she worked with were willing to go to a shelter, but

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there was no room for them. She mentioned security and safety concerns at the Cares Campus. She urged the Board to oppose the proposed ordinance.

Ms. Jackie Reilly stated she was the president of the Unitarian Universalist Fellowship of Northern Nevada. She expressed opposition to Agenda Item 11, remarked homelessness was a complex issue, and asked why the Board wanted to arrest unhoused individuals. She wondered if the County would receive funds to increase its jail population. She did not think it was wrong for someone to sleep in their car. She opined that the County could spend the people's tax dollars better and claimed the Cares Campus did not meet the needs of everyone.

Mr. Wyatt Omar thought the criminalization of homelessness would not help the unhoused community. He observed that misdemeanor charges would remove people's ability to obtain jobs or shelter. He suggested the Board provide more supportive housing. He spoke about an unhoused individual he met who lived in a tent and suffered from cirrhosis of the liver. Mr. Omar speculated that the individual might have survived if they had been able to obtain a job to help pay their hospital bills.

Mr. Ademar Saucedo Chavez declared that the BCC did not understand or care about the unhoused population. He spoke about the struggles he faced.

Ms. Paula Pennington expressed opposition to Agenda Item 11. She volunteered with the Saint Vincent de Paul Society (SVDP), Catholic Charities of Northern Nevada (CCNNV), and Faith in Action Nevada (FIANV). She claimed her work with those organizations taught her what was important in life. She remarked that before her work as a volunteer, she assumed every unhoused person suffered from addiction or mental health issues, which she learned was not always true. She asserted that unforeseen circumstances could cause people to fall into homelessness. She spoke about an individual she met who had disabilities that prevented them from finding work but was unable to obtain government assistance.

Ms. Simona Visani was opposed to Ordinance 1715 and agreed with previous commenters who spoke against it. She asked the Board to consider what made people criminals. She informed she volunteered with a group called the Reno Posse to bring food to the unhoused population and believed the members of that community were friendly people, not criminals.

Ms. Pam Gormly spoke in opposition to Agenda Item 11. She shared that she volunteered with FIANV and the Reno Posse, and was a member of the Unitarian Universalist Church of Northern Nevada. She opined that the proposed ordinance violated human rights. She pointed out that section 50.400 of Ordinance 1715 listed acceptable actions when associated with permitted public activities or medical emergencies. She alleged the ordinance was intolerant and discriminatory to the unhoused population.

Ms. Wendy Johnson discussed unsafe conditions for homeless women. She stated that prior to receiving shelter at the Cares Campus, individuals had to sign waivers

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that absolved the County of liability for potential crime. She claimed people would be evicted from the Cares Campus if they spoke out against their treatment at the shelter. She suggested that the Board did not have all the necessary information to vote on the proposed camping ordinance.

Ms. Christine Silva said she volunteered with the FIANV's Housing Not Harm campaign. She voiced her opposition to Agenda Item 11. She believed communities were measured by how they cared for and protected their most vulnerable. She asserted that a person could become unhoused for many reasons, and it was a complex issue. She echoed previous comments regarding concerns people had with Ordinance 1715. As a parent and community member, she expressed her desire for a community that was inclusive and supportive to all members.

Mr. Ron Cockrell spoke about his experience with a police sweep of an unhoused encampment. He reported that all his belongings were seized by the police during that encounter. He talked about people living near the Truckee River and opined that the area was cleaner since people started camping there. He speculated that unhoused people created significantly less waste than housed people.

Ms. Rose Gravlin declared she was evicted from her previous residence and had been homeless since. She thought people should not be arrested if they did not have money for housing. She announced it was hard to be unhoused, and it was unfair to make people criminals if they could not pay rent.

Ms. Vicky Bayless stated she was an unhoused resident who lived in a tent under the Wells Avenue overpass. She informed that she was assigned a case manager through the Cares Campus but did not stay at the shelter because it was unsafe. She stipulated case managers at the Cares Campus helped people get back on their feet if they were willing to follow set guidelines. She said the food served at the Cares Campus did not taste good, and there was not much of it. She opposed Ordinance 1715.

Mr. Fidencio Ruiz expressed dismay toward the County. He remarked that unhoused residents had their belongings taken and thrown away during police sweeps. He asked how people were supposed to get back on their feet if their possessions were continuously taken and discarded. He did not think the proposed camping ordinance would help the unhoused community and wondered how people would rehabilitate after incarceration. He asserted people experiencing homelessness were trying to survive. He wished more people cared and wanted to help unhoused people.

Mr. Douglas Sobolik opined that the proposed camping ordinance would cause unhoused residents to attempt to camp on private property, which would create issues for property owners. He declared he had been homeless for several years but did his best every day. He disclosed there was often violence on the streets, and people were desperate because they had no place to go. He claimed homelessness was a capitalistic problem. He asked the Board to do the right thing.

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Ms. Chasity Martinez advised she was an organizer with FIANV. She opposed Ordinance 1715. She remarked that similar ordinances were implemented throughout the US. She theorized the ordinance was flawed because it criminalized people for performing life-sustaining activities. She alleged the ordinance discriminated against unhoused individuals. She explained research had proven that housing-first methods and quality services with dignified options were the best solutions to homelessness. She avowed many people in the community opposed the ordinance. She summarized people wanted a safe, secure, and healthy community, which could only be achieved through collaborative and creative solutions.

Ms. Betty Bishop said she was the president of the SVDP and participated in outreach efforts to aid the unhoused community. She told a story about a woman she encountered who sought shelter through domestic violence centers but was unsuccessful because there was no room for her. The woman was arrested for living in her car, and her dog was taken to the shelter. Ms. Bishop reported the SVDP worked with the woman to get her car out of impound and collect her dog from animal services. Ms. Bishop spoke about a couple she met who relocated from Las Vegas to Reno and were cited for camping too close to the river. She informed the couple was ordered to attend community court and appeared for two court hearings to provide updates on their effort to find housing. She stated the couple was later arrested when they failed to appear for a third scheduled hearing. She claimed they were incarcerated for five days and, upon release, learned they were evicted from their motel room.

Mr. Nicholas St. Jon provided documents that were distributed to the Board and placed on file with the Clerk. He declared that the documents outlined his concerns regarding Commissioner Andriola. He read from Nevada Revised Statute (NRS) 282.200 and alleged that Commissioner Andriola was required to file a bond within 30 days of her appointment to the BCC. He also read from NRS 199.430 about the impersonation of an officer. He speculated that Commissioner Andriola was guilty of a gross misdemeanor and demanded she resign within 24 hours.

Mr. Bill Sims expressed opposition to Agenda Item 11. He did not think the County should penalize community members for being unhoused. He believed the proposed ordinance was immoral, and he implored Board members to put themselves in the shoes of members of the unhoused community. He noted it was difficult to obtain affordable housing in the County. He asked the Board not to approve Ordinance 1715.

Ms. Hilary Olsen said she had been unhoused since the COVID-19 (C19) pandemic. She reported the Reno Housing Authority (RHA) put her on a six-month housing contract that she alleged was terminated after two months without warning. She remarked that the Cares Campus and other shelters were regularly at capacity. She recited matters of concern to herself.

Ms. Janet Butcher claimed that scheduled BCC meetings were canceled without apparent reason. She opined that there could have been a quorum for those meetings, yet they were canceled. She mentioned an article in the *Picon Press* that

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described a recent appointee to the Library Board of Trustees (LBT) and their connection to one of the County Commissioners. She spoke about another article regarding emails sent on County time and hoped the Commissioners planned to investigate those claims. She discussed the proposed camping ordinance and surmised that the County invited homelessness into the community. She did not know if the proposed ordinance was the correct solution and thought there was a dilemma surrounding the issue.

Mr. Raymond Justman opposed Ordinance 1715. He wondered if the ordinance would apply to Burning Man patrons or truck drivers who slept in their vehicles while on the road. He declared he was a native Nevadan and asserted he should have the right to hunt, fish, or camp anywhere in the state. He recalled an injury he incurred in 2022 that caused him to lose some mobility in his hands. He claimed fires were sometimes necessary to help people stay warm at night. He felt that three minutes was not enough time for public comments.

Ms. Ashley Hastings remarked Agenda Item 11 was not just about individuals lacking shelter; it was about addressing the root causes that contributed to homelessness, such as economic instability, mental health issues, substance abuse, and systemic inequalities. She opined ordinances that pushed unhoused individuals toward resources served as a pathway to connect people with vital services that empowered them to regain stability and rebuild their lives. She theorized that approval of Ordinance 1715 would create a safer and more inclusive community by ensuring individuals in difficult situations had access to needed resources. She did not think the problem could be solved overnight, but reasoned the implementation of policies that prioritized assistance and support could make meaningful strides toward addressing homelessness. She believed the passage of the proposed ordinance would demonstrate the community's commitment to compassion and empathy while working towards a brighter, more equitable future for all.

Mr. Nick Martin spoke about mothers and children who could no longer play at parks because parks had become dirty and dangerous. He claimed people were afraid to park their cars or conduct business in certain areas of town. He suggested people who spoke out against the ordinance invite unhoused residents to live with them. He expressed support for the proposed camping ordinance and advised conditions would continue to decline without regulations in place.

Mr. George Postrozny expressed opposition to Agenda Item 11. He stated people desired a win-win situation, which he did not think would be achieved with the proposed ordinance. He asked the Board to deny the ordinance to allow for more discussions with community stakeholders, including the RHA. He speculated Ordinance 1715 would make things worse for the unhoused community.

Mr. Nathaniel Phillips commented that Las Vegas and Washoe County had similar issues with homelessness. He noted that during C19, the United Nations (UN) visited Nevada regarding the homelessness issue in the community. He informed he interacted with unhoused individuals during river clean-up efforts. He did not think the proposed ordinance afforded the proper level of dignity and compassion for unhoused

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residents. He asserted the US Court of Appeals for the Ninth Circuit found similar ordinances unconstitutional because they violated protections against unreasonable and inhumane punishment. He asked Board members to reject the ordinance and seek public health solutions.

Ms. Manuela Barba shared she raised her family in Reno and graduated from college with a degree in social work. She noted she was unhoused. She believed she did all the right things to succeed in the community but was denied housing due to issues surrounding her mental health. She did not think people chose to be homeless. She reported a negative stigma against the unhoused community that hindered people's chances to succeed.

24-0169 **AGENDA ITEM 4** Announcements/Reports.

Commissioner Clark expressed his desire for more information regarding some individuals who provided public comment that day. He was especially concerned about reports of unsafe conditions at the Cares Campus, which he wanted investigated. He specified that the investigation should be done by an outside agency rather than by the County. He wanted more information about canceled Board of County Commissioners (BCC) meetings and communicated it was possible to hold meetings with some members attending virtually.

Commissioner Clark advised a survey be commissioned of property the City of Reno dedicated to the County on Line Drive. He reported there was some confusion about who owned the property and recalled a disputed incident of trespassing. He wanted to know exactly what the County owned and have it marked by a professional surveyor.

Commissioner Andriola thanked staff for following up with the State Controller, Mr. Andy Matthews, regarding implementation of the Nevada Open Finance Portal at checkbook.nv.gov. She applauded the transparency efforts and thought there was a great opportunity for Washoe County's participation in the State rollout of the website. She provided updates from a recent meeting of the Nevada Association of Counties (NACO), which she noted she and Vice Chair Herman both sat on the board of. The NACO Board unanimously passed a resolution recognizing April as National County Government Month, and she wanted County staff to look into having a similar resolution for the BCC to approve for the month of April. She recalled a letter that was read into the record at the NACO meeting. The letter addressed communication efforts between the Bureau of Land Management (BLM), the State, and Washington, D.C. She observed a disconnect that separated decisions from local counties' participation. She asked staff to look into the NACO-approved letter, and hoped Washoe County could join four other Nevada counties in support of the premise of the letter.

Commissioner Andriola shared an update about an area known as the Court of Antiquity. She reported the location was in her district, and was under consideration for designation as a park or recreational area. She informed a study was done in 2012, and the Lieutenant Governor and Deputy Administrator of the Nevada Department of Conservation

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and Natural Resources (NDCNR) recently toured the area again to engage local jurisdictions and consider designation possibilities. She described 145 panels of petroglyphys at the site, and added it was gorgeous and fell into alignment with an existing proximal County park. She explained designation opportunities would be considered by the State of Nevada Division of Outdoor Recreation (NDOR) Advisory Board in June, and said she would keep the BCC updated.

Commissioner Clark stated concern about consistently receiving a mail-in ballot at his address for a friend of his. He affirmed the individual resided in Australia. Commissioner Clark reported having discussed the issue with the prior Registrar of Voters (ROV) and advised he also met with staff from the Secretary of State's (SOS) Office. He said the aforementioned friend took himself off the voter rolls when he moved to Australia, though he visited regularly and still held a Nevada driver's license. Commissioner Clark surmised that having a Nevada driver's license triggered automatic inclusion in voter rolls. He cited that as an unintended consequence of voter registration being done by the Department of Motor Vehicles (DMV). He emphasized the importance of accuracy and validity in voter rolls. He thanked the SOS for assistance in researching his concern.

Chair Hill informed there was a meeting of the Community Homelessness Advisory Board (CHAB) scheduled for May 13, 2024. She thanked Manager Brown for his presentation to the Incline Village (IV) and Crystal Bay (CB) communities the prior week regarding Washoe County activities. She appreciated his engagement with all parts of the County. She spoke about a petition regarding a small bridge in River Mount Park that was going to be removed. She said the park was in Washoe County and a young woman, Ms. Geneva Davis, put the petition together to ensure the bridge would not be removed. Chair Hill thanked Assistant County Manager (ACM) David Solaro for looking into Americans with Disabilities Act (ADA) improvements to that park. She stated the bridge would not be removed and commended the petitioner, Ms. Davis, and her father, Mr. Josh Davis, for the petition and for engaging with local government.

CONSENT AGENDA ITEMS – 5A1 THROUGH 5F1 EXCLUDING AGENDA ITEMS 5C1 AND 5D3 HEARD SEPARATELY

24-0170 **5A1** Acknowledgement of receipt of report by the Board of County Commissioners of contracts and purchases that have exceeded or are expected to exceed [$300,000] that may include services and supplies for all County departments. Pursuant to Washoe County Code 15.490, the purchasing and contracts manager is authorized, subject to the provisions of Washoe County Code and the applicable provision of state law, to approve purchases and contracts up to [$300,000]. As a matter of best practices, the purchasing and contracts manager will keep the Board of County Commissioners informed of all contracts and purchases for all county departments that have been previously approved that have exceeded or are expected to exceed the threshold amount on a minimum of a bi-annual basis. For this report, there are no vendor purchases in the aggregate amount of known expenditures that will exceed the $300,000 reporting threshold that

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have not previously been acknowledged by the Board. Comptroller. (All Commission Districts.) FOR POSSIBLE ACTION

24-0171 **5B1** Recommendation to accept renewed funding for a Deputy District Attorney position for the provision of continuing prosecutor services related to the High Intensity Drug Trafficking Areas (HIDTA) Task Force in the amount of [$125,000 no match] from the Office of National Drug Control Policy award to Nevada HIDTA for the retroactive period of January 1, 2023 through December 31, 2024, with remaining $80,000 position cost covered by District Attorney General Fund budget, direct the Comptroller's Office to make the necessary budget amendments, and retroactively authorize the District Attorney or his designees to sign the grant agreement. District Attorney. (All Commission Districts.) FOR POSSIBLE ACTION

24-0172 **5B2** Recommendation to accept a renewed Violence Against Women Act (VAWA) grant to the District Attorney's Office in the amount of [$95,206; $34,219 required match], from the State of Nevada Attorney General's Office to provide funding for a Deputy District Attorney III retroactive from July 1, 2023 through December 31, 2023 and direct the Comptroller's Office to make the necessary budget amendments and retroactively authorize the District Attorney or his designees to sign the grant agreement. District Attorney. (All Commission Districts.) FOR POSSIBLE ACTION

24-0173 **5B3** Recommendation to accept a Victims of Crime Act (VOCA) grant to the District Attorney's Office in the amount of [$232,186; no match required], from the State of Nevada Department of Health and Human Services Division of Children and Family Service (DCFS) to provide funding to retain a full-time Victim Witness Advocate and two temporary Victim Witness Advocate, retroactive from July 1, 2023 through July 31, 2024; and direct the Comptroller to make the necessary budget amendments and retroactively authorize the District Attorney or his designees to sign the grant agreement. District Attorney. (All Commission Districts.) FOR POSSIBLE ACTION

24-0174 **5D1** Recommendation to approve the Second Amendment to the contract between Washoe County and NaphCare, Inc. to expand NaphCare, Inc.'s scope of services by adding American Society of Addiction Medicine ("ASAM") Assessments as an enhancement to Mental Health Court evaluations and Mental Health evaluations (Pre-Sentencing) upon referrals from the County through the Public Defender, Alternative Public Defender, conflict attorneys and/or their designees, or any other county or State entity authorized by law at a cost of $200 per ASAM evaluation (no fiscal impact). Manager's Office. (All Commission Districts.) FOR POSSIBLE ACTION

24-0175 **5D2** Approve Interlocal Cooperative Agreements (ICA) and acceptance of a contribution of [$2,500.00] from the Reno-Sparks Indian Colony (RSIC),

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[$2,500.00] Pyramid Lake Paiute Tribe (PLPT), [$2,500.00] North Lake Tahoe Fire Protection District (NLFPT), [$2,500.00] Truckee Meadows Fire Protection District (TMFPD), [$3,000.00] from the Truckee River Flood Management Authority (TRFMA), [$3,000.00] from the City of Reno, and [$3,000.00] from the City of Sparks for a Regional Hazard Mitigation Plan update (RHMP). Total contribution of [$19,000.00] and direct the Comptroller's Office to make appropriate budget amendments. Manager's Office. (All Commission Districts.) FOR POSSIBLE ACTION

24-0176 **5E1** Recommendation to approve a pass-through grant award from the State of Nevada Department of Public Safety, Office of Criminal Justice Assistance 2023 Paul Coverdell Forensic Science Improvement (FSI), Project No. 23-FSI-03 for [$92,325.00, no County match requirement] to provide for continued education and training with associated travel for staff members and the purchase of supplies used for the analysis of opioids for the retroactive grant period of November 1, 2023 through September 30, 2025 and if approved, authorize Sheriff Balaam to execute grant award documentation, and direct the Comptroller's Office to make the necessary budget amendments. Sheriff. (All Commission Districts.) FOR POSSIBLE ACTION

24-0177 **5E2** Recommendation to approve the 2023 Justice Assistance Grant (JAG) Program Award (15PBJA-23-GG-03654-JAGX), Office of Justice Programs, Bureau of Justice Assistance through the City of Reno, Reno Police Department [$94,576.00, no County match required] for purchase of Law Enforcement equipment and supplies, Law Enforcement related training and travel and seek approval of non-county personnel training and travel for the retroactive grant term of October 1, 2022 - September 30, 2026 and if approved, authorize the Sheriff Darin Balaam to sign all award documents and direct the Comptroller's Office to make the necessary budget amendments. Sheriff. (All Commission Districts.) FOR POSSIBLE ACTION

24-0178 **5F1** Recommendation to accept Treasurer's status report for the period ending February 29, 2024, of payment of refunds and interest since last update in the amount of $8,752.78 on certain property tax overpayments for residential properties at Incline Village/Crystal Bay, in compliance with the October 21, 2019 Order issued by the District Court in Village League to Save Incline Assets, Inc., et.al. vs. State of Nevada, et.al., Case No. CV03-06922, as modified and clarified by the settlement agreement regarding the processing of refunds. Treasurer. (All Commission Districts.) FOR POSSIBLE ACTION

Commissioner Garcia asked for Agenda Item 5D3 to be removed from the Consent Agenda.

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Commissioner Clark asked for Agenda Item 5C1 to be removed from the Consent Agenda.

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

On motion by Commissioner Andriola, seconded by Vice Chair Herman, which motion duly carried on a 5-0 vote, it was ordered that Consent Agenda Items 5A1 through 5F1, with the exclusion of Agenda Items 5C1 and 5D3, be approved. Any and all Interlocal Agreements pertinent to Consent Agenda Items 5A1 through 5F1, with the exclusion of Agenda Items 5C1 and 5D3, are attached hereto and made a part of the minutes thereof.

24-0179 **5C1** Recommendation to adopt Resolution R24-13 to execute an Amendment to the Ground Lease between Washoe County and Accessible Space Inc. (ASI) for the development of approximately 120 units of affordable housing, including 50 units of supportive housing, on a portion of the Nevada Cares Campus extending the term of the Ground Lease from 30 to 60 years [in the amount of $1 per year] and allowing a deed restriction limiting the property use to a qualified low-income and supportive housing project. Human Services Agency. (All Commission Districts.) FOR POSSIBLE ACTION

Commissioner Clark observed the increase in term duration of the ground lease from 30 years to 60 years. He thought the duration implied a lack of progress on homelessness initiatives. Subsequent to conversations with the Assessor's Office earlier that day, he wanted to learn more about the lease amount of $1 per year for 60 years. He wondered if that was a fair market rate, and whether it was required to be leased at a fair market rate. He did not think it was a good deal for County citizens and asked if there was someone present who could provide a report for the record.

County Manager Eric Brown informed that Housing and Homeless Services Division Director Dana Searcy could provide a report on the item. Ms. Searcy clarified the item was an amendment to a lease approved by the Board of County Commissioners (BCC) in April 2023. She specified there was an increase from 30 years to 60 years. She stated the County was allowed to lease for up to 99 years at that rate, and disclosed they tried to keep the number of years as low as possible for the agreement. She shared that Phase One of the project was almost fully funded, and preparations for securing Phase Two funding were underway. She explained funding for services was also being pursued, and Accessible Space Inc. (ASI) asked the County to increase the lease term to comply with the requirements of grants they intended to pursue. Ms. Searcy said she learned that the maximum period of affordability being targeted was approximately 50 years, and Phase One construction was slated for completion in 2026. Phase Two was scheduled for completion in 2029. The combination of those factors informed the 60-year term of the lease agreement.

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Commissioner Clark questioned the reason for the $1 lease and wondered about the process for arriving at the agreement. Based on conversations with the Assessor's Office, he theorized that the land in question was probably worth between $9 and $13 per square foot.

Ms. Searcy stated the land was purchased for the purpose of supportive housing. She informed the County was building a 50-unit project on one piece of the land and approximately three acres of the land was determined to be for future development. She reported the County put a Request for Proposal (RFP) out to developers for supportive housing. Commissioner Clark restated his confusion about the reasoning behind the $1 per year lease, especially given the significant increase in property values seen throughout the area. Ms. Searcy advised that the decision was made in April 2023, and Resolution R24-13 simply extended the terms. She summarized the County had the ability to lease land at $1 per year.

Chair Hill provided additional context about prior support from the BCC for supportive housing. She said housing for people who were unable to live in an apartment by themselves was quite expensive, and could not be obtained without government subsidies. She clarified the $1 per year lease was a component of government subsidies. She said the purpose was to incentivize housing so people who lived in the Cares Campus could get into permanent housing.

Commissioner Clark thanked Chair Hill for her opinion but theorized some contractor, supplier, vendor, or non-profit was going to make money off the agreement. He objected to the extension of the lease under the stated terms.

Commissioner Andriola recalled that Commissioners welcomed the opportunity to celebrate the development project in November 2023, and noted Washoe County was awarded $21 million through the Home Means Nevada initiative. She added there were funds coming into the County through public-private partnerships that the County was not directly expending through their budget, and that were not directly benefiting developers.

Commissioner Clark maintained the majority of those funds would go to developers. He was opposed to Resolution R24-13.

There was no response to the call for public comment.

On motion by Chair Hill, seconded by Commissioner Andriola, which motion duly carried on a 4-1 vote with Commissioner Clark voting no, it was ordered that Agenda Item 5C1 be adopted. Any and all Resolutions pertinent to Agenda Item 5C1 are attached hereto and made a part of the minutes thereof.

24-0180 **5D3** Recommendation to approve, pursuant to NRS 244.1505, Commission District Special Fund disbursement in the amount of [$30,000.00] for Fiscal Year 2023-2024; District 3 Commissioner Mariluz Garcia recommends a

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[$25,000.00] grant to Sierra Nevada Journeys - a nonprofit organization, created for religious, charitable or educational purposes - for the purpose of supporting the STEM education of 500 children; and a [$5,000.00] grant to Truckee Meadows Bicycle Alliance (TMBA) - a nonprofit organization created for religious, charitable or educational purposes - for the purpose of covering costs associated with the 2nd Annual Ride Reno/Cycle Sparks event; approve Resolutions necessary for same; and direct the Comptroller's Office to make the necessary disbursements of funds. Manager's Office. (Commission District 3.) FOR POSSIBLE ACTION

Commissioner Garcia said Agenda Item 5D3 outlined two different outreach events that would serve the children, adults, and seniors of District 3. She informed the amount and number of students listed in the packet needed to be adjusted, and asked to table the Sierra Nevada Journeys disbursement. She wanted to move forward with the Truckee Meadows Bicycle Alliance (TMBA) disbursement since the event was taking place soon. Commissioner Garcia advised she was working with the TMBA and Bernice Mathews Elementary to put on a community bike ride on Saturday, May 18. She sought approval for a $5,000 disbursement to sponsor that event.

There was no response to the call for public comment.

On motion by Commissioner Garcia, seconded by Chair Hill, which motion duly carried on a 4-1 vote with Commissioner Clark voting no, it was ordered that Agenda Item 5D3 be approved and directed. Any and all Resolutions pertinent to Agenda Item 5D3 are attached hereto and made a part of the minutes thereof.

BLOCK VOTE – 6 AND 7

24-0181 **AGENDA ITEM 6** Recommendation to approve an Agreement for Services between Washoe County and DOWL [in the amount of $798,980.00] effective March 26, 2024 through December 31, 2026, to provide engineering, design, and project oversight in support of the South Valleys Regional Park expansion project, located at 15650 Wedge Parkway, Reno, Nevada. Community Services. (Commission District 2.) FOR POSSIBLE ACTION

There was no response to the call for public comment.

On motion by Vice Chair Herman, seconded by Chair Hill, which motion duly carried on a 5-0 vote, it was ordered that Agenda Item 6 be approved.

24-0182 **AGENDA ITEM 7** Recommendation to accept a renewed Traffic Safety Resource Prosecutor (TSRP) grant to the District Attorney's Office in the amount of [$270,000, $67,500 cash match], from the State of Nevada Department of Public Safety Office of Traffic Safety to continue funding a Deputy District Attorney IV; retroactive from October 1, 2023 through

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September 30, 2024, if approved, direct the Comptroller's Office to make the necessary budget amenments, and retroactively authorize the District Attorney to sign the grant agreement. District Attorney. (All Commission Districts.) FOR POSSIBLE ACTION

There was no response to the call for public comment.

On motion by Vice Chair Herman, seconded by Chair Hill, which motion duly carried on a 5-0 vote, it was ordered that Agenda Item 7 be accepted, approved, directed, and authorized.

24-0183 **AGENDA ITEM 8** Recommendation to nominate at least two candidates from the list of applicants, which include: Lakshmi Albright, Tyler Henderson (incumbent), Brian Erbis, Micheline Fairbank, Donna Simpson, Faustino Osalbo, Jr., Daniel Lazzareschi, Guy Archer, Peter Menicuccim, Christopher Caporin, to serve on the Carson-Truckee Water Conservancy District (CTWCD) to represent Washoe County for a four-year term effective upon appointment by the Governor. Manager's Office. (All Commission Districts.) FOR POSSIBLE ACTION

Community Outreach Coordinator Alexandra Wilson provided an overview of the appointment process and advised Commissioners should use the provided ballot to select their top two preferred candidates. She specified at least two candidates should be sent by the Board of County Commissioners (BCC) to the Governor's office, where the final selection would be made.

There was no response to the call for public comment.

County Clerk Jan Galassini read the votes into the record. Chair Hill summarized the top two vote recipients were Ms. Micheline Fairbank and Mr. Tyler Henderson.

On motion by Commissioner Andriola, seconded by Chair Hill, which motion duly carried on a 5-0 vote, it was ordered that Micheline Fairbank and Tyler Henderson be nominated to serve on the Carson-Truckee Water Conservancy District (CTWCD) to represent Washoe County for a four-year term effective upon appointment by the Governor.

24-0184 **AGENDA ITEM 9** Recommendation to appoint one candidate from a pool of applicants including: Philip Gilanfarr, James McNamara, Judith Simon (incumbent), Tracey Thomas to serve as the Lay Member on the Tahoe Regional Planning Agency's Advisory Planning Commission for a two-year term effective upon the date of appointment. Manager's Office. (All Commission Districts.) FOR POSSIBLE ACTION

Community Outreach Coordinator Alexandra Wilson noted Mr. Philip

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Gilanfarr was listed accidentally. She informed he applied after the application period closed. She clarified the applicant pool included Mr. James McNamara, Ms. Judith Simon (incumbent), and Ms. Tracey Thomas. She advised Commissioners should choose one preferred candidate.

On the call for public comment, Ms. Simon stated the importance of having a lay member on the Tahoe Regional Planning Agency (TRPA) Advisory Planning Commission. She disclosed she had lived in the Lake Tahoe area of Washoe County for more than 20 years, and her service on the Incline Village (IV) and Crystal Bay (CB) Citizens Advisory Board (CAB) had helped her stay informed about that community. She hoped to be reappointed because she understood the complexity of workforce housing, fire safety, and other area issues that took time to understand.

Mr. Jim McNamara divulged he had offered to serve on several different committees, and thought he might not have been previously selected because of his age. He explained he had subject matter expertise applicable to the TRPA Advisory Planning Commission because of his work on the Tahoe Rim Trail over the past 20 years. He added he worked with many other agencies and understood the spirit of the Tahoe area. He said he built and remodeled four different residences there and interacted with TRPA. He knew some of the challenges experienced by homeowners and developers but also understood the importance of preserving the area.

Chair Hill recommended reappointment of Ms. Simon. She cited the complexity of zoning and land use issues, which she advised took time to learn. She voiced Ms. Simon had done a wonderful job of ensuring citizens were represented. She assured Mr. McNamara that his application was appreciated, and her preference for Ms. Simon was unrelated to his age. Chair Hill sought a second for her recommendation of Ms. Simon. Commissioner Garcia seconded.

Commissioner Andriola requested clarification on the appointment process and wondered whether it was best practice for Chair Hill to make that recommendation or if it was better for all Commissioners to state their preferred candidate. Chair Hill informed that Ms. Wilson had ballots, and it was possible to proceed by using those. Commissioner Andriola asked to proceed with ballots.

Chair Hill removed the motion from consideration while ballots were cast.

County Clerk Jan Galassini read the votes into the record.

On motion by Commissioner Andriola, seconded by Vice Chair Herman, which motion duly carried on a 3-2 vote, with Chair Hill and Commissioner Garcia voting no, it was ordered that Jim McNamara be appointed to serve as the lay member on the Tahoe Regional Planning Agency's Advisory Planning Commission for a two-year term effective upon the date of appointment.

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24-0185 **AGENDA ITEM 10** Introduction and first reading of an ordinance amending Washoe County Code Chapter 2 by adopting Supplement 18 to the Washoe County Code and all clerical and technical corrections made therein; and if supported, set the public hearing for second reading and possible adoption of the ordinance on April 16, 2024. If passed, Supplement 18 will codify ordinances 1627 (Building Code); 1674 (Adoption of Supplement 15); 1694 (Affordable Housing Trust Fund); 1695 (Personnel Code); 1697 (Building Program); 1698 (Traffic); 1699 (Adoption of Supplement 16); 1701 (Adoption of Supplement 17); 1702 (Sideshows & Street Racing); 1707 (Registration of Lobbyists); and 1708 (Variance Permits). This supplement does not include amendments to the Washoe County Development Code (Chapter 110), which is published separately from the general Washoe County Code. District Attorney. (All Commission Districts.) FOR POSSIBLE ACTION

County Manager Eric Brown read the title for Bill No. 1907.

Commissioner Clark asked that clarification about the item be stated for the record. He was particularly concerned about Ordinance 1707 regarding registration of lobbyists, which he thought was resolved. Chief Deputy District Attorney (CDDA) Mary Kandaras responded the proposed ordinance was required by Washoe County Code (WCC) Section 2.060 which mandated the District Attorney (DA) would, from time to time, prepare a supplement to the Code consisting of enacted general ordinances which were already passed but were not yet codified. She said it harkened back to when records were kept physically in books and supplements were necessary to officially add new material. She informed the above-listed ordinances had already been enacted, and no changes were being considered that day.

There was no response to the call for public comment.

Bill No. 1907 was introduced by Commissioner Andriola, and legal notice for final action of adoption was directed.

24-0186 **AGENDA ITEM 11** Public hearing, second reading, and adoption of an ordinance amending Washoe County Code Chapter 50 (Public Peace, Safety and Morals) and Chapter 70 (Vehicles and Traffic) by adding new sections regarding: camping on County-owned properties or public places within 1000 feet of the Truckee River (50.400); use of fires, blow torches, and/or propane tanks (50.500); parking of oversized vehicles on public property (70.391); obstructive uses of public sidewalks, roads, and/or highways prohibited (70.392); ride solicitation and contribution from driver/occupant of vehicle prohibited (70.393); human habitation of vehicles on County-owned properties or public places (70.411); and all matters necessarily connected therewith and pertaining thereto. Sheriff's Office. (All Commission Districts.) FOR POSSIBLE ACTION.

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Chair Hill opened the public hearing.

County Clerk Jan Galassini, read the title for Ordinance No. 1715, Bill No. 1904.

Chief Deputy Sheriff Corey Solferino provided a staff presentation on behalf of the Washoe County Sheriff's Office (WCSO). He addressed issues brought up that day along with thoughts, considerations, and conversations that transpired since the first reading of the ordinance. He thanked people for their comments, and shared he had become comfortable having uncomfortable conversations, which he opined was necessary for that work. He thought systemic changes needed to be made. He said law enforcement had undergone significant paradigm shifts since the early 1970s, and he commended the Board of County Commissioners (BCC), County management, and Sheriff Darin Balaam for their efforts in addressing issues. He talked about the lack of affordable housing and the perception of homelessness being criminalized. He recalled collaborative conversations that started 16 months prior when the ordinance was first conceived and drafted. He acknowledged that things were not perfect, but emphasized the importance of gaining consistency across the region. He summarized the goal was to balance public health, public safety, and public order. He stressed the goal was not incarceration, and highlighted efforts from the WCSO Homeless Outreach Proactive Engagement (HOPE) Team. He said a misdemeanor was the least severe codified crime and it provided officers a tool to write a citation, though they could choose to write a verbal warning instead. He described there were five misdemeanors that mandated arrest, but beyond that, deputies retained discretion. He compared enforcement leeway for the proposed misdemeanor in the draft provision to that of traffic violations and explained the goal was to correct the behavior and help save lives. He detailed a four-pronged approach to services and enforcement. He mentioned the history of the model in place in the City of Sparks since 2016, which he said had not resulted in a drastic increase in the detained population. He offered the ordinance had been used five times since 2016 to make an arrest. He reported the City of Reno had not made any arrests for this ordinance within the last 12 months. He summarized regionalization and consistency as keys to success with the initiative and observed Washoe County was the one missing cog in consistency.

Chief Deputy Solferino mentioned conversations with the offices of both the Public Defender (PD) and Alternate Public Defender (APD) and acknowledged they were looking at the ordinance through a different lens than WCSO, though he previously thought they were in agreement. Based on evidence from the Cities of Reno and Sparks, he predicted there would not be the increase in caseloads or jailed population the PD and APD were leery of. He spoke about the three-pronged approach to housing, starting with behavioral health issues. He commended the BCC for their approval of a new Behavioral Health Administrator position, which he thought was key. He suggested counseling services, discharge planning, and wraparound services all needed to be increased. He noted one result of the crime category changes from Assembly Bill (AB) 236 was that the prison population was reduced, but the jail population had increased. He said some people were simply not ready for housing, and he wanted to ensure those people had access to the services they needed. He summarized it was essential for all people, including justice-

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involved individuals, to have a pathway into the community. He mentioned a forthcoming update to the BCC on the jail-based competency program, which received financial support from the State. He applauded a recent convening orchestrated by Lieutenant Shatawna Daniel that brought together service providers familiar with the unhoused population.

Chief Deputy Solferino informed that from January 2023 to January 2024, the HOPE Team made more than 1,005 contacts, and at least 943 individuals accepted resources, which he noted was over 94 percent of the contacts. Those contacts included 89 civil assists on patrol that were often related to evictions. He detailed 158 individuals were housed, many at Safe Camp. He mentioned zero citations were issued, though six arrests were made regarding felony warrants and crimes related to arson and fires. He described they diverted over 51 individuals to the Cares Campus, Our Place, temporary shelters, or bus passes to a family member subsequent to a phone call ensuring the individual would be cared for when they arrived. He communicated that, as of late 2023, WCSO was monitoring possession of personal identification, and had helped 20 people obtain valid identification. He advised they also helped 32 individuals obtain their social security card or documentation for the Social Security Administration (SSA). He acknowledged crime, including battery and sexual assaults, and hierarchies within homeless encampments. He noted people were often reluctant or unwilling to report incidents.

Lieutenant Daniel described involvement with an individual the HOPE Team had been working with since 2021. She recounted the team helped him with housing, but due to his anxiety, he went back to homelessness. She said they were notified in March 2024 that he had been beaten badly and required hospitalization, and his dog was stabbed to death. She reported she was going to see him soon, and he was afraid to talk to anybody about the incidents. She informed he was back in housing and the HOPE Team had worked closely with his Medicaid provider. She added great relationships with Medicaid providers had helped the HOPE Team tremendously in their efforts. She said the team wanted to help everybody, but unfortunately, some homeless individuals were victimizing other homeless individuals. She wanted to ensure Commissioners understood that some of the processes put in place still needed improvement. She talked about the Detention Services Unit that worked directly with the courts, and shared they were working on getting people housed, or, in some cases, reunited with their families. She applauded work being done by Judge Egan Walker on court cases, particularly those impacted by mental health considerations. Lieutenant Daniels expanded on efforts to connect individuals with resources related to the SSA, like Supplemental Security Income (SSI) and Social Security Disability Insurance (SSDI). She noted efforts to get a member of staff SSI/SSDI Outreach, Access, and Recovery (SOAR) certified to further assist individuals in accessing housing, and emphasized the importance of assisting citizens in connecting to these resources, starting with getting identification and a Social Security card. She provided additional examples of assistance and relationships supported by the HOPE Team.

Commissioner Clark asked Chief Deputy Solferino to share additional information about the difference of opinion between WCSO and the PD and APD. Chief Deputy Solferino responded that he did not want to speak on behalf of the PD, APD, or the allegations in their report. He shared WCSO worked extensively with District Attorney

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(DA) Christopher Hicks, and they disagreed about the constitutionality of the application of the ordinance. Chief Deputy Solferino noted there were points of agreement, but he deferred to the DA to speak to the legality of specific provisions. He said WCSO would not push anything forward that they did not believe was constitutional. Commissioner Clark wanted Commissioners to hear the perspective of the PD.

On the call for public comment, Reverend. Clare Novak thanked Commissioners and WCSO staff for considering the issues. She restated her opposition to the proposed ordinance. She displayed a document, copies of which were distributed to the Board and placed on file with the Clerk. She highlighted points from the document concerning constitutionality and noted the United States (US) Supreme Court was scheduled to consider a similar issue in April 2024 in the *City of Grants Pass, Oregon v. Gloria Johnson* case. Reverend Novak reasoned it was not wise for the BCC to move ahead on the ordinance as written, given that a similar issue was soon going to be heard at the highest level in the Country. She wanted to see more data about why service-resistant individuals were refusing County services and was curious about the effectiveness of similar ordinances in Reno and Sparks. She wondered if the City ordinances had merely pushed unhoused residents towards the County rather than resolving anything. She felt there was a potential accountability issue because the writers of the ordinance would also be the enforcers. She suggested an independent review of the ordinance to assess whether it would help solve rather than worsen homelessness.

Mr. Matthew Wilkie divulged he typically had a full speech prepared when he addressed the BCC, but he did not that day. He stressed that any ordinance with a misdemeanor offense attached to it, by definition, criminalized the actions outlined in the ordinance. He was opposed to criminalizing homelessness. He spoke about the Department of Motor Vehicles (DMV) assistance Lieutenant Daniels mentioned. He thought that help was a good thing, but found it ironic that those individuals would potentially be criminalized for sleeping in the same vehicle they had just obtained a license for. He reported the proximity of the threat of homelessness and his own lived experience.

Ms. Simona Visani reiterated her question to Commissioners of what constituted criminality. She suggested there was a difference between a killer with evil intentions and a person sleeping in the park because he did not have a place to go at night. She wished Commissioners would consider that distinction before making their decision on the proposed ordinance.

Ms. Janet Butcher thanked WCSO for their presentation. She believed there were good services being provided, but she was concerned about fiscal requirements and thought people in jail might not have the money to get themselves out. She remarked on the complexity of the issue and conflicts with people wanting to use the same area for different purposes. She provided the example of a park, where children might want to play, and unhoused residents might be utilizing it as a living space. She echoed concerns mentioned by Lieutenant Daniels about some unhoused residents being harmed by other unhoused residents.

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Ms. Chasity Martinez opined the HOPE Team helped people, and she acknowledged many important conversations had taken place. She objected to the ordinance criminalizing people for camping, including sleeping along the river or in their vehicles. She believed if a law was going to be enacted to impact bullying or violence, it could be written in a way that targeted specific behaviors. She said Ordinance 1715, in contrast, was a broad camping ordinance. She reported it was proven to be ineffective to force people to get services, and thought passage of the ordinance would only cause more harm to people.

Mr. Nathaniel Phillipps remarked on the variety and high number of comments that day. He stated people died on the streets of Washoe County because of the negligence of both the broader community and public officials. He advised that the Commissioners did not start the problem, and the BCC was not the terminus for solutions because the problem fundamentally came from the top of the State. He added that none of the counties did it well. He suggested Washoe County could be unique in not implementing the ordinance. He agreed with guidance from the American Public Health Association (APHA) about minimizing interactions between police officers and the general public because he discerned police engaged in violence work. He said an unhoused person was 16 times more likely than average to be assaulted or a victim of crime, and 11 times more likely than average to be incarcerated. He theorized it did not make sense to try to solve houselessness with a criminal sanction, and cited the statistics provided by Chief Deputy Solferino as evidence that the law was unnecessary. He supported a housing-first approach, with jail as a last resort.

Ms. Aspen Murillo disclosed her work location adjacent to Center Street in downtown Reno and remarked on the regularity of people sleeping outside their building because the business had a covered patio. She recalled instances when the HOPE Team parked in the business's parking lot while two female receptionists attempted to talk with unhoused residents about vacating the premises. She did not understand why the ordinance was necessary and did not feel her personal experience validated the HOPE Team being a dependable resource. She was disappointed that only Commissioner Clark posed questions to the HOPE Team, and she felt discouraged by the lack of engagement from all other elected officials at the dais. She thought concerns about violence within the homeless population were valid, but noted trust was broken when belongings and shelter were removed. She observed individuals were not going to look to a person or agency for help when that person or agency had previously taken away their belongings.

County Clerk Jan Galassini advised the Board she received emailed public comments which were placed on file.

Vice Chair Herman shared that she wanted to listen to what everyone had to say and give careful consideration to doing the right thing. She wondered about the possibility of a safe place where people could temporarily, with oversight, have their cars in a lot in the evening and overnight. She was concerned about the stories she had heard from people, mostly women, who had been abused because of the lack of a safe place for them to be. Vice Chair Herman said if there was a safe place for people to be, the ordinance

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would not be necessary. She did not know why a better idea had not been generated for an alternate, safe place for people experiencing homelessness. She recalled churches used to take people in and help them get back on their feet. She thought people tried to do that in their own way, but nevertheless a huge problem existed. She did not think stricter rules were the solution and stated she would not vote in favor of Agenda Item 11. She observed early migrants to the area would have camped by the river, and they were called pioneers.

Commissioner Andriola asked Chief Deputy Solferino to elaborate on existing provisions given to law enforcement. She wanted to know what the purpose of the ordinance was, if not to criminalize homelessness. Chief Deputy Solferino responded that misdemeanors were very specific, and were the lowest level of crime. He elaborated there were only five misdemeanors deputies could arrest for if the act was not committed in the presence of the deputy. He provided the example of a battery, and said if the deputy did not witness it, unless there was an uncorroborated witness that could testify, a citation could not be issued for the battery. He listed exceptions where arrests or citations were permitted and added though many things could be happening, if there was not an officer standing in the encampment observing, they could not follow up with enforcement of any kind. He explained Ordinance 1715 would give the HOPE Team an additional tool, and they saw good results from the implementation of similar ordinances in Reno and Sparks. He added the pathway to community court was a way to connect people to resources. He recalled the WCSO commitment to the community outlined in their policy manual. He offered the addition of an annual report to the BCC, similar to the quarterly reports the WCSO already provided, to give updates about statistics and trends related to enforcement of the ordinance.

Commissioner Andriola referenced earlier suggestions from a gentleman regarding balance in proposed section 425.7 of the WCSO policy manual. She asked Chief Deputy Solferino to clarify what suggestions were considered and to speak to why the proposed ordinance was decided upon. In response, Chief Deputy Solferino referred back to the law as the easiest answer and said there were built-in parameters for enforcement regarding actions that fell into different categories. He added that within those parameters there was leeway for discretion. He held it was never the intention of WCSO to impose the maximum penalties for all cases. He described the parameters outlined in Ordinance 1715 were informed by input from stakeholders, work from WCSO and the HOPE Team, and best practices from other successful jurisdictions. He emphasized the importance of the ordinance as a proactive tool to be used during interventions to reduce the frequency of crime and tragic events.

Commissioner Clark commended the work done by the WCSO and the HOPE Team. He questioned what would be changed with the ordinance since he thought the actions described by Lieutenant Daniel, like battery, were already illegal. He wanted to know how enforcement would be achieved and was especially concerned about jurisdiction at the Cares Campus. He declared all existing tools should be used before adding more. He observed there could be local effects from the outcome of the federal *City of Grants Pass, Oregon v. Gloria Johnson* case. He was concerned about the PD and APD not being present that day to present their perspectives. He reasoned they were likely to be impacted by cases

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generated from new arrests. He asked Chief Deputy District Attorney (CDDA) Mary Kandaras for her opinion regarding the potential effects of the Grants Pass ruling. CDDA Kandaras informed Supreme Court decisions were usually announced prior to July 1. She was confident Ordinance 1715 was constitutional under the current state of the law. She stated she could not guess about the potential effects of the Grants Pass ruling. She offered the BCC had the opportunity to continue the public hearing if they wished to delay the decision until the outcome of the Grants Pass case was known. Commissioner Clark announced he would not support the ordinance that day.

Commissioner Andriola understood there were provisions in the Cities of Reno and Sparks similar to Ordinance 1715. She questioned how much impact there would be to the WCSO with regard to what agency had jurisdiction in what location. Chief Deputy Solferino responded that the WCSO had policing powers and jurisdiction by default in all of Washoe County, though they typically deferred to the Cities of Reno and Sparks for enforcement. He restated the goal of consistency across the region. Commissioner Andriola summarized that she thought everyone wanted the same outcome of successful paths toward resources and assistance being provided to citizens in need. She recounted meetings regarding the issues with Faith in Action Nevada (FIANV) and numerous other community members and thought there was an opportunity for partnership and collaboration. She suggested looking at the success achieved by the Community Emergency Response Team (CERT) as a model. She emphasized the importance of communication to connect people with resources. She did not want to withhold regional jurisdiction from law enforcement and could understand the difficulties created by the lack of consistency in the region. She said the hierarchies within the unhoused population were not surprising, and she understood the benefits of providing deputies with additional tools to respond to those situations. Commissioner Andriola recounted information she heard from a citizen, Mr. Grant Denton, about daily trash generation, which she reported was significantly higher in the homeless population. She recalled being shocked by the disparity, and shared factors that resulted in higher numbers in the unhoused population. Understanding these residents lacked access to alternative disposal options, she was concerned about waste going into the river. She was against any approach where incarceration was the first step, and did not want homeless citizens to be criminally penalized just because they were homeless. She begged dedicated community advocates to collectively work with law enforcement to create a solution-based model for checks and balances that did not depend on law enforcement. She was interested in the outcome of the Grants Pass case, but acknowledged that it could not be predicted. She appreciated the passion and concern of the community she heard throughout the process.

Commissioner Garcia touched on Vice Chair Herman's interest in a safe parking option. She reported having spoken with FIANV about a similar idea, and stated her desire to revisit their conversation about piloting something like that. She disclosed the lack of housing was her primary concern, and surmised additional housing would be the factor that ultimately ended homelessness in the region. She said the issues of mental health, substance abuse, domestic violence, and trauma all needed attention and investment. She acknowledged that dealing with large, systemic issues was tough, and she applauded the County for stepping into those spaces. She recounted a number of initiatives

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already being supported by the County and said they needed to keep pushing. She summarized law enforcement was trying to balance the rights and needs of a half of a million people, regardless of their housing status. She listed the concerns of many other local stakeholders and determined her best course of action was to support the needs she had heard from her Sun Valley constituents and vote in favor of the ordinance. She detailed additional instances of impacts on residents in her district, including illegal camping that increased fire risk, illegal dumping, and even people illegally hooking up to residential sewer, which impacted capacity and unfairly placed the burden of extra sewer charges on other area residents. She trusted the multi-step process outlined for enforcement, which she thought would help empower the HOPE Team to appropriately respond to situations that were more severe.

Commissioner Clark remarked on good points brought up by fellow Commissioners. He restated his opposition and concern about adding more tools before existing ones had been maximized.

Chair Hill recalled the first time Ordinance 1715 came to the BCC in December 2022, and that she did not vote in support of it. She said she had some serious concerns, and it had been a long learning process for her since then. She wanted to support the concerns of Commissioners Garcia and Andriola about their districts, but she also had difficulty with the substance of the ordinance. She voiced one thing that was great about her job was that nothing was written in stone, and a decision one day did not determine that same decision would be made in perpetuity. She thought time would tell if the HOPES Team and the WCSO were able to utilize the ordinance to support people, and she liked the idea of regular check-ins. She stated she absolutely wanted to revisit the ordinance in a year to consider any changes, and whether it should even be kept. She shared the question expressed by some public commenters of what the purpose was of the ordinance, given the low number of arrests from Reno and Sparks. Her support was based on listening to staff who said the ordinance was necessary, but she thought a third-party audit, as recommended by Reverend Novak, was wise for all jurisdictions. She suggested there might be University of Nevada, Reno (UNR) students who could help with that. She was emphatic about revisiting the issue in March 2025 and wanted to see data and discussion in quarterly reports in the meantime.

Commissioner Clark mentioned a friend of his in the Bay Area who was associated with a Catholic church that allowed parking in their lot at night. Commissioner Clark wondered whether the large parking lot at the Ninth Street County facility could be utilized in a similar way. He thought people could sleep in their cars in the lot, and porta potties and showers could be provided, similar to how those facilities were provided during the flooding in Lemmon Valley. He supposed there were ways to take some stress off of people who still had a car that was licensed and operational even though they were unhoused. He acknowledged restroom access was a big issue for people living outdoors. He knew leasing porta potties was expensive, but wondered about partnering with companies in that business. He observed that Burning Man found restroom solutions for 80,000 people, and though they were not pristine, they were adequate. He thought having porta potties that were cleaned on a daily basis and a partnership with Waste Management

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for dumpsters in strategic locations would be a big help. He reasoned concerns about river pollution would be reduced with those measures.

Commissioner Garcia stated her agreement with Vice Chair Herman and Commissioner Clark about potentially piloting a safe parking lot. She speculated vehicular homelessness was a gap in services in the region, and she thought the County, in partnership with the faith-based community, could help make positive strides in that area. She expressed desire for staff to continue researching, and bring forward some potential ideas.

Chief Deputy Solferino mentioned a scholarly article for the record. He stated the article was written by Donald Black and was required reading in graduate school and law school. The article described how crime was reported. He explained that sometimes crimes were reported by victims, sometimes they happened in the presence of law enforcement, and sometimes both. He said the only other mechanism available outside of those circumstances was national crime information surveys. He noted that was why victim advocacy was so important. He did not want it to sound like the WCSO was failing to appropriately investigate crimes. He referenced the story relayed by Lieutenant Daniels, which he clarified was anecdotal and gave a sense of the atrocities that occurred in some encampments. He disclosed, unfortunately, there were some victims who would not come forward. He shared the WCSO would hear of things by word of mouth, through the emergency room (ER), or community members, but there was sometimes not a cooperating victim who could provide information. He stated the WCSO investigated those crimes to the best of their ability, but sometimes their hands were tied due to lack of victim cooperation and insufficient additional information to connect the victims and suspects to crimes.

Commissioner Clark clarified he was not indicating the WCSO was falling short, but he was trying to figure out how the ordinance would have improved interactions with homeless individuals sleeping in their cars.

On motion by Commissioner Andriola, seconded by Commissioner Garcia, which motion duly carried on a 3-2 vote, with Vice Chair Herman and Commissioner Clark voting no, it was ordered that Ordinance No. 1715, Bill No. 1904, be adopted, approved, and published in accordance with NRS 244.100.

24-0187 **AGENDA ITEM 12** Public Comment.

On the call for public comment, Ms. Aspen Murillo expressed her disappointment with the outcome of the vote on Agenda Item 11. She questioned the statement from Commissioner Andriola about homeless people creating 50 pounds of trash each day. She wanted to see details about those statistics and thought it sounded like tents and belongings were included in that figure, which she did not think was an accurate representation of actual trash being generated. She mentioned she worked with a gentleman the prior week who had just been released after serving 15 years in prison in Clark County. She reported he was released to the Cares Campus, and she queried why that happened.

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She opposed the ability of the Nevada Department of Corrections (NDOC) to release people to a county other than the county in which they served their sentence. She clarified people should have a place to go, but it was harder to get Washoe County residents into shelter if NDOC was allowed to release people from any county into the homeless shelter in Washoe County. Regarding the suggestion that people should volunteer for collaborative efforts, she remarked that she had a full-time job, and had to take time off to attend meetings. She disclosed sitting next to a teacher that day who had to take a personal day and find a substitute teacher in order to attend the meeting. Ms. Murillo emphasized volunteer members of the public could not be responsible for solutions, and it was the responsibility of the Cities of Reno and Sparks and the County. She said Faith in Action Nevada (FIANV) had done a lot of work, which she applauded, but she noted organizations like that, no matter how robust, were not equipped to connect unhoused people with the network of resources they needed. She mentioned the example of Mr. Grant Denton and wondered if people were expected to go through the system multiple times, as he had, before getting clean and accessing resources. She challenged the notion of jail as a public resource.

Ms. Janet Butcher spoke about concerns she had with elections. She questioned scope creep regarding the Voter Registration and Election Management Solution (VREMS), which she disclosed asking about at a Spanish Springs Citizens Advisory Board (CAB) meeting the prior winter. She recalled the original implementation date was 2026, and recounted when she asked about scope creep she had no idea that was the original target date. She suggested it was not possible to take a project that was originally slated as taking a certain amount of time and squeeze it into a shorter amount of time. She recalled a project she managed for which the implementation target date was modified from October to May. She said it was not possible to meet the new target, and the project was implemented in October as originally planned. She did not understand why the Clark County Registrar of Voters (ROV), Washoe County ROV, and 15 other counties did not demand implementation of the VREMS be postponed until the original date of 2026, which she noted was not a presidential election year. She observed there was already a very contentious problem with elections and questioned why there would be a push to implement the VREMS in a year that was already horrible. She suspected it was because of The Elections Group, which she stated was hired to run elections in Washoe County in collaboration with Strategy Rose. She thought Vice Chair Herman's election integrity resolutions needed discussion and also thought paper ballots and hand-counted votes were necessary. She cautioned voting machines could be manipulated.

Ms. Chasity Martinez expressed her disappointment with the passage of Ordinance 1715. She thanked the Board of County Commissioners (BCC) for their consideration of public comment, and encouraged them to anticipate next steps depending on the outcome of the *City of Grants Pass, Oregon v. Gloria Johnson* case scheduled to be heard by the United States (US) Supreme Court in April 2024. She said FIANV was committed to continuing to work together with the County, impacted community members, and the faith community to address the root causes of housing insecurity. She also intended to continue advocating for funding for solutions. She noted the five-year anniversary of BCC approval of the Washoe County Affordable Housing Trust Fund that day, March 26,

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2019, which she supported. She did not think the adoption of Ordinance 1715 was the right move.

Mr. Matthew Wilkie stated his severe disappointment with the vote on Agenda Item 11. He noted housing-first campaign information on the County website and requested that it be removed from the website since Ordinance 1715 went against housing-first principles. He opined it was not an accurate representation alongside the passage of Ordinance 1715. He mentioned a meeting with Mr. Grant Denton, during which they discussed the impossibility of forcing people into recovery. He felt Ordinance 1715 attempted to force people towards resources. He disclosed uncertainty about what an unhoused friend of his would do now. He described that she had a full-time job and lived in her car with her dog. He divulged she had been to the Cares Campus and was assaulted. He was worried about her.

Ms. Jackie Reilly thanked Vice Chair Herman and Commissioner Clark for their votes on Agenda Item 11. She could not believe the outcome and was disappointed that people would be criminalized for being poor. She drew a parallel to historical accounts of people being jailed in London for not having enough money to pay their bills. She expressed that she would have preferred if the vote had gone the other way and hoped Commissioners would revisit the question in a year to evaluate it.

Ms. Pam Gormly asserted she had historically been a Democrat, but she was not a proud Democrat that day. She was deeply concerned about the lack of safety nets in place to support the 2,000 homeless people in the area. She expressed her extreme disappointment and profound frustration about a lack of response from Chair Hill despite multiple attempts she had made to reach out.

Ms. Simona Visani expressed her disappointment with the decision made by the Board on Agenda Item 11. She hoped those who voted in favor of Ordinance 1715 would change their minds soon. In the meantime, she wished for additional resources to be provided quickly to help residents experiencing homelessness.

24-0188 **AGENDA ITEM 13** Announcements/Reports.

Vice Chair Herman encouraged Chair Hill to allow Board of County Commissioners (BCC) members the chance to choose to hear her election integrity resolution by including it on a future BCC agenda. She hoped that would improve transparency for the upcoming election.

Commissioner Clark asked for a future agenda item to discuss holding a regular night meeting. He was concerned about some citizens not being able to attend BCC meetings because of their work commitments during regular business hours. He expressed shock about the shooting of a dog in Rancho San Rafael Regional Park and wanted to ensure similar events did not occur in the future. He noted complaints he had received about safety at the Cares Campus. He opined if people did not feel safe at the Cares Campus, they should not be forced to go there. He wanted an independent inquiry to find

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out who the people causing problems were in the unhoused population. He compared the likely hierarchies to gangs and cliques in prisons. He emphasized his support for law enforcement and clarified that his vote against Agenda Item 11 did not indicate a lack of support for their work. Commissioner Clark stated his desire to see voting rules similar to those in Nye County considered on a future BCC agenda. He supposed it would be decided by a 3-2 vote but wanted the conversation and votes on the record to better inform the public.

Commissioner Andriola recalled Codes cited during public comment and hoped it was possible for staff to follow up with that individual. She believed there was room for review on Codes related to a recent dog shooting at Rancho San Rafael Regional Park. She also wanted to explore a test of vote count accuracy by holding a side-by-side simulation of hand counts and voting machines. She divulged she had spent a lot of time in conversation with the Nye County Clerk, Mr. Mark Kampf, who planned to leave his position on April 1, 2024. She also had a follow-up conversation with staff from Elko County regarding their voting process. She noted Elko County had an upcoming audit and study to research hand counting and paper ballots and how those processes related to regulations in place at that time. She thought a simulation, as she proposed, was a good opportunity to engage the public with equal representation from both political parties. She acknowledged time was running out to do that but maintained it was an opportunity to build trust. She believed some people were unaware of statutory provisions regarding voting that informed processes in place.

Chair Hill stated the desire she heard during the meeting for further research to be conducted on the possibility and budget implications of additional Safe Camp services to support individuals experiencing homelessness.

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2:19 p.m. There being no further business to discuss, the meeting was adjourned without objection.

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ALEXIS HILL, Chair
Washoe County Commission

ATTEST:

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

Minutes Prepared by:
Heather Gage, Deputy County Clerk
Taylor Chambers, Deputy County Clerk

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