

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

TUESDAY

11:00 A.M.

JULY 27, 2021

PRESENT:

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

Catherine Smith, Chief Deputy County Clerk
Eric Brown, County Manager
Mary Kandaras, Deputy District Attorney

The Washoe County Board of Commissioners convened at 11:00 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, the Clerk called the roll and the Board conducted the following business:

21-0594 AGENDA ITEM 3 Public Comment.

Ms. Elise Weatherly spoke about doing the right thing, fighting fires, compromising, and not worrying about public opinion.

Mr. Kenji Otto provided a handout, which Chief Deputy County Clerk Cathy Smith distributed to the Board and placed on file. Mr. Otto spoke about the handout, saying Nevada was now a Marxist government, and he encouraged the public read about it for themselves. At the last District Board of Health meeting, Mr. Otto stated, Chair Lucey mentioned an interagency agreement. Mr. Otto requested that a committee be formed to review the interlocal agreement from the 1990s. He wanted the Cities of Reno and Sparks to consider updating their agreements; he would participate in the process if allowed.

21-0595 AGENDA ITEM 4 Announcements/Reports.

Commissioner Jung requested a staff report and help from the Board regarding Quartz Lane. She expressed embarrassment about this area not being addressed and wanted the accumulation of junk gone by the end of the week. She noted this issue had been going on for at least 14 years and it was a failure for Washoe County. She was disappointed with staff, the Sheriff's Office, and the District Attorney's Office that the County had not taken the risk to keep abandoned vehicles cleared due to legal towing issues with the Department of Motor Vehicles.

Commissioner Jung spoke about speeding issues on Sun Valley Boulevard and believed they had grown increasingly worse since COVID-19 when traffic had decreased. She wanted the County Manager's Office to address the situation with the Nevada Highway Patrol since it was their jurisdiction.

Commissioner Herman thanked Commissioner Jung for her help in addressing Quartz Lane.

Chair Lucey brought up concerns from public a comment related to a District Board of Health (BOH) meeting the previous week, saying he recently relayed the requests determined at the Board of County Commissioners' January 20 meeting to the BOH. As a result, the BOH Manager would convene with all three entity managers to discuss challenges with the interlocal agreement. The Chair indicated an immediate agreement was made to move forward with the suggested name change, and other aspects of the agreement would be addressed with the entity managers prior to the next BOH meeting. He was highly critical of the chair of that commission for taking so long and hoped they could get some resolution before the end of the year.

Commissioner Jung reminded Chair Lucey he could utilize the nuclear option of disbanding the BOH and recreating it any way they saw fit. She stated disbanding and setting the BOH back up the following day would make all contracts and representation null and void. She indicated the BOH was paid for by grants and fees from Washoe County. She stated Washoe County transferred 48 percent of the total budget to fund that board with money from the general fund. She mentioned retired city council members had mapped out the entire process to disband the board and recreate a new one with new rules.

Chair Lucey agreed with Commissioner Jung. He indicated the County put the BOH on notice that they were looking for changes, and that did not mean a nuclear approach was out of the question. He believed he was heard and would receive a response soon.

Vice Chair Hartung said he was going to comment on the BOH but thought it could result in excessive discussion that was not agendaized, so he withheld his comments.

21-0596 **AGENDA ITEM 5** Recommendation and possible action to approve an agreement with the State of Nevada and the cities and counties of Nevada related to the allocation of any monetary recovery from the defendants responsible for the damages incurred by Washoe County and the other governmental entities due to the opioid crisis. District Attorney. (All Commission Districts.)

Deputy District Attorney Michael Large stated this item involved an agreement between the State of Nevada and local governments relating to the opioid epidemic. This agreement would be an allocation that allowed outside counsel to have a negotiating position that would help with a settlement for potential defendants statewide. He noted 40 states recently settled with the three major distributors for \$26 billion but

Nevada was not part of that settlement. Outside counsel would negotiate separately with those entities. He said this allocation would allow for a unified front on behalf of the entire state, and the percentages reflected in the exhibits for the agreement showed the amount Washoe County would receive from each of the distribution mechanisms.

Commissioner Hill thanked Chair Lucey, Vice Chair Hartung, and Mr. Large for the negotiations in this matter. She stated there was a 15 percent Medicaid match allocation, though it could have been much more. She expressed appreciation for the work put into this and thought it was the right thing to do to support the community.

Vice Chair Hartung spoke about the Chair being out of town during the final negotiations but asserted Mr. Large negotiated a significantly higher settlement than was originally offered. He thanked Mr. Large for his hard work and said he was pleased with the outcome.

Chair Lucey said this Board realized the potential for litigation when the opioid crisis came to light, and the County took a violent and cohesive step forward to ensure being part of this to represent not only its constituents but the County as a whole. He asserted the opioid epidemic was rampant in Washoe County and had impacted the entire state for many years. He spoke about drug busts and doctors being prosecuted. When the initial settlement came out, discussions pointed to 50 percent being allocated to Clark County, 25 percent to Washoe County, and 25 percent to rural counties. Through negotiations and discussion, he said, it was felt that 25 percent for Washoe County was not equitable. Further discussions took place, and the result was 65 percent would be allocated to Clark County, 15 percent to Washoe County, and 20 percent to rural counties. He stated the County was willing to work with Clark County to help adequately fund the rural counties and address their needs, but not to the detriment of the citizens in the local community. He expressed gratitude to Mr. Large for fighting for a more acceptable settlement, but it was determined the allocation for Washoe County was not equitable to address the opioid epidemic within the region. He asserted this was important to the community, and outside counsel needed to be hired to fight for this money to rectify the impacts of these drug companies. He said the County was not going to sit by and allow the State to dictate the final outcome of the settlement and would continue to work for further compensation to repair the damage from the opioid epidemic.

Commissioner Jung wondered whether any counties were missing from the Nevada allocation. Mr. Large indicated no county was missing, and several counties and cities had this item on their agendas for approval in the past week. He stated the first step in the allocation agreement was for Purdue Pharma's bankruptcy to be in place by April 15; this also applied to other allocations with the major manufacturers. Commissioner Jung wondered what would happen if all parties did not approve this. Mr. Large stated it would have to go back for further negotiations. Commissioner Jung asked about the process if Washoe County did not approve it. Mr. Large indicated he would notify the State that Washoe County was in opposition, and negotiations would continue, but this would not be on behalf of the entire state of Nevada. Outside counsel would have to negotiate on behalf of each county, which would be difficult, and he opined it would not be the best option.

Commissioner Jung wanted to ensure that better records were kept when the County performed autopsies or indigent care at hospitals where Washoe County was required to pay for those services. She thought autopsy record keeping in rural areas was not accurate and she wanted to ensure that data collected was complete. She asked for information about data collection processes and whether new software or other resources were needed to improve the accuracy of the data collected. She stated justifications needed to be documented and research performed to prove accurate record keeping. She noted indigent care was very expensive and hospitals would not survive without the funding provided by the County for their care. She asserted the Cares Campus had to be built to accommodate the opioid epidemic. She mentioned she received quarterly reports from the Medical Examiner. The effects of this epidemic went beyond the loss of loved ones. The Commissioner recommended a movie on Amazon about opioid addiction called Four Good Days. Mr. Large agreed completely with Commissioner Jung and ensured they would do a better job collecting data, including the amounts this Board spent on opioid deaths. The historical data could not be adjusted but they would improve processes going forward. He stated no amount of money would overcome what happened with the opioid epidemic. He thought getting some amount of money was a good first step in helping with treatment and prevention.

Chair Lucey asked about other litigation the County was part of, adding he thought this was one of three cases. Mr. Large explained this would allow outside counsel to negotiate for all lawsuits the County was party to on its behalf. He stated Exhibit A of the staff report listed all the cases that were part of it. He reiterated this would allow outside counsel to negotiate for all litigation in order to reach a settlement with the defendants listed in Exhibit C of the staff report.

Vice Chair Hartung stated conversations occurred with Mr. Large, the County Manager, and the executive team about fracturing the coalition, and they felt a united front was the best path forward for all parties within the state.

There was no response to the call for public comment.

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

21-0597 **AGENDA ITEM 6** Public Comment.

On the call for public comment, Ms. Elise Weatherly indicated she wished she had signed up to speak about opioids since they ran deep in her family. She spoke about the Board holding people responsible for their actions, people making mistakes, and Elon Musk. She felt non-profit organizations should not exist anymore.

Ms. Marika Moore spoke in favor of shutting down puppy mills in Reno and Sparks. She mentioned her belief about the ineffectiveness of masks, saying she did not want mask mandates, especially for children at school.

21-0598 **AGENDA ITEM 7** Announcements/Reports.

Commissioner Jung stated she took friends to Artown to see Keb Mo at Rancho San Rafael Park. She was impressed with the venue and the designated pods for people to distance themselves from others. She noted many members of the management team attended the concert. She thought the County should work with Artown to build a permanent structure for future year-round events at Rancho San Rafael Park. She mentioned families brought chairs and sat outside the event to listen to the music. She believed the venue could be used by many organizations and schools.

Chair Lucey asserted Beth McMillan and the Artown executive board did a phenomenal job with Artown this year. He said Rancho San Rafael Park was a wonderful venue and multiple nights had sold out. He expressed that people were happy with the parking and the venue. He did not want to take anything away from Wingfield Park, but he thought the potential existed to turn this into a permanent event venue. At the last Reno-Sparks Visitors and Convention Authority meeting, the chief executive officer (CEO) and president of Destinations International, which represented 700 different convention and visitors' bureaus internationally, attended the meeting. The CEO said the convention and visitors' bureau did not have the inclusion of their community for many years. Chair Lucey was told to focus on the community as the main audience. He said he had rarely attended Artown in the past, but he had been to multiple events this year. He complimented Ms. MacMillan, the Artown board, and all volunteers for putting on such great events. He thanked the Park Services staff for a great job with the Artown events.

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11:51 a.m. There being no further business to discuss, the meeting was adjourned without objection.

BOB LUCEY, Chair
Washoe County Commission

ATTEST:

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

*Minutes Prepared by:
Doni Gassaway, Deputy County Clerk*