

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

TUESDAY

10:00 A.M.

APRIL 11, 2023

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
Nathan Edwards, Assistant District Attorney

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23-0199 **AGENDA ITEM 1** Oath of office for newly elected official by Chief Judge
Lynne K. Simons:

County Commissioner

Clara Andriola – Washoe County Commissioner, District 4

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The Washoe County Board of Commissioners convened at 10:07 a.m. in regular session in the Commission Chambers of the Washoe County Administration Complex, 1001 East Ninth Street, Reno, Nevada. Following the Pledge of Allegiance to the flag of our Country, County Clerk Jan Galassini called roll and the Board conducted the following business:

10:07 a.m. **Vice Chair Hill called the meeting to order.**

23-0200 **AGENDA ITEM 4** Presentation and update by Timber Weiss and Dwayne Smith, Community Services Department, regarding the Golden Valley Artificial Recharge Program, a groundwater recharge program located in the Golden Valley area of Washoe County.

Director of Engineering and Capital Projects Dwayne Smith said he and Mr. Timber Weiss, a licensed professional engineer (PE), had been leading the efforts over the past year on the Board recommendations regarding the Golden Valley Artificial Recharge Program (GVARP). He stated it was time to provide a brief update about staff’s continued efforts. He commented that this was a non-action item, saying the action items would come

later with the recommendations. The goal for this item was to reaffirm the direction staff continued to receive from the Golden Valley residents.

Mr. Smith conducted a PowerPoint presentation and reviewed slides with the following titles: Program Update; Program Background/History; Program Service Area and Infrastructure; Program Elements; Untitled graph; Questions; Hydrogeological analysis and developed predictive groundwater model; Generalized Cross-Section of Golden Valley; Average Precipitation (1937-2023) Reno International Airport; Golden Valley Cumulative Aquifer Influence, 1991-2021; Untitled municipal wells map; Findings; Community Input; Community Direction; Fiscal Considerations; Fund Projection – Status Quo; Fund Projection – No Fee, Utilize Balance; Direction from Majority of Property Owners; Next Steps.

Mr. Smith explained the program began in the 1980s when the federal government provided funding for the drilling of recharge wells and the construction of a recharge pipeline to feed the wells. When the federal funding stopped in 1997, members of the community reached out to the County, and the GVARP was established. Mr. Smith asserted that all the property owners within the unincorporated area of Golden Valley relied on domestic wells. He informed the GVARP was an enterprise fund, which meant it was not a tax-based program. He explained that the “Program Service Area and Infrastructure” slide showed the boundaries of the project and noted the high school was in the middle to bottom of the recharge area, with the highway to the left. Third-party billing companies were used to assess and collect fees. The Truckee Meadows Water Authority (TMWA) agreement was brought before the Board several years prior to assure the County had a non-interruptible water supply source for the recharge of water. He explained the County purchased water rights. The program, for the benefit of the ratepayers, owned water rights that allowed for the recharge to occur. He mentioned something started to change and groundwater levels began to rise. The County stopped recharging water in the ground in April 2016; however, the water levels continued to rise. He noted a County partner present that day owned property near the western, lowest portion of Golden Valley referred to as Gun Streets. The Gun Streets area had water at the ground level. Referring to the “Recharge Volumes and Water Level Responses” chart, he pointed out the period of time the County was not recharging, and the water levels went up. The water levels then went down during the four-year pause. When the recharge was shut down in 2016, water levels continued to climb.

Mr. Smith discussed the “Questions” slide and wondered what the source of the water was. He mentioned the school irrigated approximately 50 acre-feet per year onto the ball fields. He noted the County only put 57 acre-feet of water into the ground on an average basis. The community requested the County perform a comprehensive hydrogeological study to answer the questions.

Mr. Smith reported many of the efforts were focused on the geology of the basin. The “Generalized Cross-Section of Golden Valley” slide showed the complicated geology of the valley. He explained there were many layers throughout the valley that either accelerated the water or slowed down the water. The slide also showed the bedrock

high near the Gun Streets area. He discussed the precipitation graph and informed there were many questions regarding precipitation. The graph showed the area was variable in precipitation, which meant there were consistent highs and lows over the last 100 years. He explained the graph showed the majority of the water that came into the hydrobasin was from direct precipitation or Peavine inflow, which was precipitation that occurred either through direct runoff or into the ground running along the bedrock. The outcome of the studies showed that irrigation from the residential new developments only contributed less than 5 percent of the total new water that came into the valley. The studies showed the water was not coming from the recharge program, the irrigation, or new developments. He explained the precipitation moved through the valley and headed towards Swan Lake, the bottom of the lowest portion of the East Lemmon Valley Hydrobasin. The domestic use number accounted for the evaporation after lawn irrigations and septic systems. He noted the amount of water coming into the valley was more than the amount going out. In a closed natural system, such as this one, groundwater levels would rise.

Mr. Smith spoke about the slide containing the GVARP boundary map, saying the black line defined the service area and the blue areas showed the direction of surface and groundwater. The map showed the general trends as water moved from the east to the west, and then to the north as it went out of the Golden Valley area towards Swan Lake. An analysis showed that during the time the municipal wells on the west and north sides pumped, the wells on the west side took most of the Peavine outflow of water. The municipal well in the outfall area also took on water, resulting in a gradient that allowed water to move through the valley much quicker than it currently did. This was because neither of the wells had pumped since 2002 or 2003. Back when the program started, the municipal wells drew more water out of the valley at a quicker rate, but when pumping ceased, they were not pulling water out at the same rate. The natural system then had to respond to the lack of withdrawal of water. Water, he stated, was very sensitive to flowing through rock, sand, and clay. The municipal wells were not removing the groundwater from the Golden Valley area anymore. He thought the wells could be turned on intermittently depending on peaking needs; however, he did not anticipate the wells being turned on again on a consistent basis. In looking at well logs from the 1970s and 1980s, it was discovered that many wells were drilled and then redrilled within a couple of years. That questionable well drilling impacted the Golden Valley area.

Mr. Smith stated the goal of the GVARP was to partner with the community. It was not a Washoe County-directed effort, it was a Washoe County responsive effort to the community. He said this was the community's program, their homes, and their concerns, and the County would support them in that process. He mentioned that Commissioner Herman had attended some of the community meetings, which showed commitment to the community. He indicated staff did not know all the answers to the community's questions, but they needed to have the community go through the process with County staff.

Mr. Smith thanked residents for coming to the community meetings and stated the County did not typically have a high turnout for public meetings as was seen for this matter. He said staff initially asked the community if the program should be shut down; however, over time that question changed to the question of if something should be done differently with the program. Greater than 75 percent of the community wanted the payments to stop but wanted to keep the ability to recharge in the future, while 20 percent of the community wanted the program to be terminated entirely and refund checks to be issued. He explained there was a predictive model and a wonderful dataset of water level and water quality in the basin, and the County did not want to stop that important data collection. He believed that data collection was important moving into the future to assess what the program was doing. The “Fund Projection – No Fee, Utilize Balance” slide showed what would happen if the County ceased the collection of payments and maintained the ability to recharge in the future.

Mr. Smith spoke about his history with Washoe County, saying he had been with the County for 17 years, had conducted many public meetings, and the outcome of this program was different than what he expected. He believed it was a community-driven effort. He stated the program involved the staff at Washoe County listening to the community members and taking their input and direction on which way the program would go. He indicated staff would come back on May 9 for the first reading of an ordinance change to capture the elements of no fees and maintaining the ability to recharge in the future. He believed there could be more community input that needed to be heard before the first reading on May 9. He indicated staff was interested in receiving community input. He mentioned that with this program, monthly billing statements and notifications to those who were behind on payments were sent to property owners. He stated the changed language for the ordinance would include the removal of the language around the late fee to ensure property owners became current before any changes were made to the program. He said notices were sent out the previous week that included the assessment for the late fees attached to the tax rolls that did not occur until June. He thought there was plenty of time to resolve any issues. He looked forward to coming back with the support and direction of the community as staff moved forward with the ordinance changes.

Vice Chair Hill noted Commissioner Clark brought this item to the Board and she asked if he had any comments. Commissioner Clark thought Mr. Smith did a good job of presenting the information. He questioned the form in which the direction from the community was provided to staff, and he wondered whether it was written documentation with the property owner’s information listed. He asked if the pie-chart information in the presentation was based on hard facts, guesstimates, or if it was the impression of the staff. Mr. Smith stated it was not the interpretation of staff. He explained a document was handed out at each of the public meetings. Commissioner Clark inquired about the percentages, wondering whether they were based on the percentage of the total residents within the program or a percentage of the people who attended the hearings. Mr. Smith indicated the percentage was established by the responses received in various manners. Commissioner Clark wanted to know what percentage of the people in the program responded. He suggested sending out ballots to the property owners to allow them all to vote on what they wanted to happen. He said that was the percentage he wanted to see.

Commissioner Clark brought up that the County owned water rights and he wondered how many acre-feet were owned and designated for this area. He asked if it was available to move to other basins or if it was restricted to only that basin. He pondered whether the water was a surplus the County could move to another area where it was needed, or if it could be sold or traded since it was dormant at that stage. His understanding from the Nevada Department of Water Resources (NDWR) was that the water had to be used every five years or they had the right to take the water back. Mr. Smith explained the program had 73 acre-feet of water and water credits that had been purchased for the benefit of the program. He noted when the water rights were purchased, staff received very clear direction from the community regarding their concerns that they were purchasing the water for the program but may not receive the benefit of the water because it could be sold or transferred. When the staff reports were brought to the Board for the purchase of the water rights, they specifically stated the water rights would stay with the program for the benefit of the program participants. He said in essence the County restricted the use of the water rights for the program. He indicated if the program wanted to do something different with the water rights on an intermittent basis, he thought it would be incumbent upon the County to go back out to the community, have that discussion, and gather direction from the residents. He brought up Commissioner Clark's comment about the NDWR and noted the County was responsible for the water rights of the GVARP, as well as a portfolio of water rights the County owned and managed. He stated Mr. Weiss reported to the State Engineers Office on an annual basis about the water use, intended use, future plans, or any plans to hold the water. He noted the County did not have the same constraints associated with the use of water rights and was not subject to losing rights as a private user would be. The County worked directly with the NDWR and was not subject to the same approach as a private user who was not putting water to beneficial use. He thought a benefit of the program being paused was that it would provide the County with time to figure out some of the pieces as this was a natural system and could change in the future. Due to the sufficient balance and a low maintenance cost to attain the ability to recharge in the future, those water rights were part of that. He noted the State understood that, and that information was included in the annual letter Mr. Weiss sent to the State. Since the program had been paused for the past seven years, the County was well-versed in the process of keeping the NDWR informed.

Commissioner Clark admitted that he had met with Mr. Smith recently about the matter and he had a chance to think about the information Mr. Smith gave him. He brought up the fact that water had not been pumped in seven years, and the feedback he received from constituents who addressed the issue was that they felt ignored. He reiterated he wanted the matter to be brought to a vote by the citizens affected by the issue to find out the number of people who wanted a refund or wanted the program shut off. He requested a real study be done on all those affected by the matter. He asked for real numbers from the community along with a notation of the nonresponsive citizens. He expressed concern for citizens and veterans on fixed incomes when the County was holding \$775,000. He wanted to see that money refunded to the people who wanted it back and thought they should be able to have a voice if they desired a refund or wanted to keep the money in the fund. He indicated he did not want this to become another issue such as the one with Incline Village (IV) that ended up in the courts for years. He recommended doing the right thing.

Vice Chair Hill indicated this was not an action item, but she wanted to provide the opportunity for the public to make comments.

On the call for public comment, Mr. Roger Edwards, a 28-year resident of Golden Valley, thanked the Board for this. He believed this was what should happen all the time. He came to his first Board of County Commissioners' (BCC) meeting 50 years prior, and he asserted it was a real open meeting that did not require a law to speak to the elected officials about a problem. He stated he had a problem with being billed for seven years for a program that had been shut off. He provided a handout to the Board, which was placed on file with the Clerk. He mentioned he had been working for two years to get this item on the agenda. He applauded Commissioner Clark for being a go-getter as this was exactly what he had been asking for the whole time. He stated there was a big meeting the previous week with 40 out of 600 people showing up. He informed the Board about his handout, saying it included a summary of the recharge program overcharges. The handout showed that the unnecessary fees charged just during the shutdown period by the County ranged from \$172,000 to \$280,000. He indicated the fund had nearly one million but should only have \$100,000 because the program charges should have been shut down seven years prior. He stated this was a voluntary program, it was not the same as power or garbage. The County was managing the program for the property owners, and he agreed the County should take some money while the program was pumping water; however, that had not happened for seven years.

Mr. Ray Lake, a 13-year resident of Golden Valley, said he had been paying into the program the entire time. He put approximately \$3,500 into this program and opined this was not a lot over 13 years. He agreed the GVARP should be terminated although he thought valuable information was received by maintaining the measurements and the data accumulated over the years. He believed that should be continued. He indicated he was not looking for a refund, saying the costs for that could be prohibitive and complicated. He mentioned he would only get about \$1,000 or \$1,500 out of this, which would be nice to have but would not make a difference in his life. He expressed support for the changes Mr. Smith presented.

Ms. Lori Rodriguez, a board member of the Golden Valley Property Owners Association (GVPOA), assured the BCC that Mr. Smith and Mr. Weiss had not ignored the residents' concerns. She reported that during the GVPOA's first meeting, three of the members were presented with a timeline from Mr. Smith and Mr. Weiss, but the board thought the timeline was too fast to keep the community properly informed. She had been at the public and focus group meetings where County staff had repeatedly asked for community input. She stated it was true there was more than one million in the account, but that was a combined amount of infrastructure and cash assets. She noted the cash assets were approximately \$700,000 and mentioned it was a requirement to always retain \$100,000 in the account, leaving a total of \$600,000. She thought it was not if but when there was damage from something like an earthquake and the \$600,000 in the account would not go far with the current construction costs. This could ultimately increase the normal fee of \$22 per month to a much higher fee if the account was zero and the GVPOA had to borrow money from the County. Some residents wanted to stop the fees and let the

account run down to the minimum, which she thought was not fair to the residents who had been paying since the inception of the program compared to those who had purchased property in the area recently. She indicated with the fees stopped they would not have to pay anything for 10 to 12 years and people who purchased property in that area would not be required to pay anything because the money other property owners had invested was supporting the program. She explained that some people wanted the money to be refunded, which she believed would be an accounting nightmare. Each property would have to be audited separately, and she said her property would be easy as there had only been one owner since the beginning of the program. Some of the properties had multiple owners over the years and she wondered about the cost to track down the previous owners versus the amount of the refund. She thought every owner would have to have the cost expensed to the amount of effort it took to locate them. She brought up a scenario where a previous owner had passed away and the heirs had sold the property. The County would have to track down the executor of the estate and she believed the costs to locate the proper owners for a refund would have to be charged to that specific property. She mentioned the people who had not paid the fees at all would have to be accounted for. She thought by the time all the locating and accounting was complete, the residents would probably owe the County money. She suggested charging a lower fee while the system was turned off and increasing the fee when in operation. The GVARP was not maintenance-free, and she asserted the testing must be continued, the permits kept in order, and that bookkeeping was necessary. She would hate to see the system compromised as a guaranteed water supply was essential, not only to keep the property values but as a protection against future droughts.

Ms. Elaine Hanford stated she had been intensely involved in the GVARP since December and had spent countless hours conducting a detailed geologic and hydrologic analysis of the pre-existing information and the number of studies done prior to the current Terraphase investigation. She had also performed intensive efforts to ensure the current Terraphase report that was submitted the previous week was as scientifically valid as possible. She asserted many things about the water and the valley had been learned and said that as a geologist with 50 years of experience, there were things that surprised her. She explained this was a groundwater recharge system, noting that most of the groundwater wells extracted water from the fracture zones beneath the sediment that filled the valley. She expressed hope the program would continue so that in the future if the recharge system needed to be turned back on, it would be there. She believed this was an insurance program for each homeowner to ensure there was water and value in each property. She asserted there were always unexpected occurrences that could pose a threat to the system, such as the prior week when United States (U.S.) Senator Jacky Rosen proposed a land management act for Washoe County. Included in that proposal were two large Bureau of Land Management (BLM) parcels, 1.75 square miles of recharged area to be disposed of for development. She mentioned if that were to occur, the recharge for the groundwater system would be lost. She asserted that could not be allowed to happen and noted she had already started efforts to prevent that action. She feared her actions may not be successful. She commented that if anyone had questions about the geologic or hydrologic conditions in the valley, she would be happy to answer them. She emphasized the majority of the people within the recharge area understood the value of having the program as insurance

should recharging need to be restarted in the future to ensure the citizens had a high-quality groundwater resource.

Mr. Michael Rodriguez stated Mr. Smith's PowerPoint presentation showed a brief history of the GVARP and the community's two-year effort to find a solution. He believed Mr. Smith, Mr. Weiss, and the GVPOA would soon have a physical vote about how the community wanted that solution to look. He thanked Commissioner Clark for that recommendation. He said he was one of the 11 percenters and suggested continuing the GVARP along with plans to implement new recharge and monitor wells to provide equity for the program beneficiaries and amend Washoe County Ordinance 1548 with his suggestions. He proposed that during the event of any long-term injection recharge shutdown, the property owners' monthly recharge fee be reduced to \$10. He suggested terminating the State permits and NV Energy, as recommended by Mr. Smith. He proposed the Board continue to keep and maintain the injection recharge infrastructure and maintain the water rights and agreements with TMWA water service. He believed when the financial assets could no longer support the program maintenance, the property owners' monthly recharge fee should be raised to \$15. That increase would maintain the injection recharge infrastructure and water rights and agreements for the TMWA water service. When the GVARP was resumed, the original monthly fee of \$22.66 should be reinstated. At that time, the terminated State permits and the NV Energy agreement should be re-established and associated duties be implemented immediately.

Commissioner Clark thanked Mr. Rodriguez for his comments. He indicated this was the community input Washoe County was looking for. He admitted that not everyone was going to agree on the way to go with this program, but he appreciated the solid input. He noted it was hard to get everyone to agree on things, but he believed there was an agreement, based on the pie charts Mr. Smith presented, that many of the property owners wanted something different than what was currently happening. He wanted to find out what the property owners wanted and thought the people in that area should have input on the matter.

There was no action taken on this item.

23-0201 **AGENDA ITEM 5** Presentation by the District Attorney's Office about the Civil Division of the office, including but not limited to information on division structure and organizational hierarchy, scope of duties, role within the county system, operations of each of the three teams within the division (general civil, child welfare, and family support), programs, litigation, and related statistics. This item is for purposes of discussion and information only. District Attorney. (All Commission Districts.)

District Attorney (DA) Chris Hicks thanked the Board for the opportunity to provide a presentation. He mentioned that every second Tuesday of April was International Be Kind to Lawyers Day. He was unsure who came up with the days, but it was also National Submarine Day and National 8-Track Day. He said it was his pleasure to be able to talk about the Civil Division of the DA's Office and asserted it was a daily

honor for him to lead the office of exceptional attorneys who represented Washoe County. He noted many of the Civil Division lawyers were present. In the presentation were numbers to share and some of the roles throughout the entire Civil Division. The County received incredible value from those lawyers who were dedicated public servants. The County also got top-notch legal representation which had been the standard in the County since its inception.

DA Hicks conducted a PowerPoint presentation and reviewed slides with the following titles: Overview Washoe County District Attorney Civil Division; Overview of the Civil Division.

DA Hicks stated he had been elected in 2014, 2018, and 2022. According to Nevada Revised Statutes (NRS) 252, he was the legal counsel and legal prosecutor for Washoe County. DA Hicks explained the DA's Office was broken down into two divisions, Civil and Criminal. He noted Assistant District Attorney (ADA) Nate Edwards ran the Civil Division of the DA's Office and he asserted ADA Edwards was one of the greatest lawyers he knew, with 23 years of legal experience; 21 years with the County. He stated staff would talk about the three teams that were within the Civil Division of the DA's Office. He mentioned Chief Deputy District Attorney (DDA) Mary Kandaras would talk about the Civil Team, which was the team of lawyers who represented the County and provided legal opinions to public officials, departments, and employees. Next, Chief DDA Buffy Okuma would talk about Child Protective Services (CPS). DA Hicks commented it was National Child Abuse Prevention Month and this team worked all year long to do what it could with the Human Services Agency (HSA) to protect endangered children in the community. He said DDA Herb Kaplan would speak about the Family Support Team. Many people did not know this team existed in the DA's Office and it was such an important team that offered family support in the community.

Chief DDA Kandaras stated she was honored to present the Civil Team and the rest of the Civil Division to the Board. She said they considered themselves the legal resources to the Board as they navigated through the government's twists and turns.

Chief DDA Kandaras continued the PowerPoint presentation and reviewed slides with the following titles: Civil Team (5 slides); 12 Elected Officials; 47 Appointed Officials; 38 Boards and Committees; Snapshot of a very busy 2022!

Chief DDA Kandaras relayed that the Civil Division did a little bit of everything related to government law. It provided legal advice to all Washoe County elected and appointed officials and defended all lawsuits against Washoe County and its staff covering a wide variety of services. The Division also handled many other legal matters. She commented that one of two attorneys was assigned to each specific area so they would become an expert in their field. She indicated it was well-known the Civil Division assisted with many boards and committees by preparing agendas and assuring everything was done legally. She said 2022 was very busy with the Division assisting on more than 100 complex records requests and she spoke about other legal matters the Division dealt with, including forfeitures. She spoke about a case that involved forfeiting

a Lamborghini. She said forfeited items were sold at auction and the money went to support law enforcement for things like special equipment. She highlighted the resolution of the Incline Village (IV) litigation that had taken more than 20 years.

Chief DDA Okuma said the CPS Team was largely hidden because every case it handled was confidential by law. She noted the only time it would have any publicity was when a tragedy occurred, namely when a child died under the team's watch. She stated the team did not want that type of publicity and noted that fortunately, it had the wonderful HSA that did an amazing job, so those outcomes were minimal. She explained the CPS Team represented the HSA for purposes of child welfare proceedings. She was thankful for the experience on her team as child welfare law was a very niche area that involved significant litigation, negotiations, mediation, and collaboration, and was also governed by a complex set of federal and State laws and regulations. She believed the team was created with a group of experienced attorneys and also had new attorneys who were gaining knowledge and experience. She said her goal was to bring in attorneys who had experience in other areas of law, particularly other areas of family law.

Chief DDA Okuma continued the PowerPoint presentation and reviewed slides with the following titles: Child Protective Services Team (6 slides); Snapshot of a very busy 2022!

Chief DDA Okuma explained that a traditional child welfare case would have at least five hearings in the first year. She asserted if that child was still in need of protection after the first year, a minimum of two hearings per year would occur until the case was resolved. She remarked the number one goal was to reunify a child with their parents, although the number one goal as a child welfare system was to never have that child in the system in the first place. She stated the team guided the agency and provided significant legal advice in an effort to avoid removing a child from their home, but once the child was removed, they would go into the legal system. She noted the team managed hearings five days per week on multiple dockets but had regular standing court dockets with multiple hearings. For example, every Tuesday afternoon in Department 11, there was an average of 9 to 12 cases set every 20 minutes for the entire afternoon. She noted hearings occurred five days per week, every week of the year. She stated that with child welfare the team could not stop; continuances were very rare in the system because children did not stop growing. During COVID-19 (C19), the team had to figure out how to get things moving along and only stopped the hearings for two weeks; just enough time to figure out how to work Zoom. In a conversation she had with another attorney, the word "relentless" came up. She thought this was very true of the work the team did. She asserted the work never stopped, paused, or slowed down. The team continued to work day in and day out but she noted the number of years staff had been there because they loved the work. She spoke about CPS crossing over into many different areas of the law and said the team had to understand child custody, divorce, guardianship, paternity, and protection orders. She pointed out the statistics in the PowerPoint presentation showing the number of ongoing cases and hearings.

DDA Kaplan said he started working at CPS then moved to the Civil Division for about 17 years, and he recently transferred to the Family Support Team. He explained the Family Support Team was the largest department in the Civil Division. He stated that when fully staffed, the department included 40 individuals, with only two attorneys, Chief DDA Kathleen Baker and himself as the DDA. Between the two of them, he said, they had more than 50 years of experience. He indicated the team was the focus of the Family Support Division. He admitted the team had been short-staffed and noted it had been at 80 percent staff for at least the past year. The team had put in a great deal of effort and overtime to keep the ball rolling. He stated the work was continuous.

DDA Kaplan continued the PowerPoint presentation and reviewed slides with the following titles: Family Support Team (8 slides); Snapshot of a very busy 2022!

DDA Kaplan mentioned Ms. Drina Bennett, a supervisor in the department, had almost 30 years of experience and he hoped she would stick around for another 30 years. He acknowledged that working on the Family Support Team was a hard job and members of the public were not always happy with their results. He stated everyone on the team had a function. The team prepared cases for the attorneys, which allowed them to go to court every week. He indicated that C19 was difficult on the economy and had affected many people who were required to pay support, as well as those who were entitled to receive support. He admitted he had worked in the DA's Office for 19 years and until he moved over to the Family Support Team, he had no idea what it did.

Vice Chair Hill told DA Hicks that he should be proud of his team. She stated she had contacted ADA Edwards and Chief DDA Kandaras on weekends and late at night, and they had been supportive and committed to the taxpayers. She was impressed by Chief DDA Okuma's work at CPS as well as DDA Kaplan's work. DA Hicks said he was proud of the team.

Commissioner Clark asserted he could speak about the DA's Office more than anyone on the Board of County Commissioners (BCC) because he spent a great deal of time between 2021 to 2022 in civil litigation with Washoe County. He learned first-hand about the litigation skills of the DA's Office, and it was an expensive way to learn how the DA's Office operated. He declared the DA's Office had a great team. He said since becoming a County Commissioner he had occasion to reach out to DA Hicks for information and clarification. He thanked him and his team for always being ready to provide answers. He gave a special shoutout to ADA Edwards who had written him countless emails as he navigated his first 90 days as a Commissioner. He mentioned his experience with DDA Kaplan, saying he had known him since 2010 or 2011 and that DDA Kaplan did a great job defending the County at the State Board of Equalization (BOE). DDA Kaplan and County Manager Eric Brown were instrumental in settling the IV case that was 20 years in the making. Commissioner Clark thought that was the largest settlement in the history of Washoe County. He stated that was a group of taxpayers who felt they were not treated fairly. He expressed gratitude that it was over.

Vice Chair Hill thanked the team and said she looked forward to its great work.

23-0202 **AGENDA ITEM 6** Public Comment.

Vice Chair Hill read the forum restrictions for orderly conduct during business meetings. She indicated she would not allow clapping even if the public agreed with a speaker as she was unable to hear the next person's name being called.

Mr. Gordon Gossage with Regenesi Reno disclosed he had participated in the Burning Man (BM) since 2015. He stated he lived in Gerlach for six months in 2018 and owned 40 acres, which was 30 minutes north of Gerlach on Route 447 towards Cedarville. He asserted he was a big fan of geothermal solutions to the energy crisis and a fan of Ormat Technologies Incorporated (Ormat) as a responsible company. He indicated he knew some of the Commissioners more than others. In the case of Commissioners Clark and Herman, they did not always agree on things, but they did agree on several other things. As a self-identified progressive, he believed in the power of change to further the goals of social and environmental justice, yet he had learned to balance that change with the preservation of the western heritage of his neighbors who had been in the area for generations. He remarked there must be a balance and urged the Board to send a frank and direct message to the managers at Ormat that this plant would never be built. From an engineering perspective, he said, Gerlach was the best location in Washoe County for a plant in terms of cost and production. However, the problem was community support and opposition needed to be a part of the equation. He said he knew many people in the tech industry and there would be a limitless source of funds, people, and energy to stop this plant. There were 6,550 square miles in Washoe County and only 150 of them were in the Cities of Reno and Sparks. He was certain out of the remaining square miles there was a better location than Gerlach. He asked the Board not to support the item.

Mr. Allen Nash was present to speak about the Ormat development project outside Gerlach. He noted he was a member of the District 5 Citizen Advisory Board (CAB) and the Vice President of the Gerlach Volunteer Fire Department (GVFD). He stated he was a new resident to Gerlach as he had only been there for nine and a half years. He said he had met most of the people in town and knew them to be good, honest people who were a shining example of the best of Nevada. He believed Gerlach was a wonderful place to live and to raise children. He asserted the people there were the people you would want as your neighbors. He noted the sign entering town stated, "It's where the road ends and the west begins". He mentioned it was the oasis reached after 75 miles of desert and the last gas station for the next 100 miles. He spoke about Gerlach being a place where a cowboy was still a valid job description. It was a land where grandchildren worked on the land and for the businesses of their ancestors. Hollywood movies had been made in and about the town. He commented that it was a place for more than 100,000 people who came from all over the world to camp, hunt, fish, explore, and appreciate the natural beauty of the Nevada high desert and the Black Rock Conservation Area. He opined the town's very existence was threatened by the Ormat geothermal development. The proposed drill sites were down the hill from where the Gerlach spring was and where the community water

came from. He compared a spring to a garden hose pointed in the air. He said even a 5th grader knew if holes were drilled in the bottom of a hose, the water would leak out and the pressure would be reduced thereby eliminating the flow at the top. He indicated Gerlach's spring was like that hose and Ormat proposed to drill the holes below the spring. He believed there had not been enough research to ensure the proposed drilling would not risk Gerlach's water supply. At the February District 5 CAB meeting, he personally asked the representative from the Bureau of Land Management (BLM) what steps had been taken to ensure the town's water supply would not be affected. He wanted to know what measures were in place to provide the town with water if the supply was reduced or eliminated. He stated the BLM representative did not respond. Water was everything in the desert and he feared if the exploration went forward without more research, the town could become the latest addition to the growing list of Nevada ghost towns.

Mr. Roger Edwards stated he had been arguing this point for a long time. He said Division Director of Engineering and Capital Projects Dwayne Smith previously denied the fact that the County could not charge people for a service it did not provide. He said he provided a document to the Clerk earlier that showed he had been overcharged for a program that the community had put in place. He asserted he was on the original team that set up the program. He indicated when they put the program together, they never thought they would be threatened with increased taxes for not making payments for a voluntary program. He asserted that \$22.66 per month seemed like a ridiculous amount, but he had paid it for many years. When he stopped paying, he received green collection notices for a program he helped build. He noted the 600 homes combined paid more than \$1.5 million per year in County taxes. He stated \$10.7 million had been paid since the program was shut down. He indicated he wanted his services, not his money, back. He wanted the charges to stop since the recharge program had stopped. He never thought there would be too much water in the ground. He understood the changes had to be made by way of changing the Ordinance. He asserted people could not be charged late fees for their own program.

Mr. Michael Rodriguez chose not to speak when called.

Ms. Janet Butcher stated she was not representing any group. She had never represented anyone other than herself, except when she promoted Constitution Day as Martha Washington. She provided a document about Democracy, a copy of which was placed on file with the Clerk. She asserted she was going to provide a civic lesson and she hoped the rebranding of the nation could be stopped. She read the document and stated the United States (U.S.) was not a democracy, rather it was a constitutional republic that was supposed to protect the individual. She said the Nevada Legislature was trying not to abide by this. She indicated she was a constituent of District 4 and welcomed Commissioner Andriola to the Board. She mentioned she was hopeful that Commissioner Andriola would represent the residents of District 4 in any vote or initiatives. She brought this up as the Planning Commission did not support the rezoning of an area in Spanish Springs the previous year. She asserted the Commissioner from District 4 voted against the recommendations of the Planning Commission along with other Commissioners except for one, Commissioner Herman. She wondered why there was a Planning Commission if the

Commissioners would just vote against its recommendations. Many people moved to unincorporated areas for a reason, and while growth was nice, she thought it should have its limitations.

Mr. Donald Fossum displayed a sign that said, “We are bigger than this room, save our Country,” which was placed on file with the Clerk. He declared the Country was going deep into a hole. He asserted the public officials were doing a terrible job and the Country was going broke over “woke.” He claimed that people were under the “woke” influence or it was forced upon them by mandates and the intimidation of riots. He said this Commission had succumbed to catering to those people. He stated when hot issues were going on, particularly related to elections, those people came in by the bus load. He believed people needed to stand up, hold their chins up, and vote with a community conscience, not a personal conscience. He displayed another sign that said, “This is a political divide,” which was also placed on file with the Clerk. He declared that was the problem. He greeted the Commissioners and hoped they would work well together. He indicated he was going to miss former Commissioner Kitty Jung.

Mr. Mark Neumann stated he spoke a couple of weeks prior about Sun Valley residents being charged for water flood control in North Spanish Springs. He said the water from Sun Valley did not affect any of that flood control, the dam, or areas near Pyramid Highway. He indicated he provided paperwork and photos to staff during that meeting. He stated that Sparks had taken over and incorporated some of the area. Since it was being incorporated, the property was not required to pay the tax as Sparks had its own taxes. He believed the citizens of Sun Valley should not be obligated to pay for something in North Spanish Springs. He thanked Mr. Dwayne Smith who spent many hours going over this with him. He remarked Mr. Smith agreed he did not understand it either, but it was decided by the previous Commissioners that Sun Valley should be charged for it. He asserted he was appointed to the CAB, this issue was brought to him, and he believed it should be brought to the Board of County Commissioners (BCC). He stated he and the residents of Sun Valley would appreciate it if the Board would look into this issue.

11:50 a.m. The Board recessed.

12:00 p.m. The Board reconvened with all members present.

Mr. Alan Munson welcomed District 4 Commissioner Andriola. He stated he was opposed to the contract with the Elections Group to review the operation and processes for the last election. He believed money did not need to be spent to review the process. He thought it would be diligent to approve a citizen group instead, which would make it fair. He expressed support for fairness and people working together in the community and asserted an equal number of people from the right and the left could work out the processes. He was concerned the Elections Group might not be the fairest group to review the processes and he did not know why an outside group was needed to review them. He stated the last time it was brought to the Board it was voted down by a vote of two to two and he urged the Board to vote it down again. He believed Agenda Item 8 was for the election of a Vice Chair and he recommended Commissioner Herman for that

position. He stated she had been with the County for many years and was knowledgeable about the process.

Ms. Mindy Lokshin indicated she was the board chair for the Parkinson Support Center of Northern Nevada (PSCNN) and thanked the BCC for the opportunity to speak for the more than 5,000 people living with Parkinson's disease and their families in Northern Nevada. She said April was Parkinson's Disease Awareness Month and April 11 was World Parkinson's Day. She thanked the Board for the Proclamation for this event. She informed there would be a Parkinson's awareness event on April 19 at Reno Little Theater. She understood someone from the BCC would be present at the event to present the Proclamation. She invited the public to the event.

Mr. Nicholas St. Jon welcomed Commissioner Andriola. He indicated he was appearing to speak against the contract with the Elections Group. One of the things he wanted everyone to know, especially the new Commissioner, was that there were many citizens who had been deeply involved in election integrity. He showed a graph that he presented to the Sheriff's Office (WCSO) indicating the machines had switched votes. He showed the vote records from the 2020 election involving the race between Ms. Marsha Berkgigler and Ms. Alexis Hill. He noted the first 25 percent showed a linear line and the second part was also linear based on two different algorithms that were inside the machines. He said the last graph depicted a change from a 35 percent deficit to less than 10 percent. He opined had there not been any interference within the first 45 percent of the vote, Ms. Berkgigler would have won. He also had a video from Mr. Mark Cook, one of the cyber experts in the Country, that showed a drive being inserted into a computer that switched the vote counts between the presidential candidates. He indicated this proved it could be done. He claimed the Massachusetts Institute of Technology (MIT) had demonstrated the ability to switch the bubbles on the tabulators from one person to another, which was further proof. He asserted the group reviewing the voter processes should be a group of citizens because they had been very involved. He thought the group being brought in should talk to the citizens. He wondered why the County would spend \$100,000 in Phase I and \$500,000 in Phase II when there were people standing in front of the Board offering their help. He said Vice Chair Hill was wasting the people's time and if she allowed clapping for a new Commissioner, people had the right to clap when they approved of someone as well. Unless everyone was made to stop clapping, he said, Vice Chair Hill could at least give the people three to five seconds to clap.

Mr. Russell Bierle stated he was the Public Works Supervisor for the Gerlach General Improvement District (GGID) and he had a statement that was approved by the chair. On January 5, 2023, the Washoe County Board of Adjustment (BOA) granted an administrative permit for exploratory drilling near Gerlach. It was the GGID's understanding that during the hearing it was expressed that the GGID would be providing water for this project. Unfortunately, the GGID was not present at the January 5 hearing. The GGID wanted to make it clear that it had not approved any contract to provide water for exploratory geothermal drilling and its ability to do so was far from certain. It was true that Ormat spoke with the representative of the GGID in 2020 seeking water for drilling. Since that time, one of the two springs that supplied water to Gerlach had decreased its

output. A rehabilitation project for that spring was currently awaiting State funding. Until the spring rehabilitation was complete, providing water adequate to meet the needs of exploratory geothermal drilling could compromise the ability to meet the current and ongoing obligations of the district. Therefore, he said, the GGID could not commit to providing an adequate water supply as required by Washoe County Code 110.808.25 paragraph B, at this time.

Ms. Betty Thiessen congratulated and welcomed the new Commissioner. She expressed frustration about paying for services she did not receive, noting Waste Management (WM) had missed 10 out of 16 trash collection days in Rancho Haven. She believed garbage collection was mandated by Ordinance in Washoe County and she thought services should be rendered. She mentioned she called to receive credit, but said it was difficult to get someone on the phone. She wanted the County to be aware this was happening in rural areas. She stated that at the last meeting, Commissioner Herman requested the election resolution be put on the agenda, but it was not. Ms. Thiessen asked for the item to be placed on an agenda since the other three items that were voted down were put back onto an agenda. She expressed opposition to the Elections Group being hired by the County as it was a waste of time and she said locals could do the work. She asserted she was willing to help and did not need to be paid.

Ms. Penny Brock displayed photos, which were placed on file with the Clerk. She stated she spent many hours in the Chambers last year bringing forward evidence that there was a problem with the 2020 election in Washoe County and Nevada. She mentioned Nevada was one of six states in the Country with questionable elections. She indicated issues also occurred with the election in 2022 because the problem had not been fixed. She stated Nevada did not have a fair election process due to Assembly Bill (AB) 321 which was passed by the democratically controlled Legislature. She asserted citizens were not allowed to attend the legislative session in 2021, which was a problem because they were not able to have a voice. She commented that more election bills were coming forward in the Legislature that were of great concern. She said this showed that every election from here on would be stolen in Nevada and Washoe County until the problem was fixed. She stated the people asked for paper ballots and no electronic voting machines, noting Nevada and many other states had Dominion voting machines. She remarked that the people also asked for signature verification, in-person voting, to allow for absentee voters, and signature identification (ID). She indicated the people did not want universal mail-in ballots. She wanted Commissioner Herman's proposal from 2022 back on an agenda. She stated there were people who mailed in ballots from an empty lot and there were two voters from an abandoned gold mine on the mountain above Northwest Reno. She brought up that the Commissioners received an emailed letter from Mr. Robert Beadles who was heading an election integrity team in Washoe County and she asked for the Commissioners to respond.

Mr. J.S. McElhinney welcomed Commissioner Andriola. He applauded Commissioner Clark for his attitude and said his forthrightness was rewarding and enlightening. He stated Commissioner Clark was a true servant of the people, as the rest of the Commissioners should be. He recommended Commissioner Herman be elected as

Chair of the Commission as she had been on the BCC for a long time and knew her way around issues and processes. He said he enjoyed the District Attorney's (DA) presentation and would have liked to ask some questions concerning child trafficking. He wanted to hear information from Child Protective Services (CPS) and wanted to hear from someone who worked with the children and knew what was happening.

Ms. Valerie Fiannaca welcomed Commissioner Andriola. She was interested in seeing statistics about outcomes before more money was spent on the homeless shelter. She said Commissioner Clark brought that up at the last meeting and she hoped the information would be provided before spending \$25 million more on the project. She mentioned the Elections Group and noted she had researched its affiliated groups. She stated they were very left-leaning, and she was not in favor of giving this outside group any money. She asserted she was not in favor of adding more highly paid positions to the Registrar of Voters (ROV) Office. She indicated there were only 306,000 registered voters and it would cost \$600,000 to provide advice about how to run elections. She did not believe it was cost-effective. She commented that 70 percent of Americans had no faith in elections, noting that was shocking to her. She remarked this was not a right or left issue but left-leaning people were beginning to lose faith in elections. She thought people must have faith in elections for government entities to have the trust of the people. She proposed the person with the most seniority be elected as Chair of the Board and recommended Commissioner Herman. She mentioned the ActBlue money laundering scheme and suspected this was why the former president was indicted. She noted millions and millions of dollars had been laundered through ActBlue. They were using older people to launder the money because they had no concept that hundreds of thousands of dollars had been donated per day in their names. She opined that the Electronic Registration Information Center (ERIC), which the County participated in, was the source of the database used and she requested the County consider getting out of ERIC.

Ms. Debra Rilea welcomed Commissioner Andriola. She wanted to address Agenda Items 13 and 14 regarding the development of the Cares Campus. She stated she had been a business owner near downtown from 1999 to 2020 near downtown and she witnessed the homeless population growth during that time. As a small business owner, she helped hundreds of people, but she said one person could not effectively help that population and solve the problem. She asserted this problem could not be put onto the business community. She said one of the reasons she was excited about the Washoe County Regional Homeless Plan was due to the Cares program. She said real progress had been made. She stated she volunteered at the National Alliance on Mental Illness (NAMI) and a large portion of un-homed people were mentally ill and needed assistance. She indicated it was not a matter of them pulling themselves up from their bootstraps, most of them did not have boots. She asserted the County needed to assist those people. She explained that for all those reasons and more, she was adding her voice to those who were calling for a yes vote where it was needed to advance the Cares Campus. She understood this property was not purchased for financial gain; it was purchased for humanity. She asserted those people were part of the community and that a safe, secure, and healthy community must include everyone.

Ms. Tracey Hilton-Thomas welcomed Commissioner Andriola. She asked that the Board grant Commissioner Clark's previous request and elect Commissioner Herman to be the Chair of the Board, which she had more than earned as the longest-serving Commissioner. She noted that two of the Commissioners would be preoccupied with reelection campaigns that must not be ethically compromised with the power of the Chair. She asserted any prior agreements in this matter would be a direct violation of the Open Meeting Law (OML). She spoke about Agenda Items 10B4 and 10B5, saying they involved unreasonable and unbalanced common area maintenance charges. She asked the County not to commit to more than one year on this lease and to direct staff to find at least three alternative storage options. Regarding Agenda Item 13, she questioned the length of 30 years and the payment of only \$1.00. She believed this was not a prudent business venture for the taxpayers of Washoe County. She brought up Agenda Item 14, saying she appreciated the desire to improve security at the Cares Campus; however, she wondered why the price had increased by \$6 million within two weeks. She thought this was far from transparent. Next, she spoke about Agenda Item 15 and said as one of the selected representatives that met with the Elections Group on March 14, she was not involved in any decisions for improvements or implementation. She mentioned that on March 28, staff had violated Nevada Revised Statutes (NRS) 245.070 and had neglected NRS 244.1615 by obstructing buy-in from Washoe County's primary stakeholders, the residents. As she had requested several times in the last year, she thought a CAB for Washoe County elections would help to gain the public's trust in elections. She asked for Phase II of the contract not to be approved before a review of Phase I had been provided and approved by the Board and the citizens of the community. She asserted there must be community meetings to discuss solutions and the BCC should not blindly trust a vendor that was not vested in the community. She wondered about the additional positions in Agenda Item 16, when there were currently three vacant positions in the ROV Office. She served the ROV's field registrar during naturalization ceremonies as a volunteer and asked why this volunteer position would be a paid position. She provided a document, which was placed on file with the Clerk.

Mr. Nevin Armstrong provided a copy of his 2023/2024 tax assessment notice, which was placed on file with the Clerk. He indicated he was 85 and his wife was 80 years old and disabled. He stated that on November 3 he had an accident and broke his leg and in January he broke the same leg again. He asserted his bills had increased and mentioned the increase to his property taxes, which he did not understand. He said he had put on a new roof, which had cost him \$26,000. He noted that was the original cost to build his house more than 30 years prior. He thought he needed a tax break. He commented that his insurance company encouraged him to go to the food bank. He admitted he never thought he would have to beg for food or a tax break of any kind. He stated he could not afford to do this and understood, according to the American Association of Retired Persons (AARP), the eighth reason property was taken away was due to the inability to pay the property taxes. He asserted he did not want to be in that position. He said he and his wife had both had multiple operations and that since November 3 he was unable to accomplish daily tasks around the house. He remarked that if not for his daughter, he and his wife would probably have starved to death in the snowstorms because no one could get to his

home. He mentioned he lived off of a County road and it cost him \$16,000 to have it paved. He thanked Commissioner Herman for encouraging him to attend the meeting.

Mr. Miguel Martinez identified himself as the City of Reno Councilmember representing Ward 3. He stated he was in attendance to voice his strong support for Agenda Items 13 and 14. He asserted the Nevada Cares Campus was an integral resource to the community, specifically for at-risk individuals who were looking to reestablish themselves. The development of approximately 120 units of affordable housing to support individuals transitioning out of homelessness was essential, especially during a time when constituents were experiencing a lack of affordable housing. An authorization to move forward with Phase III of the Cares Campus project was focused on the implementation of the intake center which would consist of a security point, nurses' station, case management, counseling, staff offices, among other amenities. He said this much-needed infrastructure would ensure the Cares Campus was able to provide high-quality care and that the team at the Cares Campus had the resources it needed to be successful. He urged the Board to provide the necessary support to make this project a reality; the benefits of this project would be far-reaching and long-lasting.

Ms. Renee Rezendes displayed a document, which was placed on file with the Clerk. She indicated she was one of the people interviewed by the Elections Group. She had investigated the group and stated it was a left-leaning group known for distributing Mark Zuckerberg-funded election grants in the 2020 election and it would be giving \$3 million to Clark County. She said the U.S. Alliance for Election Excellence was a project of the Center for Tech and Civic Life (CTCL) and was directing money to Clark County, in partnership with several organizations. She stated the plan was to collect and exchange data and infiltrate the election, which was funded by Zuckerberg-type groups. She commented that nationally there was a group addressing those contracts. Some of the contracts were banned in some states. She asked for the Board to wait until it received more information. She said Volunteer Nevada, an election integrity group out of Clark County, was looking into this along with other groups. She recommended Commissioner Herman for the position of Vice Chair of the Board. She requested people contact the Legislature regarding Governor Joe Lombardo's bill, Senate Bill (SB) 405, as he was trying to get the bill heard.

Mr. James Benthin thanked Commissioner Clark for representing the citizens. He spoke in support of Commissioner Herman for the position of Chair or Vice Chair as she had seniority and represented her district. He stated Commissioner Herman had been dealing with many of the issues in the County and was quite knowledgeable. He asserted there were many issues with voting machines as they were not reliable and could be hacked. He admitted that most computers could be hacked. He believed if the voting machines were done away with, they would not have to be stored. As with all electronic equipment, they aged, wore out, and would become obsolete. He commented on how much taxpayer money was going towards homelessness. He thought many seniors were long-time residents in the County and helped the community grow by paying taxes over many years. He admitted many of the seniors had limited incomes and believed it was time to help them by reducing their taxes. He mentioned the gentleman who spoke about his taxes

and had requested help. He spoke about an agenda item regarding \$35 million for the Nevada Cares Campus. He realized there were many homeless individuals, but he asserted there were thousands of seniors who also needed the County's help. He urged the Board not to fund the Nevada Cares Campus and stated he was opposed to the Elections Group item.

Mr. Cliff Nellis welcomed Commissioner Andriola. He stated the citizens of Washoe County had been asking the BCC to do something about the drag queen story hour (DQSH) held at public libraries. He asserted he did not want the library facilities to be used to promote sexual perversion and the grooming of pre-school children. He said Library Director Jeff Scott and the Library Board of Trustees refused to listen to him and others. It was recommended he go to the Library Board to have Mr. Scott removed, but the Library Board refused to do anything. He opined Mr. Scott controlled the Library Board and asserted it was up to the County Commissioners to do something about this since all other alternatives had been exhausted. He explained that Mr. Scott had a dark history that people may not be aware of. He provided documents, which were placed on file with the Clerk. He said the people of Berkeley, California, had to start a petition to have Mr. Scott removed after only ten months on the job. During Mr. Scott's time at the Berkeley Library, he managed to purge 90,000 books. Mr. Nellis stated there were liberal groups that had Mr. Scott removed and he opined that Mr. Scott was doing the same things in Washoe County. Mr. Nellis referred to the documents he provided which indicated Mr. Scott admitted to discarding 1,000 books. He said the real number was 39,000 and more than 50,000 were discarded during the previous year. He said he was asking for Mr. Scott's removal for more than just DQSH, as he had also purged conservative and religious books from the libraries. One researcher investigated the presidents' section of the library and could not find anything about American presidents except for those written about former President Barack Obama. Mr. Nellis stated this behavior could not be tolerated. He asked for an agenda item for the next meeting to replace all current Library Board members or to reduce the library funding if the Library Board did not comply with direct wishes to cancel DQSH and remove Mr. Scott as the Library Director.

Mr. Par Tolles introduced himself as the Chief Executive Officer (CEO) of Tolles Development in Reno. He stated he was proud to be the past chair of the Downtown Reno Partnership (DRP), co-founder of the Village on Sage Street, and the chairman of the fundraising committee for the Cares Campus. He said that for well over a decade he had owned or managed hundreds of thousands of retail properties in downtown Reno. He spent much of his career attracting and retaining businesses in downtown Reno and through this experience, he came to love this City, appreciate its beauty, and could see its unlimited potential. He noted he had gained a deep understanding of the dysfunctions and challenges and, as of five years ago, had devoted a significant amount of his company's time, money, and resources to see it change. In working with the unhoused population of Reno, his attitude had shifted from harsh judgment to one of solution-oriented compassion or tough love with a heart. He mentioned traveling to San Francisco, Los Angeles, Seattle, and Portland in the past two years where he had seen the loss of downtown cores with little hope of regaining them during his lifetime. He stated Reno had not lost its downtown core and was staying two steps ahead thanks to the incredible group of people on both the private

and public sides that had leaned into this issue with time, money, and passion. He informed that since the Cares Campus had opened, unsheltered homelessness had been reduced by 42 percent. He spoke about moving approximately 30 people into permanent housing each month, on the way to a target of 50 people per month. There was an eco-system formed at the end of 4th Street that could be the most unique and dynamic approach to solving homelessness in the Country. He said the hub of the wheel was the Cares Campus, which was now surrounded by Our Place, the women's shelter, the new Northern Nevada HOPES (HOPES) medical clinic that was under construction, the tiny homes project, and the Village on Sage Street. He asserted the Cares Campus was large enough that it provided the police and the downtown ambassadors with the legal ability to assist the unhoused out of the dangers of the river and streets into a place where they could receive help and accountability. He noted the process had not been perfect. Building the campus had been defined as building a building around a moving car. He opined it was working and commented that his company was building a brand-new retail center in the heart of downtown which was fully leased. He asserted he could never have attracted the capital or the tenants to the building if the commercial market did not view downtown Reno as a place that was moving in a positive direction. He evaluated and made decisions about whether to invest in companies every day and noted the decision usually came down to results and people. He indicated the results were clear and the Washoe County Cares Team was one of the most determined and effective groups of people he had ever worked with. He implored the Board to preserve, protect, and defend the County. Those qualities were not partisan and applied to the Cares Campus.

Mr. Pat Cashell stated that 17 years prior he was homeless, addicted to meth, and considered himself mental. He said that in 2006 he reached out for help, got clean, and began to address his issues. Six years later he became the Regional Director for the Volunteers of America (VOA) and oversaw the day-to-day operations of the shelter on Record Street. He indicated he knew homelessness, addiction, and mental health. He understood the root causes like childhood trauma, drug addiction, alcoholism, and severe mental health issues. He admitted he could never say that homelessness would end but he knew a better job could be done to address it. He said that in 2004 his father and the Reno City Council had an idea to build Reno's first homeless shelter. He attended the grand opening of the family shelter in 2006. His father envisioned his dream of a campus like no one had ever built; a one-stop shop that would make everything accessible to everyone, with all the services available on five acres of land. Although the campus and the structures were built, the dream of providing all the services on one campus never came true. Mr. Cashell indicated that some of the hurdles he faced as a director included the lack of services and tools and a severely overcrowded shelter without enough space or committed providers. He stated he could only band-aid people's issues. He observed there was success at the Record Street shelter but not to the level he had hoped for. He expressed pride in what was done at the shelter with very few resources. He shared that through the Cares Campus, he could see his father's and the Reno City Council's dream come true. He said everyone could be a part of that dream by seeing the completion of the Cares Campus which would provide beds and ultimately housing, while also addressing mental health and addiction. He commented that he had suffered from all those things. He addressed the intake portion of the program and stated it was so important as it was where the magic

began. He said it was the moment of clarity that allowed him to ask for help. He asserted it was scary to go through those doors to ask for help. He emphasized the Cares Campus must be 100 percent completed to see the dream come true.

Mr. Travis Sandefur stated he was a local small business owner and served as the vice chair of the VOA board for Northern California and Northern Nevada. He thanked the Board for taking the time to listen to everyone. He said that when he came to Reno five years prior, he volunteered in the mailroom at Record Street. He said that experience turned so many of his ideas about homelessness upside down. He indicated he saw incredibly courageous people battling their circumstances, mental illness, and addiction. He asserted it was a life-changing experience for him and he would share success stories with anyone who would like to hear them. He believed Washoe County was one of the best Counties in the Country. Through his various roles in the community, he saw the challenges. He emphasized the Cares Campus had been a vital first step in dealing with the challenges of the unhoused population. Small businesses like his were ill-equipped to deal with those problems on their own. The next phases of improvements at the Cares Campus would help it progress from offering a much-needed band-aid to providing life-changing transformative care that would lead to even more measurable results.

Mr. Ron Codd stated that in 2021 he co-chaired the Montreux Cares Committee and led the successful effort to raise just over one million dollars for the Nevada Cares Campus. He said as a byproduct of that effort he invested considerable time and energy to better understand the homeless problems faced by numerous cities across the Country. He indicated his remarks would cover two topics that he thought should weigh heavily on the decision to support the Cares Campus. He said one might think it was only the homeless who would benefit from this project and its programs, but he believed it would benefit everyone in the community as well as the environment. Providing a proper place for homeless individuals to eat, sleep, and receive services benefited small businesses, which could be impacted by people sleeping on sidewalks in front of businesses. This practice adversely impacted customer traffic, revenues, and in turn the revenues of the County. He mentioned tourism and convention businesses, which were an important part of the economic base of Washoe County. He brought up that San Francisco just lost VMWare, a large tech company that announced it was moving its annual software conference from San Francisco to another city for 2023. He said families and children benefited from the impacts of the Cares Campus because they could enjoy parks and other public places without having to experience an engagement with a homeless person or step on a needle. School children would not have to experience the issue Seattle did when a homeless encampment was set up adjacent to an elementary school. He commented that Reno claimed a particularly unique asset, which was a wild river running through the middle of it. The health of the river and the water it transported was threatened by garbage and human waste when people set up camp on its shores. He thought people wanted a clean downtown and a central business district with day and evening events that provided social and economic opportunities for the citizens. The Cares Campus project was an important part of getting there. He asserted there was a chance to be an example for other cities around the nation about how to successfully address the societal problem that was not going to go away. He wondered what the County proposed to do to address the homeless problems if

not by supporting the Cares Campus and its completion. He wanted to know if there was an alternative plan for addressing the needs of mentally and physically handicapped people and those with substance abuse problems. Many cities had learned the hard way that laissez-faire approaches in dealing with this crisis actually cost more. There would be more direct costs, such as increased law enforcement resources, healthcare resources, and expenses to keep a city clean. There would also be more indirect costs such as adverse impacts on business activities and associated tax revenues. He asserted the County needed this campus.

Mr. John D. Solomon stated he was speaking on behalf of NAMI and Faith in Action in response to the outcome of the March 28 meeting where a 2-2 vote for the homeless intake center and supportive housing project stalled the forward progress of the essential Cares Campus projects. He asserted they were thoughtful, well-designed projects funded by federal dollars that could intervene in the cycle of homelessness that was costing this community millions of dollars per year in emergency services, hospitalizations, law enforcement, and incarceration. He indicated that last year in Washoe County, 96 homeless people died. The Board had the opportunity and the responsibility to change the future and prevent those harms by moving forward with the American Rescue Plan Act (ARPA) funded projects. He explained staff had worked extremely hard to find talented partners with whom to create those facilities. He mentioned the County had accessible space and the opportunity to award a ground lease as described in Agenda Item 13 to an experienced and highly regarded affordable housing corporation that was truly committed to meeting the housing needs of disabled and disadvantaged people. He brought up Agenda Item 14 and said it would create a place where change could happen. The homeless would be able to receive health care, a shower, and access to coordinated services and counseling. He noted Clark Sullivan Construction had a stellar reputation in Northern Nevada and it assumed the risk as a contractor. The risk for the people was if the County Commission allowed \$28 million in ARPA funds to be lost due to delays or refusal. He mentioned ARPA had deadlines for obligating and expending funds. He conducted interviews during the point-in-time (PIT) count this year. He said of the seven people he interviewed, three were too mentally ill and disabled to rejoin the workforce; however, four of them had potential with housing stability and some support. He believed incarceration was not the answer to mental illness and addiction; supportive housing and respectful services were. He asked the Board to vote yes on the Cares Campus projects.

Ms. Jean Kramer indicated all the Commissioners except Commissioner Andriola heard her speak at the last meeting and she wanted the new Commissioner to hear her concerns about voter integrity. She said there were problems in the State due to fraud, which she thought was mainly caused by the Dominion voting machines. She mentioned she had lived in Reno for 52 years but had to vote in Texas because she had a home there also. She asserted Texas did not use Dominion voting machines, in fact, Texas refused to use them because it knew there were issues with that particular machine. She spoke about it taking five days to count all the votes in Nevada, but Texas had a phone number one could call immediately to verify that their vote had been counted. She believed there was a big problem with the homeless, saying everyone present in the Chambers wanted to help them. She opined the Commissioners had not been fiscally responsible. She brought up the

purchase of property for \$5 million which was based on the appraisal and asserted that was not fiscally responsible. She mentioned her son was in real estate in Los Angeles and he told her that just because something was appraised at \$5 million did not mean it should sell for that amount. She thought the Commissioners should be using the money to be fiscally responsible for the property and the buildings inclusively. She mentioned the lease amount was one dollar per year for 30 years and remarked it was a problem to use tax dollars to help only 120 more people. The \$5 million cost was just for the land; she wanted people who worked hard and paid their taxes to get the most out of their tax dollars.

Ms. Christine Hess introduced herself as the Executive Director of the Nevada Housing Coalition (NHC), a statewide non-profit to advance and promote affordable housing for all Nevadans. She said the organization included nearly 300 members across the State from urban and rural communities, public and private sectors, developers, builders, finance, and advocates. She stated the NHC was a data-driven organization working for solutions. The 2023 gap report from the National Low Income Housing Coalition (NLIHC) ranked Nevada as the worst state in the Country for affordable rental housing for extremely low-income households. She indicated Nevada only had 17 homes for every 100 extremely low-income households looking for rentals. She stated this population was comprised of community members such as veterans, seniors, and others on fixed incomes, of which one-third were in the workforce. She asserted in Washoe County those households had incomes below \$28,950 and affordable rent for those households was \$724 per month. She wondered whether the people knew how many apartments were for rent for \$724 per month. She indicated the extremely low-income neighbors were primarily served by deeply subsidized housing and permanent supportive housing. She explained supportive housing was a data-driven model that served the tenants and the broader community by providing permanent housing stability, access to support dedicated to improving mental and physical health, as well as building workforce readiness. Supportive housing had been proven to reduce residents' utilization of public emergency services and justice involvement making it the most cost-effective intervention in reducing homelessness. She said doing nothing was not an option; supportive housing was the fiscally responsible decision. She mentioned the coalition had been working hard at the State level to support the County's good work. As a local government, there were limited resources and tools to tackle the massive crisis; however, she said the County was taking the lead. She commended staff and the Board for bringing forward the housing solution. She said it was evidence-based and served the most vulnerable with quality housing and services while reducing public costs. She expressed support for Agenda Item 13. She addressed Agenda Item 14, saying that implementing and tracking long-term outcomes was of high importance to the coalition. It would take infrastructure investment that supported strategic coordination and capacity at all levels. Moving forward with approval of the construction of intake and case management would support enhanced service provision and provide a solid foundation for unhoused neighbors.

Ms. Lisa Genasci introduced herself as the Chief Grants Officer for Catholic Charities of Northern Nevada (CCNN). She spoke in support of Agenda Items 13 and 14. She stated CCNN currently provided 900 meals per day to the Cares Campus at CCNN's cost. She spoke about the progress happening on the campus over the last few years and

the lives that had been changed. She asserted it was not just homeless people who lived there, there were also people on fixed incomes such as seniors who had lost a spouse. She stated the shelter would provide so much for the community and the neighbors who lived there and said sustainability could not be reached without stability. She spoke about the services being provided, such as a dining room so people did not have to take meals to go and could eat in dignity as they rose up out of poverty to become sustainable. The counselors were able to help with mental and behavioral health and there were people to help seniors find affordable housing. She asserted this was what the campus was doing for the community. As a Washoe County resident, she was proud of the decision that was made two years prior. She advised the Board to keep improving it and making it bigger.

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

1:01 p.m. **The Board recessed.**

1:40 p.m. **The Board reconvened with all members present.**

23-0203 **AGENDA ITEMS 7 AND 8**

ITEM 7 Election of Chair of the Washoe County Board of Commissioners, for the remainder of former Chair Vaughn Hartung's term ending in January 2024.

ITEM 8 Election of Vice-Chair of the Washoe County Board of Commissioners, in the event Vice-Chair is elected to Chair.

Vice Chair Hill asked to hear Items 7 and 8 together. She said she enjoyed stepping in as interim Chair and hoped the Commissioners felt she served the Board well. She requested a nomination to officially serve as Chair. She suggested Commissioner Herman serve as Vice Chair.

Commissioner Garcia mentioned Vice Chair Hill had a successful track record as interim Chair and had demonstrated strong leadership skills, organization, and work ethic. She observed Commissioner Herman's constituents elected her in 2014, 2018, and 2022. She noted Commissioner Herman had entered her ninth year of service; due to her long-term dedication, she believed Commissioner Herman should serve as Vice Chair.

Commissioner Herman stated she would be honored to serve as Vice Chair.

Commissioner Clark requested information about the boards and commissions that were assigned to former Commissioner Vaughn Hartung and an explanation of how those assignments would be divided amongst the Commissioners. He believed a meeting for the Reno-Sparks Convention and Visitors Authority (RSCVA) was scheduled for later in the day and the Board of County Commissioners (BCC) would not have representation at that meeting. Vice Chair Hill stated she asked for the boards and

commissions to be agendized for the next BCC meeting. She understood those open positions needed to be filled. She said those would be discussed during an open meeting and she hoped the Commissioners would come to a consensus about who would serve on those open seats.

County Manager Eric Brown noted the boards and commissions assignments were listed on every meeting agenda, including the vacant positions formerly held by former Commissioner Hartung. Commissioner Clark thanked Manager Brown for pointing that out; he wanted to know when they would be considered. Vice Chair Hill confirmed the item would be considered on Tuesday, April 18.

Commissioner Andriola expressed excitement to work with the Commissioners and thought it was important for all of the Commissioners to work together. She supported the recommendations for Vice Chair Hill to serve as Chair and Commissioner Herman as Vice Chair.

On the call for public comment, Ms. Janet Butcher thought Ms. Tracey Hilton-Thomas made good comments about the Vice Chair, including the Vice Chair running for election in 2024. She hoped Commissioner Herman would be selected to serve as Chair for the next couple of years.

Ms. Renee Rezendes indicated she mistakenly suggested Commissioner Herman to serve as Vice Chair, she meant to recommend Commissioner Herman to serve as Chair of the BCC.

Mr. J.S. McElhinney was not present when called to speak.

On motion by Commissioner Garcia, seconded by Commissioner Clark, which motion duly carried on a 5-0 vote, it was ordered that Alexis Hill be elected as the Chair and Jeanne Herman be elected as the Vice Chair of the Board of County Commissioners.

Chair Hill assumed the gavel.

23-0204 **AGENDA ITEM 9** Announcements/Reports.

Commissioner Garcia welcomed Commissioner Andriola to the team. She mentioned April 11 would have been President and Executive Director of the Nell J. Redfield Foundation Gerald "Jerry" Smith's 83rd birthday but he passed away on March 30. She said Mr. Smith had been a dear friend and mentor who had transformed the entire region by advocating for education, health care, housing, and services for the most vulnerable. The impact of the foundation could be observed everywhere in the community. She hoped the elected officials and non-profit leaders in the community would continue to move forward with uplifting one another as Mr. Smith encouraged. She spoke about how the Commission Support Team and Assistant County Manager (ACM) Kate Thomas helped her to expedite a recognition for Mr. Smith on behalf of the Board of County

Commissioners (BCC) and the County which was read to him at his bedside prior to his passing. She noted Mr. Smith's obituary mentioned the BCC recognized him as a true hero and an advocate. She wanted the Commissioners to know she sent the BCC's regards to Mr. Smith and his family.

Chair Hill thanked Commissioner Garcia for ensuring Mr. Smith received that recognition and thanked the Commission Support Team for its assistance. She welcomed Commissioner Andriola, noting having a full Board would be great so she was grateful Governor Joe Lombardo appointed a new Commissioner so quickly.

County Manager Eric Brown congratulated the Washoe County Budget and Finance Division because the S&P Global Ratings raised the County's long-term rating and underlying rating to AA+ from AA. He quoted, "The rating action reflects our view that the County will likely maintain its favorable reserve position and positive operations despite recent macroeconomic swings and the payout of a large litigation settlement." He said the rating was a product of the entire organization's fiscal discipline, in particular the financial team led by Chief Financial Officer (CFO) Abigail Yacoben. He commended Budget Manager Lori Cooke and her team, and Comptroller Cathy Hill and the Comptroller group.

Manager Brown mentioned there were some board and commission openings: the Board of Equalization (BOE), the Board of Adjustment (BOA), the Building Enterprise Fund Advisory Committee (BEFAC), and the Washoe County Senior Services Advisory Board (SSAB). All would close at the end of April. He said anyone who wanted more information could go to the County website (www.washoecounty.gov) or contact Washoe311.

Commissioner Clark saluted Manager Brown for mentioning the openings on various boards. He thought advertising openings widely was important so the County could receive the greatest number of applicants to choose from.

CONSENT AGENDA ITEMS – 10A1 THROUGH 10E1

23-0205 **10A1** Approval of minutes for the Board of County Commissioners' regular meeting of February 28, 2023. Clerk. (All Commission Districts.)

23-0206 **10B1** Recommendation to approve Resolution R23-27 calling a public hearing (to be set for May 9, 2023) on the amendment of the boundaries of District No. 24 (Groundwater Remediation/Central Truckee Meadows Remediation District) in Washoe County, Nevada; providing for a notice of hearing and for other matters properly related thereto. The Central Truckee Meadows Remediation District was formed in 1997 to remediate tetrachloroethene (PCE) contamination of groundwater in the central Truckee Meadows area. The District is also tasked with updating both the Service Area Boundary and Contaminant Boundary based on continuous

analysis and modeling efforts. Community Services. (All Commission Districts.)

- 23-0207** **10B3** Recommendation to approve a Standard Industrial/Commercial Multi-Tenant Lease between Los Angeles Iron and Steel Company, a California Corporation (Lessor) and Washoe County (Lessee) for a sixty-month term, commencing July 1, 2023 through June 30, 2028, for the continued occupancy at 405 Western Road #18 and #26, to store equipment and supplies for the Search and Rescue Division of the Washoe County Sheriff's Office [\$27,600.00 in year 1 then increasing 3% annually plus associated Common Area Maintenance expenses estimated at \$100/month]. Community Services. (Commission District 2.)
- 23-0208** **10B4** Recommendation to approve First Amendment to Lease Agreement (Rock Center) between ECOL Partnership (Lessor) and Washoe County (Lessee) for occupancy at 250 S. Rock Boulevard, Suite #100, extending the term of the lease by thirty-six months, commencing on May 1, 2023 and terminating on April 30, 2026 in the amount of [\$126,156.00 annually in year one; \$132,463.80 annually in year two; and \$139,086.96 annually in year three, plus approximately \$2,550.00 monthly for common area maintenance] for storage of the Registrar of Voters' voting machines and equipment management. Community Services. (All Commission Districts.)
- 23-0209** **10B5** Recommendation to approve Second Amendment to Lease Agreement (Rock Center) between ECOL Partnership (Lessor) and Washoe County (Lessee) for occupancy at 250 S. Rock Boulevard., Suite #126, extending the term of the lease by thirty-six months, commencing on May 1, 2023 and terminating on April 30, 2026 in the amount of [\$28,800.00 annually in year one, \$30,240.00 annually in year two and \$31,752.00 annually in year three, plus approximately \$625.00 monthly for common area maintenance] for storage of the Registrar of Voters' voting machines and equipment management. Community Services. (All Commission Districts.)
- 23-0210** **10C1** Recommendation to approve Interlocal Agreement between the Reno-Sparks Convention & Visitors Authority (RSCVA) and the County of Washoe (Department of Juvenile Services) to continue the relationship in which RSCVA compensates Juvenile Services for providing supervision of juveniles on the Work Program, with an estimated revenue of \$5,000 per fiscal year; from 5/1/23 through 6/30/2025; if approved, authorize the Chair to execute the Agreement. Juvenile Services. (All Commission Districts.)
- 23-0211** **10C2** Recommendation to approve Interlocal Agreement between the State of Nevada (Truckee Meadows Water Authority) and the County of Washoe (Department of Juvenile Services) to continue the relationship in which Truckee Meadows Water Authority compensates Juvenile Services for

providing supervision of juveniles on the Work Program, with an estimated revenue of \$5,000 per fiscal year; from the period upon ratification by the governing for a four-year period; if approved, authorize the Chair to execute the Agreement. Juvenile Services. (All Commission Districts.)

23-0212 **10C3** Recommendation to approve Interlocal Agreement between the North Lake Tahoe Fire Protection District and the County of Washoe (Department of Juvenile Services) to establish a relationship in which the North Lake Tahoe Fire Protection District compensates Juvenile Services for providing supervision of juveniles on the Work Program, with an estimated revenue of \$5,000 per fiscal year; from the period upon ratification by the governing for a four-year period; if approved, authorize the Chair to execute the Agreement. Juvenile Services. (All Commission Districts.)

23-0213 **10D1** Recommendation to approve the creation of a new full-time Specialty Courts Program Coordinator position, pay grade J176, effective 05/01/2023; and authorize Human Resources to make the necessary changes. [Net fiscal impact is estimated at \$108,688; \$-0-General Fund] Reno Justice Court. (All Commission Districts.)

23-0214 **10E1** Recommendation to accept a FFY23 Nutrition Services Incentive Program (NSIP) subaward from the State of Nevada, Aging and Disability Services Division (ADSD) in the amount of [\$294,145.00; no county match] retroactive from October 1, 2022 to September 30, 2023 to supplement food costs for the Older Americans Act Title III congregate and home-delivered meal programs which address the food and nutrition needs of seniors, authorize the Director of Human Services Agency to execute the subgrant award and related documents, and direct the Comptroller's Office make the necessary budget amendments. Human Services Agency. (All Commission Districts.)

With regard to Item 10B2, Commissioner Clark requested information about the selection process. He suggested the opportunity be made available to different appraisers and inquired how the position was advertised. Chair Hill asked whether the item could be postponed to a later date or if it was a time-sensitive issue.

Division Director of Operations Eric Crump said the item was an update to a list that was relatively old; currently, only one appraiser was on the list. Commissioner Clark wanted to ensure the opportunity was made widely available to the appraisal community. Mr. Crump replied the process was outlined in the Nevada Revised Statutes (NRS) and the Washoe County Code (WCC). All general appraisers within the State of Nevada were notified, so over 400 individual notices were sent out and four proposals were received in response to the request for qualifications (RFQ). Commissioner Clark asked when the notices were sent out. Mr. Crump responded that the RFQ occurred a couple of months prior and RFQs were usually open for 10 to 20 days. Commissioner Clark

suggested more appraisers might be interested in the opportunity because of the changes in the economy which could affect their workloads. Chair Hill asked if the County could proceed with the current list while continuing to contact appraisers or whether it was a one-shot process. Mr. Crump replied there was no mandate about how often the list could be updated, so the current list could be adopted that day and the RFQ process could start again the following day. He said the current RFQ was relatively recent considering it was a three-month process. Chair Hill asked whether Commissioner Clark wanted to table the item. Commissioner Clark said yes.

Commissioner Clark referred to Item 10B3 which addressed a five-year lease of a facility for the Washoe County Sheriff's Office (WCSO) Search and Rescue Division. He noted the lease was for \$27,600 annually, so it would result in approximately \$100,000 over the term of the lease. He said the County had leased the space for 37 years and asked whether it would be more financially sound to build a facility rather than lease one. He thought the County should consider building a warehouse facility instead of renting space. He pointed to Item 10B4 where the County had been leasing space for the Registrar of Voters (ROV) Office for 19 years. He understood the ROV required storage space for voting equipment. He asked staff to check whether the County had land where a suitable warehouse could be built for storage. He noted Item 10B5 also referred to renting space. He suggested the County buy materials and hire local contractors to build a storage facility. Chair Hill approved of Commissioner Clark's comment. She noted she and Commissioner Clark had previously requested an agenda item to review all of the County's properties and rentals, so the Board could make a decision about development needs. She understood staff was working on providing that report. She asked County Manager Eric Brown whether the item would be agendized soon. Manager Brown said yes.

In response to Commissioner Clark's question, Manager Brown said the Board should discuss budgeting philosophy because the County had a limited amount of Capital Improvements Program (CIP) capital to erect new buildings or make purchases. He stated departments often chose to rent partially for that reason. He mentioned finding storage space since the pandemic had been difficult, and trying to find storage space for some of the incident command center supplies was challenging. He reiterated County departments probably had not considered purchasing or erecting buildings because of prior Board guidance. He said departments needed to receive guidance from the Board if the financial analysis showed that purchasing or building was preferable. Commissioner Clark suggested identifying surplus properties, liquidating them, and using those funds to build. He believed the County needed to look at long-term leadership, stating that renting a space for 37 years was not good and the Board needed to determine guidance for the future with the understanding that buying was always better.

Chair Hill said she agreed with Commissioner Clark's philosophy and asked whether he was ready to move forward with the lease items understanding it would take time to build. Commissioner Clark asked if the County could work faster than usual and possibly shorten the lease period or find alternatives.

Chair Hill inquired whether the lease contracts had termination statements. She asked if the Board needed to move forward with the items or if Commissioner Clark could work with the team to look for a better way to proceed. Mr. Crump said a couple of options were available, noting that renegotiating for a shorter term would likely result in price increases. He indicated the lease agreements all included clauses that would allow termination if the County did not budget for those expenses in any of the fiscal years throughout the lease. Chair Hill asked if the County could budget for a CIP instead of budgeting for a lease. Mr. Crump said potentially.

Chair Hill asked Commissioner Clark if he was comfortable moving forward with the items. Commissioner Clark said he spoke with the Sheriff about the WCSO's facility to determine if the WCSO had space that could be used by the County and he suggested moving forward with that option. He observed the Board could benefit from having a working knowledge of parcels owned by the County as well as leases and rents.

Mr. Crump mentioned the County leased much less space than it owned. He noted one lease had a 60-month term, the other two had 36-month terms, and a CIP construction project would likely take approximately five years. He said the lease contracts could be shortened but a CIP project would not likely be delivered within the five-year period unless the County purchased something that was already built. Chair Hill said she preferred to proceed with the leases and thought staff understood the direction for the future.

Commissioner Clark asked whether staff could provide a report within the next 60 days about vacancies, including square footage, of County-owned properties. Mr. Crump replied that was potentially possible. He noted the leases before the Board were primarily industrial warehouse-type spaces and the County did not really own any of those types of properties. He mentioned the Master Plan process was completed just prior to the COVID-19 (C19) pandemic but the County's needs were different post-C19. He observed that updating the Master Plan to reflect the future of work and the type of building footprint needed by the County might be required.

Commissioner Clark inquired if staff could provide a comparison in the next 30 to 60 days of available properties and the cost of moving equipment. He expressed concern about performing an analysis of the existing leases and finding the best rental rates. Mr. Crump said a review of rates was done as part of the negotiation highlighting the approximately \$0.57 per square foot per month. Commissioner Clark said he was not disparaging the work performed by staff, but he was seeking more information that he could use to comfort people who asked him about these items.

Chair Hill asked if the items could be moved to the next meeting without causing any issues with the agreements. Mr. Crump believed that would be fine.

Assistant District Attorney (ADA) Nate Edwards said he reviewed the documents for Items 10B3, 10B4, and 10B5, each of which included a provision stating the County could terminate the lease if it acquired a building that performed the same functions as the leased premises. The lease for Item 10B3 had a six-month provision and the other two items had three-month provisions.

Chair Hill asked Commissioner Clark whether the provision provided him with more comfort about proceeding with the items. Commissioner Clark approved of the escape clause. ADA Edwards read the provision from one of the leases.

On the call for public comment, Ms. Penny Brock said she was a conservative taxpayer, so she was always concerned about how taxpayer funds were spent. With regard to Items 10B4 and 10B5, she observed the electronic voting system was costing taxpayers a lot of money. She inquired whether staff was tracking the amount of money spent on the election using the Dominion voting machines since they were mandated by Assembly Bill (AB) 321. She asked why so much money was being paid for “common areas” as listed on the lease agreements. She believed the lease agreements were confusing.

Ms. Janet Butcher agreed with Commissioner Clark’s comments about finding space. She spoke about her experience renting space and about building a storage space that saved her money long-term. She was glad Commissioner Clark mentioned the possible availability of existing buildings. She asserted things could get done quickly and thought other options could be found instead of spending money.

On motion by Commissioner Clark, seconded by Vice Chair Herman, which motion duly carried on a 5-0 vote, it was ordered that Consent Agenda Items 10A1 through 10E1, with the exclusion of 10B2, be approved. Any and all Resolutions or Interlocal Agreements pertinent to Consent Agenda Items 10A1 through 10E1, with the exclusion of 10B2, are attached hereto and made a part of the minutes thereof.

23-0215 **10B2** Recommendation to adopt a new list of qualified General Appraisers pursuant to Nevada Revised Statute 244.2795 and resulting from Request for Qualifications #3201-23, to conduct appraisals of real property purchases contemplated by Washoe County and to conduct appraisals of real property offered for sale or lease by Washoe County, following the process outlined in Ordinance 1291. The proposed list of qualified General Appraisers include: Anthony J. Wren, Anthony J. Wren and Associates; Gary G. Young, Granite Appraisal Group; Lynn C. Barnett, Lynn Barnett and Associates; Thomas D Baroch, CBRE, Inc. Community Services. (All Commission Districts.)

This item was pulled.

BLOCK VOTE – 11 AND 12

23-0216 **AGENDA ITEM 11** Recommendation to approve Amendment No. 3 to the Owner-CMAR Preconstruction Agreement between Washoe County and MWH Constructors/KG Walters Construction for the South Truckee Meadows Water Reclamation 2020 Facility Expansion Project (STMWRF Expansion Project) within the South Truckee Meadows Water Reclamation Facility service territory [\$99,783.36] for a total amount of [\$1,472,180.62]; and authorize the Purchasing and Contracts Manager to sign Amendment. This amendment will allow for the necessary CMAR preconstruction services through the completion of the project allowing the County to benefit from reduced operational costs, value engineering and cost savings during construction. Community Services. (Commission District 2.)

There was no response to the call for public comment.

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

23-0217 **AGENDA ITEM 12** Recommendation to: (1) approve the purchase of certain portions of real property and associated sanitary sewer easements associated with the ICON Reno Property Owner Pool 3, Nevada LLC property (ICON Property), a portion of APN-163-010-03, in support of the Steamboat Sanitary Sewer Lift Station and Force Main Project, (purchase price of \$84,500.00), (2) designate the County Manager as the authorized representative for Washoe County with the authority to enter into the escrow and execute all necessary purchase and easement agreements and related documents for the purchase of portions of real property and associated sanitary sewer easements associated with the ICON Property, (3) authorize the County Manager to enter into an agreement for the construction of an associated access easement and adjoining parking lot in accordance with the real property purchase agreement (estimated cost \$600,000 which includes \$150,000 in project contingency), and, 4) direct the Comptroller to authorize payment to the escrow account held by First Centennial Title Company for the purchase of the identified property and construction of the access easement and parking lot. Community Services. (Commission District 2.)

There was no response to the call for public comment.

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

23-0218 **AGENDA ITEM 13** Recommendation to adopt Resolution R23-38 to execute a Lease Agreement between Washoe County and Accessible Space Inc. (ASI), a corporation for public benefit pursuant to NRS 82.021, for the development of approximately 120 units of affordable supported housing to support individuals transitioning out of homelessness for a term of 30 years [in the amount of \$1 per year] located on a portion of the Nevada Cares Campus [APN 008-211-50]. NRS 244.284 gives the Board authority to lease any of the real property of the county for a term not exceeding 99 years if such real property is not needed for the public purposes of the county and is leased to a corporation for public benefit, and the property is used for charitable or civic purposes. Manager's Office. (All Commission Districts.)

Division Director of Housing and Homeless Services Dana Searcy conducted a PowerPoint presentation which had been presented at the January workshop. She reviewed slides with the following titles: Lease: Line Drive Supportive Housing and Low-Income Housing Project; Affordable Housing Continuum & Regional Roles; Low-Income Affordable Housing Gap in Washoe County; Permanent Supportive Housing; Average Cost in Washoe County; Chronic Homelessness; Homelessness in Washoe County (2022); Line Drive Supportive Housing and Low-Income Housing Project; Benefits to Washoe County.

Ms. Searcy stated the County was investing in multiple homelessness programs, such as Our Place, the Cares Campus, and many others. With the approval of this agenda item, she said, those agencies would be utilizing the program to house individuals. There would be a community queue; everyone in the system would be given a standardized assessment, they would be placed on a list for affordable housing, and then placed into the housing as it became available. She explained that the average cost of a homeless individual was \$44,000 per year. If one multiplied that by 50 units, the cost would amount to \$2.2 million. For clarity, she explained this agenda item would allow for a 120-unit project which would be comprised of 50 units for supportive housing and 70 units for very low-income housing. Based on those numbers, and according to the Inter-Agency Council on Homelessness, she said the cost to the taxpayers would be reduced by 49.5 percent if they could get people housed and keep them housed through permanent supportive housing (PSH). She calculated that there would be a return on investment (ROI) in about three years if the Board allowed this project to move forward. More importantly, she stated, PSH would lead to a better quality of life for the individuals being served.

Ms. Searcy introduced Jerry Kappler from Accessible Space Incorporated (ASI) in Las Vegas who would share what he did and explain what this program would entail.

Mr. Kappler said ASI had been in business since 1971 and it was a national non-profit organization that developed affordable housing across the Country. He stated ASI had 26 developments in Nevada and more than 200 units of PSH it was currently operating. He asserted ASI was one of very few developers of PSH. His organization provided support services for people to live successfully in the community. He said this

development was for people who had a lot of needs such as physical disabilities, addiction, behavioral health concerns, and mental illness. He was a social worker as well as a primary developer in Nevada. He explained ASI understood the services and needs. He asserted a very small list of developers would respond to a request for qualifications (RFQ) as there were not many in the State who understood those types of needs. He spoke about seniors who were struggling with tax bills. He indicated there were more than 200 units of senior housing in the State of Nevada. ASI not only developed PSH but also senior housing. He noted ASI had developed more than 100 units in Clark County for homeless veterans. He stated there was significant difficulty with that project as people did not want homeless people living in their community. He said there had been no complaints at those properties and asserted they were extremely successful. People had come to ASI with no income and had been able to afford housing. He wanted to work in Washoe County to develop and help the neediest members of the community. He mentioned ASI had 618 units of developed housing in the State and more than 17,000 people were on a waiting list for housing. He knew Nevada had been ranked between 48th and 50th in affordable housing for the past five years and he hoped that was something the County would try to change. He asserted this was a great partnership opportunity and that the County's ability to make this project real needed to happen quickly as there were timelines for the development process.

Ms. Searcy stated a question was asked about the lease being for 30 years and explained the term was dictated by the United States Department of Housing and Urban Development (HUD) as the grant funding was for 30 years.

Vice Chair Herman wondered whether seniors were included in this project. Mr. Kappler stated there would be two parts to this project, 50 units for people at risk of homelessness and 70 units for anyone qualifying for low-income housing.

Vice Chair Herman asked about the property as she thought it was three acres. Mr. Kappler confirmed it was three acres and would include a three to four-story development. He indicated ASI was working with the City of Reno to ensure there was adequate parking for the units ASI proposed to build. Vice Chair Herman questioned the possibility of putting more units on the three acres. Mr. Kappler asserted it would depend on the height of the building. He thought this would be better answered by an architect. He mentioned a waiver for reduced parking spaces and stated many things were required for a project such as this. Vice Chair Herman asserted many people without money did not have cars. Mr. Kappler reiterated there was a waiver for reduced parking, and ASI would be required to have more land if it did not have the waiver. Vice Chair Herman wondered about the ability to lease parking on the other acres. Ms. Searcy indicated staff had been working with Reno, had gone to the Planning Commission, and had received a waiver for parking. She explained the standard for parking was 1.5 spaces per unit and it was down to about 0.8 or 0.7 parking spaces per unit. The parking area would have its own entrance, so it was not part of the main campus entrance. She said the contract needed to be solidified with the County's support before Mr. Kappler could move forward with the contracts, architects, and project specifics.

Commissioner Andriola said it appeared ASI was responsible for all facility maintenance and costs. Mr. Kappler stated that was correct. Commissioner Andriola asked Mr. Kappler to share the success rate as a whole, and especially in Nevada. She indicated he also spoke about Clark County related to veterans and had said there were no complaints. She wanted to see a summary of any complaints that were received. Mr. Kappler said one of the comments made earlier was about ensuring Washoe County would be around. He mentioned ASI had developed 28 properties and had never lost a property in development, noting every property it developed was still being run as intended. Not many developers in the State could say that because there were timeframes on affordability when pursuing government money. He stated there could be 30 years or 40 years of affordability and indicated ASI had surpassed that time frame with some developments. He asserted all of ASI's developments were still affordable. He commented about an 18-unit PSH facility in Clark County that only one person had moved out of in six years. Regarding the success rate, he said almost no one ever moved out and the wait list continued to grow due to the low rent versus the market rate. He asserted every development ASI finished was full within two weeks of completion. Commissioner Andriola asked about the \$2 million in funding and wanted clarification that this was HUD funding. Ms. Searcy stated the project had received \$15.8 million from Home Means Nevada through State American Rescue Plan Act (ARPA) funds and through the Home Consortium Project, which the City of Reno administrated. Reno, Sparks, and Washoe County were all members of this. She said the Home Technical Review Committee recommended that this project receive an additional \$2 million. She confirmed the HUD dollars required Mr. Kappler to have site control when the money came forward.

Chair Hill explained this was a State and federally-funded project and the County was providing the lease for the three acres. Ms. Searcy stated the land was worth a little over \$3 million, which was the County's contribution to the project. She indicated this would lower costs across the spectrum for the chronically homeless. Chair Hill asserted if the County walked away from this that day, it would be like walking away from \$18 million in State and federal funds.

Commissioner Clark said that money was money, and he was a fiscal conservative. He wanted to find out how to help the most people. He brought up Mr. Nevin Armstrong who came in with a walker because he had broken his leg twice. Mr. Armstrong was worried about his taxes going up and his wife being very ill. Commissioner Clark wanted to find out how to help people like Mr. Armstrong. He asserted Washoe County spent more money on animal control than on senior citizens, and 50 times more on the homeless than on seniors. He wanted things to be more balanced. He acknowledged the State and federal funds but said the County spent \$5.5 million for five acres on 4th Street. He stated that as the previous Assessor, he had asked his staff if they could remember any five-acre parcel in the Truckee Meadows selling for \$5.5 million. He wanted to know who the architect was and how much the County was spending on this project. He indicated there were at least four, possibly six, petrochemical tanks on the property and he wondered whether anyone had investigated the cost to remediate them. He stated it could cost hundreds of thousands of dollars per tank and asked about any studies that had been done. He expressed concern about people living on the property with cancer-causing

petrochemical fumes underground. He wanted to find out about the land before housing was built there.

Director of Engineering and Capital Projects Dwayne Smith stated when the site was evaluated several things took place. He indicated staff was aware of the petrochemical tanks underground. He said several meetings had occurred with the State and mentioned a State fund related to leaking underground storage tanks. Staff then met with the State to ensure the correct processes and procedures were in place for the remediation of the site. He mentioned the goal was to obtain a clean bill of health. Through that process, a remediation plan was developed. It was submitted to the State for review and approved. He said the tanks were identified and a plan was determined as part of the bid package with a cost of a little over \$1.2 million. He admitted they would not know what they were up against until the ground was opened up to take the tanks out. He asserted they were being conservative because it could be much less than the allocated amount, but they needed to ensure they had the correct amount of funding for the removal of the tanks, to chase contaminated soil if needed, to dispose of the debris at a proper site, and to receive clean bill of health closure letters from the State of Nevada.

Commissioner Clark asserted he was well aware of the process but stated 100 percent of underground tanks leaked. He wondered whether the County was going to excavate the property and remove the tanks. He stated there were companies that specialized in tank removal and knew all the rules and regulations for the removal of the tanks and the cleaning of the soil. He indicated once a remediation job of this sort was started, there needed to be enough funding to complete it since there was no stopping before it was done. He wanted to know the plan and be informed of any detailed work or surveys being done. He said this was a long-term truck terminal and noted that back in the day no one cared about the environment. The companies dug pits, drained the oil from the vehicles, and buried it. There could be additional stains on the property. He asserted he wanted answers to these questions before anyone's money was invested.

Mr. Smith reminded the Board this project was funded with HUD money, which came with a rigorous National Environmental Policy Act (NEPA) requirement for environmental assessment (EA) and conformance. He asserted staff had gone through the initial steps and properly requested bids for the project with the approved remediation plan so the appropriate contractors with licenses and certifications would be part of the team doing the work. He said they knew there were other tanks onsite which had been previously removed. They had records of where the tanks were located and records regarding the tanks that had been removed. He indicated those records had been used to help them understand what they were up against. He noted these were not new processes for Washoe County as it had been involved in other rigorous projects before. He stated they had the knowledge and experience, along with their State and local partners, to ensure they addressed potential issues. He asserted the County had the appropriate people in place to help ensure the goal was obtained, which was the closure letter from Nevada stating they had followed all the rules and requirements.

Commissioner Clark thought there was agreement about what was happening but restated his prior question about the cost to fix the issues. He agreed that there was no way to get an exact cost until the ground was opened. He wondered whether this could contaminate the Truckee River. Mr. Smith said the process had opened the County up to other funding opportunities. He noted those things were predicated on following the closely developed remediation plan, meaning the County was bound by the plan. He admitted staff was also concerned about impacting the Truckee River and they had done the front-end work by knowing the number of tanks, the potential issues on the site, and the types of soil, which the remediation plan reflected. He mentioned the City of Reno was a partner in the project and had committed additional funding should the need arise. He stated the initial estimates were less than the conservative bid. He indicated if the cost exceeded the bid, there were other funding sources and options that could be brought back to the Board.

Commissioner Clark asked again about the cost to taxpayers for this project. He declared it was the people on the dais who had to make the decision to approve this item and he thought the Board was not receiving all the information. He did not understand why the County would want to build on property with known petrochemical leaks. He spoke about former Commissioners who had pushed this through and said now the current Board was having to make tough decisions about it.

Mr. Smith appreciated Commissioner Clark's comments and indicated when the property was initially purchased, activities had taken place so the County and other stakeholders would know what they were up against. He stated he was confident in the remediation plan and the NEPA requirements for the EA that occurred on this property. He was certain the bid item captured sufficient funding to get through the potential environmental cleanup action. He said he was pragmatic and indicated costs could exceed what was included in the bid. At that point, they would be asking for additional support depending upon what was needed. He was assured the planning work performed at the beginning of the project put the County in the right place to allow staff to move forward. He hoped that provided some clarity and insight into the process. He thought Commissioner Clark was correct and noted people heard horror stories about additional issues that were not identified. He indicated staff would deal with those as professionals, working with the State and other partners if any issues came to light.

Chair Hill thought there were some uncertainties moving forward with this, but the County had so many partners coming to the table to help support this project. She supported the project and believed it was an essential part of the homelessness program. She asserted this was how to get people out of homelessness.

Commissioner Garcia stated she appreciated the presentation and thanked Mr. Kappler. She indicated support for the contract and for the overall regional investment that had taken place since 2020. She was pleased with the seven different public meetings that occurred over the past two years. She believed the County could not wait any longer for this project. She stated she was prepared to make a motion.

Commissioner Andriola asked if the item would come back to the Board if the project revealed a situation that did not allow it to move forward, or if it exceeded the funding plan spoken about. She also wanted to know if the Board could stop the project if it was discovered that the land was not conducive to moving forward due to hazards. Mr. Smith asserted the Commission always had the authority to make decisions to stop any project. County Manager Eric Brown confirmed that was correct. Commissioner Andriola thought that was helpful and believed approving this item would not be committing to a blank check on the backs of taxpayers. She wondered if it would come back to the Board for review and appropriate action if a situation arose that could impact taxpayers or funding. Manager Brown confirmed it would.

Commissioner Clark thought all problems could be solved but said the County needed to get a handle on this project. He mentioned he had asked several times for a dollar figure for the worst-case or even best-case scenario, and he wanted it on the record. He spoke about having partners who would commit funds if the project needed more money, and he thought an agreement should be executed so the taxpayers would not be held responsible. He spoke about gas stations having to replace leaking tanks and asserted it was very expensive. He agreed the homeless needed help.

Chair Hill stated staff outlined an estimated \$1.2 million which was included in the Home Means Nevada grant the County received. She noted the State of Nevada was a partner that could assist with remediation. She asserted the City of Reno had already committed funds to help with remediation. She understood staff did not know every cost, but she felt confident that staff had worked with the partners. She mentioned if there needed to be additional agreements, that direction could be provided to staff.

Ms. Searcy indicated the County purchased the land knowing the situation. After both Phase I and Phase II of the environmental studies were completed, the plan was put together for the remediation. She explained this item was only for the lease; the next agenda item was for the construction of the project.

Vice Chair Herman thought the cleanup should have been done beforehand to find out what was there. She expressed concern about the County getting into a liability situation.

Commissioner Clark thought that when building anything, the foundational bases needed to be considered, and that was the land. He wanted to ensure the partners who were willing to help would put it in writing. He believed this project was not thought-out properly from the beginning and asserted the property was purchased in a rush.

On the call for public comment, Ms. Christine Hess, Ms. Lisa Genasci, and Mr. John Soloman were not present when called to speak.

Ms. Janet Butcher thought she would not want to live there.

Ms. Penny Brock appreciated Commissioner Clark's questions and analysis. She stated she was unaware of the tanks buried underground. She told a story about a friend whose father died and had left behind a gas station. Due to the cost of the remediation of the underground tanks in order to sell the property, there was no inheritance left. She asserted this was not a cheap project. She agreed more information needed to be gathered and said that when dealing with toxic chemicals there were long-term effects. She mentioned her late husband was exposed to chemicals and his cancer and death were caused by the ionizing radiation exposure. She opined long-term risks could occur to the population who would live on the land. She expressed concern about the money being spent on the homeless and the Cares Campus. She wondered how much money the taxpayers had invested in the homeless population. She asserted the County wanted to go into affordable housing and wondered how much more this would cost taxpayers. She wanted money to be spent on veterans, seniors, services for low-income families, and lowered property taxes for those who were retired and on a fixed income. She indicated wait lists for childcare centers averaged 18 months in Washoe County. She provided a document, which was placed on file with the Clerk.

Mr. Larry Sykes wanted to speak about Agenda Item 14.

Ms. Michelle Wagner stated that before she was a registered nurse (RN), she was a technical writer for Kleinfelder, Inc. She had written reports for the San Francisco International Airport (SFO) and submitted them to the Environmental Protection Agency (EPA), Air Quality Management, and soil companies. She indicated those sites had to be cleaned up one way or another. She spoke about the Northern Nevada HOPES (HOPES) clinic being built adjacent to the Cares Campus and said she did her own soil studies, which tested clean. She said if a plume was as big as they worried it was, it would have infiltrated into the area where the HOPES clinic was being built. She thought this information should provide some comfort. She thanked the Board for allowing HOPES to weigh in on the importance of continued funding for the Cares Campus and affordable housing. She shared her amazement about the growth in the community during the 23 years she had been in the area. She spoke about growth being exciting but said it presented challenges including a housing shortage. She said the increase in individuals experiencing homelessness led to safety and health concerns. She noted since HOPES provided health care to low-income individuals, it knew the path to wellness involved much more than medical care. Individuals needed a place to live to be healthy. She commented that people's surroundings set the tone for how they worked, lived, and played, defining the health of the entire community. The Cares Campus staff and the Board continued to work to create a safe and healthy environment for everyone at the campus, improving health at the individual level. HOPES, Hope Springs, and the Cares Campus would hopefully be able to provide wrap-around services and things that most people took for granted. She brought up one of the biggest issues was when people lost their medications and belongings because they had no place to keep them. She said she had the opportunity to spend time with people at the campus and many of the people were there due to things that could happen to anyone. She asked the Board to fund the project.

Mr. Chris Phillips was not present when called to speak.

Commissioner Clark expressed support of HOPES Catholic Charities of Northern Nevada (CCNN), and anything that could help people live better lives. He was interested in seeing the soil study Ms. Wagner spoke about and wanted to find out if the plume migrated across property lines. He wanted to know exactly where the tanks were located on the property as the HOPES clinic was another five acres away. He wondered whether core samples were done on the subject property. He asserted he was not trying to prevent anyone from receiving the help they needed, but he did not want anyone else to be responsible for mismanagement. He wanted things to be done correctly and not to have to fix them in the future.

Commissioner Andriola said receiving clarification that the Board had the authority to stop a project and bring it back for further action provided her the comfort needed to support this project.

Commissioner Clark stated he was on board with supporting the homeless; however, he wanted to ensure his comments were on the record so the Commission would have the political will to fix any issues if the project came back to the Board.

On motion by Commissioner Garcia, seconded by Commissioner Andriola, which motion duly carried on a 3-2 vote with Vice Chair Herman and Commissioner Clark voting no, it was ordered that Agenda Item 13 be adopted. The Resolution for same is attached hereto and made a part of the minutes thereof.

23-0219 **AGENDA ITEM 14** Recommendation to authorize the Guaranteed Maximum Price (GMP) 2 Agreement for the NV Cares Campus Phase 3 Intake Center Project (Intake Center Project) with Clark/Sullivan Constructors, Inc., doing business as Clark Sullivan Construction, the project Construction-Manager-At-Risk (CMAR). The Intake Center Project, located at 1800 Threlkel Street, includes supporting infrastructure such as a security check point, a nurse's station, case management, counseling and staff offices, a break room, as well as other necessary infrastructure such as perimeter fencing, landscaping, roadways, parking lots, and underground utilities. The Phase 3 Project also includes the remodel of an existing storage building into a Resource Center with capacity for overflow sleeping and includes restrooms, showers, laundry facilities and storage as well as other supporting elements. Budget for the GMP 2 construction agreement has been previously approved [in the amount of \$28,274,566.00] and work is anticipated to commence on or about April 12, 2023. Community Services. (All Commission Districts.) 4:27

Division Director of Housing and Homeless Services Dana Searcy conducted a PowerPoint presentation and reviewed slides with the following titles: Nevada Cares Campus Development (3 Slides); Nevada Cares Campus Development – Progress; Nevada Cares Campus Development; Nevada Cares Campus Development – Capital Budget (2 Slides); Nevada Cares Campus Outcomes; Nevada Cares Campus (2 Slides); Nevada Cares Campus Outcomes – Reliance on Regional Emergency Services; Nevada

Cares Campus Outcomes – Partnerships with Service Providers; Nevada Cares Campus Outcomes – Point in Time Count; Nevada Cares Campus Outcomes – Permanent Housing Placements; Nevada Cares Campus Outcomes – Recidivism Rate; Nevada Cares Campus Phase 3 GMP; Nevada Cares Campus – Construction Timeline; Nevada Cares Campus – Phase III; Cares Campus – Welcome Center; Nevada Cares Campus – Phase III; Nevada Cares Campus – Resource Center; Nevada Cares Campus – GMP Funding; Nevada Cares Campus.

Ms. Searcy informed her presentation would include the overall development plan, outcomes, and specific information about Phase III of the Cares Campus. She stated she would provide a history of the project. She recalled that in November 2020, in the middle of the pandemic, people were sleeping in event tents because there was not enough capacity to be able to socially distance individuals at the Community Assistance Center (CAC) on Record Street. During a joint meeting between the Cities of Reno and Sparks and Washoe County, the jurisdictions approved the purchase of 15 acres of land to house the project. She informed an agreement was put in place to outline the breakdown of funding and the needs to be addressed. She relayed that the immediate need was to mitigate the shelter capacity issue and the long-term goal was to establish a shelter that was close to downtown and large enough to provide services to meet the needs of the region. After the Cares Campus opened in August 2021, Reno, Sparks, and Washoe County entered into an interlocal agreement to transition homeless services over to Washoe County. As part of that agreement, the County agreed to develop Phase III of the Cares Campus. She informed the County retained responsibility for the Cares Campus on September 1, 2021, and had been working through the design and budget for the project. She stated the County had worked with regional and national partners to ensure best practices and policies were brought to the campus. She declared the project had been discussed in depth over the past year and a half, specifically with the Community Homelessness Advisory Board (CHAB). She stated her department had also worked with the Board of County Commissioners (BCC) to keep Board members apprised of progress as the project moved forward.

Ms. Searcy declared the project was expensive. She stated it was costly to house 2,400 individuals experiencing homelessness in the region, so it was important to ensure the campus was designed to provide services. She displayed a breakdown of the plan progress for the past year and a half and pointed out that the items in yellow had already been accomplished. She stated the first priority was to increase capacity and to ensure the appropriate staffing was hired. She informed the goal was not just to house people, the County wanted to ensure the ability to move those individuals into permanent options and get them connected to resources and treatment as appropriate. She reported the Board had approved six counselor positions for behavioral health support, one of which was still vacant. She declared it was important to have partners on-site to care for the volume of people who utilized the Cares Campus facility. She informed Phase I of the Cares Campus project was completed by the City of Reno which involved purchasing the land, building the Sprung, and setting up utilities. Phase II included improvements to the Sprung and setting up restrooms, laundry, and showers. She informed the next piece of construction was Phase III, which included most of the buildings that would provide

services and enhance safety on the campus. She stated Phase IV would be the Line Drive Housing Project which would focus on supportive housing. She displayed an overview of the campus that depicted the location of the different project phases. She highlighted the budget and informed it had not changed since October 2022 aside from fine-tuning. She reiterated Washoe County did not fund 100 percent of the Cares Campus; it was a regionally funded project.

Ms. Searcy spoke about the outcomes of the project. She informed there were over 750 people on the campus every day and in one year staff saw almost 3,000 unique individuals who needed help. She stated 43 percent of people on the campus were aged 55 and over. She pointed out that 50 percent of patients had a physical or cognitive disability. This group of individuals was targeted by staff for permanent housing support. She stated 30 percent of Cares Campus patrons were uninsured. She expressed pride in the decrease in law enforcement and emergency medical services (EMS) responses to the campus. She pointed out that over the winter those numbers went up, but they were still lower than at the onset of the project. She stated those numbers would continue to be monitored to ensure they went back down as winter came to an end.

Ms. Searcy explained there was also an increase in community partnerships. In March 2022, the County had 13 partners signed up to work at the campus. At present, that number had grown to 29 partners. This also supported the Built For Zero work through increased efficiency in how services were provided. She stated it was very inefficient for someone to show up at the campus and then need to travel across town to get to an appointment, so the more resources that were provided on the campus, the better. She displayed the point-in-time (PIT) count from 2021 to 2022. She stated that one year after the campus opened, there was a decrease in unsheltered individuals. She declared permanent housing placement was the most important metric staff looked at when helping people find temporary solutions, as well as a permanent end to homelessness. She expressed pride that the number of people placed in permanent accommodations continued to grow. She stated the number of people permanently housed had tripled since case managers were hired at the Cares Campus. She pointed out this presentation was the first time staff was sharing data regarding the percentage of individuals who returned to homelessness within six months of being housed. Looking at the same time last year, staff was keeping about 60 percent of individuals in their housing. That number had since grown and only 26 percent of people placed in housing returned to homelessness. She stated this figure was not just at the campus, it also measured whether people were touching the homeless system at any point.

Chair Hill asked Ms. Searcy to repeat the figure. Ms. Searcy explained 37 percent was the actual recidivism rate, so 63 percent stayed housed last year. That figure had been reduced to 26 percent recidivism so 74 percent were staying housed.

Ms. Searcy displayed a map of the Cares Campus with a construction timeline and explained Phase III was the area highlighted in gold. She explained this phase included the main building for the Cares Campus which would house the welcome center, case management and therapy offices, offices for staff, and the dining hall. She went over

the first-floor layout of the building which included the intake center, therapy offices, case management, and the dining hall. She explained the second floor of the building would be a staff-only area which would include offices, a break room, lockers, and a staff training room. She outlined plans for the location and construction of the resource center on the campus. She highlighted that the center would include computers, restrooms, laundry machines, showers, and winter overflow lodgings. She explained this building would also have community mail services for individuals housed at the Cares Campus. She stated the funding for this phase of the project was approved on December 20, 2022, and would come from American Rescue Plan Act (ARPA) funds, grant funding, and capital campaign funds. She clarified there were no Washoe County general fund dollars going toward the current phase of the project.

Commissioner Clark asked if core sample drilling and a Brownfield study had been completed for the project. Division Director of Engineering and Capital Projects Dwayne Smith responded that both Phases I and II were done prior to the purchase of the property. He had the underground storage tank removal and remedial action plan which he was more than happy to send to the Board. He explained the plan identified the tanks that were previously removed, the remaining tanks, and the scope of work. Commissioner Clark stated he would like to see the plan.

Commissioner Andriola wanted confirmation that the wrap-around services that would be housed along with the other partners at the Cares Campus were already in the budget and there would not be an additional impact to the Washoe County budget. Ms. Searcy replied all the staff positions were approved over the last year. She explained some staff positions were funded through ARPA to expedite those positions as there were limited resources related to case management. She stated medical services were provided through a contract that staff hoped would go away when the Northern Nevada HOPES (HOPES) clinic opened. She asserted there was no anticipated ask for additional staff related to the Cares Campus.

Commissioner Andriola spoke about law enforcement training and opined they may not be equipped to handle some of the issues that arose with the complexity of homelessness. She wondered if there was a cost comparison in terms of savings. Ms. Searcy displayed a slide from her presentation that compared the costs per day at the shelter, including staffing, versus a single-night stay at the jail. Commissioner Andriola stated the Cares Campus offered an opportunity so law enforcement could do its job and the professionals at the Cares Campus could ensure fiscal responsibility in administering services. She said homelessness, like unemployment, would never be zero. She asked for confirmation that this consideration was part of the analysis when the grants were submitted. Ms. Searcy responded that staff worked closely with law enforcement and outreach teams. She stated case managers worked with each individual to determine specific needs and treatments. The campus acted as a hub so when an individual was lacking shelter or treatment, they could be brought to the Cares Campus and staff would take the time to connect them to the appropriate resources.

Commissioner Andriola wanted to ensure the funds allocated to the project were specific to the project and could not be reallocated to any other programs. She asked if another state would have the opportunity to absorb the funds if the Board did not act. Ms. Searcy replied that was correct and displayed the “Capital Budget” slide which included the funding breakdown. She stated the County contributed ARPA dollars. Technically, the Board could reallocate the funds to a different project, but they had already been obligated as the County’s commitment to the Cares Campus through the interlocal agreement with the Cities of Reno and Sparks. She informed the Board approved the funds to be set aside for the Cares Campus in December 2022.

Commissioner Andriola commented she had the opportunity to hear testimony from businesses that had seen an improvement due to the phases that were in place at the Cares Campus. She thought the Board had a responsibility to businesses as well. She thought the fact that the Community Foundation raised close to \$1.6 million for the project was a testament to the community knowing the severity of homelessness. Serving all citizens of the County was important to protect everyone’s public safety. The fact that there was already a decrease in recidivism was an indication of a positive outcome of the project.

Chair Hill spoke about a gentleman who became homeless after his partner passed away and the struggles he had to find shelter due to having a pet. She reported he was able to utilize services at the Safe Camp and made helpful suggestions to make the facility a better place to live. She stated he recently called her to thank her for taking the time to learn about his situation and to report that he had been placed in permanent housing through services at the Cares Campus. She appreciated the Built for Zero model of the project and asserted staff was trying to decrease homelessness to zero.

On the call for public comment, Ms. Christie Holderegger stated she was the President and Chief Executive Officer (CEO) of Volunteers of America (VOA). She informed her organization was contracted to operate the Cares Campus. She thanked the Board for its ongoing support and investment in the campus because it was changing lives. She stated she had hundreds of stories like the one mentioned by Chair Hill. She had been with the VOA for 31 years and her children had grown up there. She stated the reason she was still with the organization was because of the hope it could provide to the community. It was about hope, love, community, and giving people purpose. She declared each member of the Board had that in their lives and that was what the homeless neighbors also needed. She stated staff recognized each person who entered the Cares Campus as a guest because they were not there to live permanently. She informed staff members built relationships with those individuals to find out what they needed and had them be part of the solution so they could be invested in the plan. She asserted she saw lives change every day. She declared Washoe County had been an excellent partner in collaborating with her organization to serve the vulnerable population. She thanked the Board for its support and investment in the Cares Campus.

Mr. John Sullivan was not present when called to speak.

Mr. Larry Sykes stated he moved to Reno from Dallas, Texas a year and a half earlier. He informed he was in the homeless services industry for 18 years working as staff and as a volunteer. He declared homeless people were just like him, they just did not have the advantage of a good home, a good education, and reasonable employment. He asserted that over the 79 years of his life, he never worried one night about where he was going to sleep. The homeless, particularly those who were not in a shelter with a bed and meals, spent a lot of their time trying to figure out where they were going to sleep. He understood many of them received Social Security income which was generally \$730 per month or \$24 per day. He wondered how people could live off that if they did not have other income. He stated he was in support of this item and listed the various services the Cares Campus provided. He informed he volunteered at the Cares Campus, and he thought staff was doing a great job.

Ms. Michelle Wagner was called but opted not to speak.

Mr. Chris Phillips was not present when called to speak.

Ms. Penny Brock pointed out that this item would cost \$78 million. She wondered what percentage of the population used Cares Campus services. She inquired about people on fixed incomes and working families that were struggling due to inflation with taxes going up 3 percent that year. She pointed out the Legislature had a bill to raise property taxes to 8 percent. She shared there was also a bill in the Legislature called the Homeless Persons' Bill of Rights. If passed, it would give the homeless the right to reside on any public property they chose such as parks and sidewalks. She stated that in San Francisco, California, the homeless population had formed a union to be provided housing. She wondered what the Cares Campus was ultimately going to cost the taxpayers. She asked how much money had been invested in the Cares Campus and the Safe Camp. She declared property taxes should be lowered for retired people and seniors on fixed incomes.

Ms. Elizabeth Pope stated she was an employee of Washoe County who managed the case management team for Housing and Homeless Services. Her department employed the case managers for the Cares Campus emergency shelter and the Washoe County Homeless Outreach Proactive Engagement (HOPE) Team. She encouraged the Board to support funding for the next phase of Cares Campus construction which would include a new intake center as well as a working space for behavioral health and case management teams. For under one year, staff had been helping people at the Cares Campus obtain needed housing resources. She asked the Board members to take a moment to think about a time in their lives when they decided to make a change, remember that moment, and think about what it took to make that change. She asserted change was complicated and took time. She stated the implementation of a housing-focused shelter was a change the community had needed for a long time. She reported that historically, staff had difficulty answering questions about housing outcomes and bed inventory. Those pieces of data were now available every day on the Cares Campus website. She assured staff was coordinating with partners daily to ensure those seeking shelter did not slip through the cracks. She thought the staff employed at the Cares Campus was a passionate and dedicated group that inspired her every day with their perseverance, compassion, and hard work.

Helping individuals seeking the services of the Cares Campus required a place for staff to work as well as affordable housing options to place people. Helping people make changes required stability, privacy, safety, and technology, which were not aspects originally constructed at the Cares Campus. She asserted staff had started to see positive outcomes for their efforts.

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

Commissioner Clark mentioned an article in the *Reno Gazette-Journal (RGJ)* written by Mark Robison regarding CrossRoads Reno and its excellent record of success. He noted the organization had apartments that housed a group of 20 to 30 people. He suggested the Board could look into older apartments that could be rehabilitated or hire contractors to build new units which would become County surplus properties. He thought the work at CrossRoads was phenomenal and may have some of the best success rates in the Country. He believed the Board needed to investigate if it could duplicate that system and make it a model for the future.

Chair Hill stated she had asked CrossRoads staff to attend the meeting to answer questions that pertained to them. She noted the article was great and CrossRoads' achievement was something to be applauded. She understood that program worked in tandem with what Washoe County did at the Cares Campus. She stated the community needed both emergency shelter through the Cares Campus as well as a program like CrossRoads.

Commissioner Garcia stated the program had come a long way and the outcomes were impressive. She asserted statistics were trending in positive directions, noting the program had tripled its permanent housing placements and that recidivism rates, reliance on law enforcement, and medical services were decreasing. She appreciated the slides that depicted the diversification of funding sources and regional partners. She expressed excitement and support for Phase III of the project.

Chair Hill asked Commissioner Garcia if her comment was in the form of a motion to which Commissioner Garcia responded yes. Assistant District Attorney (ADA) Nate Edwards asked Commissioner Garcia if her motion was to approve this item. Commissioner Garcia replied yes and read the motion listed in the Staff Report.

Commissioner Andriola thought it was challenging to be faced with a project that had been worked on before she was a member of the Board. She noted this item was a contract that had already gone through major vetting. She thought the presentation and information provided were helpful to new Commissioners. She hoped that as the project continued to move forward, the Board would see the outcomes, receive reports in terms of how the project was going, and see any cost savings or allocation of funds that were being saved. She thanked staff for their hard work.

Chair Hill agreed with Commissioner Andriola and thought the Board would receive reports moving forward on the work being done at the Cares Campus.

On motion by Commissioner Garcia, seconded by Commissioner Andriola, which motion duly carried on a 3-2 vote with Vice Chair Herman and Commissioner Clark voting no, it was ordered that Agenda Item 14 be authorized.

23-0220 **AGENDA ITEM 19** Public hearing: Appeal of the Washoe County Board of Adjustment's approval of:

1. Administrative Permit Number WADMIN22-0025 Ormat Geothermal Exploration to approve the construction and drilling of up to 13 geothermal test wells northwest of Gerlach, NV.

The applicant for the administrative permit is ORNI 26 LLC, who hold federal geothermal leases on APN's 071-150-09, 071-220-18, 071-220-19, and 071-220-23. The entirety of the project is on federal land administered by the Bureau of Land Management (BLM) There are two appellants: (1) Burning Man Project, represented by Natalie Nicol, Esq, and (2) the applicant, ORNI 26, LLC, represented by Garrett Gordon, Esq. The Board of County Commissioners (Board) may affirm, reverse, or modify the decision of the Board of Adjustment. The Board's analysis may also include a finding on the issue of standing to bring the appeal in the first place. If the Board modifies or reverses, it may remand the matter back to the Board of Adjustment with instructions. Community Services. (Commission District 5.)

Chair Hill opened the public hearing.

Chair Hill explained staff had a brief presentation, each appellant would be given ten minutes to speak, there would be an opportunity for public comment, and finally, there would be discussion by the Board.

Planning Manager Trevor Lloyd conducted a PowerPoint presentation and reviewed slides with the following titles: Ormat Geothermal Exploration Major Grading Special Use Permit Appeal; Vicinity Map; Determining Standing; Request; Background; Proposed Operations; Reasons for Appeal; Visual Rendering; Possible Motions Special Use Permit (2 slides); Thank you.

Mr. Lloyd stated this item was an appeal of the Board of Adjustment's (BOA) January 5 decision to approve 13 geothermal exploration wells. The reasoning provided by the first appellant, the Burning Man (BM) Project, was improper noticing of the Gerlach Empire Citizen Advisory Board (CAB). He noted the noticing language was adopted when the CABs were involved in reviewing development projects. The County had since adopted a new process where CABs no longer reviewed development projects which was why the CAB was not noticed. The second reason cited for the appeal was the suitability of the site for an industrial-scale geothermal energy project. He observed the proposal was for test well sites only, not a geothermal energy project. He said a new

application and special use permit (SUP) would be required if a geothermal energy project became a possibility.

Attorney Severin Carlson from Kaempfer Crowell Law Offices conducted a PowerPoint presentation and reviewed slides with the following titles: Burning Man Project; Gerlach and the Black Rock Desert; photos (4 slides); Gerlach; photos (5 slides); Ormat Plan; Proposed Gerlach Geothermal Exploration Project (4 slides); and photos (7 slides).

Mr. Carlson said he represented the BM Project, and Ms. Tina Walters and Mr. Andy Moore as property owners and residents of Gerlach. He requested the Board ensure that the Washoe County Code (WCC) and the High Desert Area Plan's (HDAP) requirements for public input be followed and for the application to be sent back to the BOA. He stated this meeting was not the proper forum for more than a remand order from the Board. He noted the BOA allowed for virtual participation via Zoom and it was in a better position to develop an adequate record for the Board to consider an appeal based on merits. He asserted BM had standing for the appeal and that the County's HDAP conferred standing by highlighting BM's interest and recognizing the cultural and economic impacts of the annual event. He said the unique use occurred within the planning area creating economic opportunities for the towns of Gerlach and Empire and a significant employment base. BM was a key factor of economic development within the planning area and a provider of cultural and artistic opportunities showcased on an international level.

Mr. Carlson observed Ormat Technologies Incorporated's (Ormat) proposed test wells were adjacent to BM's real property of less than half a mile from Gerlach. He noted BM owned approximately half of the commercial property in Gerlach as well as its 360 Property which was being developed into a permanent hub for economic and cultural opportunities including a 100-acre sculpture park, trail system, and a hot spring for recreational use. He said geothermal use was not just focused on Ormat's industrial power regeneration project under the area plan. He referred to Nevada Revised Statutes (NRS) 278 which stated that appearing before the BOA conferred standing, but it did not require the appearance to confer standing. He quoted WCC Section 110.808.40 which addressed noticing requirements. He acknowledged the County might have reconstituted the functions of the CABs, but he stressed that the section of the Code regarding notices and the HDAP had not been amended. He stated those provisions would become either superfluous or nugatory under Nevada's case law if they were just ignored. He referred to the Nevada Supreme Court's decision on *Southern Nevada Homebuilders Association versus Clark County*, 121 Nevada from 2005 regarding rendering words or phrases superfluous or nugatory. He acknowledged that changing the CAB functions was within the Board's purview, but he reiterated the section of Code on noticing and the area plan had not been amended.

Mr. Carlson asserted the lack of public input in this case supported remand. He said Ormat characterized the absence of public participation as no opposition to its project, but he thought there were key circumstances in this case. He outlined the timeline for the application and public meetings which included noticing two days prior to

Christmas and the BOA January 5 meeting during a snowstorm. He mentioned a community meeting held in Gerlach regarding the Bureau of Land Management's (BLM) review of the project that drew 71 participants which was half of the population of Gerlach. He said residents and stakeholders expressed concern in opposition to the project during the community meeting. He mentioned the water resource requirement for the project which Ormat indicated would be provided by the Gerlach General Improvement District (GGID), noting the GGID had not been approached by Ormat with the request. As an alternative, Ormat indicated it might purchase water from a neighboring property owner. He questioned the possible impacts of transporting water for the project. He said the finding should not have been met because the project was not consistent with the HDAP which had competing interests. The HDAP called for scenic and tourist uses related to the hot springs and BM. He summarized the BOA needed to consider the competing interests in the area plan, the impacts on roads, the impacts on hot springs and water resources, and the noise impacts of the project. He asserted the BOA had the ability to weigh those factors after the public had the opportunity to participate.

Attorney Garrett Gordon conducted a PowerPoint presentation and reviewed slides with the following titles: Ormat Geothermal Exploration Wells; Legal Standing; Project Location; Project Background; Project Request; Project Details (2 slides); Well pad example; Viewshed Analysis; KOP2: Existing Conditions; KOP2: Well Locations Within View; KOP2: Well 63-3, Night View; Issues on Appeal (3 slides); Staff Recommendation.

Mr. Gordon, representing Ormat, noted the project was purely for exploration to determine whether or not there was a geothermal resource present. A secondary BLM permitting process, including additional environmental review and a SUP, would be required if a geothermal resource was found. He pointed out that geothermal resources were 100 percent renewable, zero-emissions energy. He said the appellant mentioned that BM owned 360 Properties LLC in Gerlach which listed geothermal energy on its 2030 Environmental Sustainability Roadmap. He noted federal, State, and local governments encouraged sustainable, clean energy such as this project. With regard to standing, he said the appellant had not indicated how the project substantially injured their personal or property rights. He observed that the appellant had not spoken at the BOA hearing or submitted comments prior to the action being appealed, both of which were required on the County's appeal form. He asserted this project complied with every policy of the Character Statement and the HDAP. He shared that Ormat had just completed a two-year process with the BLM which determined there were no significant impacts to drilling and looking for the geothermal resource. He listed the various plans with which the project was in conformance stating the South Playa was open to new geothermal leasing.

Mr. Gordon said the project complied with the most stringent water monitoring plan for all geothermal projects in Nevada history. In response to the appellant's comment about obtaining water from the GGID, he said the GGID was only one option for acquiring water for the project. He asserted the project would be viable even if the GGID did not want to sell water to Ormat. He clarified that only one well would be dug at a time, with each being closed down before the next one was opened. The approval

was for 13 wells, but he conjectured that only three would be needed to determine whether the resource was available or not. He displayed an image with an example of an exploration well and photo simulations Ormat provided to the BLM to show locations for four potential wells and the night view of the well which complied with dark sky standards. He said Ormat made a commitment to fund the application needed to give Gerlach a Dark Skies designation which would ensure all future projects complied with dark sky standards in perpetuity. He reiterated another two-year or three-year process through the BLM would be required if the geothermal resource was found for a power plant application.

On the call for public comment, Ms. Tina Walters stated she was the chair of the CAB for Gerlach and Empire. She wanted the permit for the Ormat project to be denied. She indicated she moved to Gerlach for the dark skies and the quiet. She said there were a few projects happening that would encourage tourism. She declared the community cared about the springs, even the ones under Main Street. She wondered what would happen to the springs and the town that sat on top of them if the project went forward. She expressed concern for the Great Boiling Spring which contained prehistoric water never touched by man that was only yards away from the project. She indicated Ormat said it would get water straight from the GGID, but it wanted 35,000 gallons of water per day for drilling. She said the GGID was not contacted about that amount of water. She stated between eagle nesting season and bighorn sheep lambing season, Ormat would only be able to start drilling in August, which was the highest traffic season of the year due to BM. Traffic accidents and head-on collisions already happened without adding more traffic to the little County road. She believed there were too many what-ifs and dangers for this project to move forward.

Mr. Jason Walters stated he lived, worked, and owned a home in Gerlach. He asked the Board to deny the administrative permit. He asserted there were many reasons to oppose Ormat's plan to construct a geothermal power plant on top of his community. In the interest of time, he would restrict himself to one specific reason not to issue any permits that might help this project move forward. The reason was geothermal subsidence. The BLM had segmented exploration from construction on this project in part to get around the hassle of conducting an environmental impact statement (EIS). Unfortunately, it was likely that statement would show that the danger to Gerlach from ground subsidence due to the operation of a geothermal plant that tapped into the hot springs system that physically underpinned the town, was real. He compared Gerlach to the streets of Virginia City and asserted the differences were partly due to subsidence issues. He stated subsidence plagued the buildings on Gerlach's main street and made them expensive and difficult to renovate. He said he showed physical evidence of this to a representative of the BLM as well as reporters from the *San Francisco Standard*, the *Reno News & Review (RN&R)*, and the *Reno Gazette-Journal (RGJ)*, which could not be dismissed or ignored. Although, he said, the temporary head of the BLM Black Rock Field Office stood behind a semi-abandoned, sinking building one foot from where a hot spring emerged in the center of the town and told him the people just did not understand the science. Mr. Walters asserted this would be the bureau in charge of judging the plants' effects on the community if it was eventually built. The threat to the town was not merely aesthetic or economic, but existential. If the plant was constructed and complex hydrologic processes did not go 100 percent according

to Ormat's plans, for the next half of a century, the structures of the town would be at genuine risk from geothermal subsidence. Without an EIS that included the town, the extent of the possible risk was unknown. He spoke about a survey performed in 2003 by a natural resource science department from Iceland, the nation that utilized the most geothermal power, which provided some answers. He informed the study could be found on the BLM's website. If fluid withdrawal exceeded the natural inflow over many years of a plant's operation, effected areas could expect a minimum subsidence of 28 centimeters (cm) and a maximum recorded geothermal plant subsidence of 15 meters. He indicated even the minimum subsidence was enough to crack foundations of homes in the town.

Chair Hill asked the audience not to applaud.

Mr. Russell Bierle shared he was the Public Works Supervisor for the GGID. He stated that on January 5, the BOA granted an administrative permit for exploratory drilling near Gerlach. During the meeting, it was expressed that the GGID would be providing water for this project. Unfortunately, the GGID was not present at that hearing and had not approved any contracts to provide water for exploratory geothermal drilling and its ability to do so was far from certain. Ormat had spoken with a representative of the GGID in 2020 seeking water for drilling, but since that time, one of the two springs that supplied water to Gerlach had decreased in output. A rehabilitation project for that spring was currently awaiting State funding. Until that rehabilitation was complete, providing adequate water to meet the needs of exploratory geothermal drilling could compromise the GGID's ability to meet the current and ongoing obligations of the district. Therefore, he declared, the GGID could not commit to providing an adequate water supply as required by WCC Section 110.808.25, paragraph B, at that time. Unless the applicant could identify another supply of water, he suggested the application be remanded to the BOA.

Ms. Elisabeth Gambrell stated she was a homeowner, a separate property owner, and a half-owner of another home in Gerlach. She shared she was a member of the Economic Development Committee (EDC) which raised tourism for Gerlach, and she was the vice chair of the CAB when Ormat came to Gerlach with its initial proposal. She declared the initial proposal did include a plant. She observed she was a former vice chair of the GGID and knew about the water aspect. When Ormat started meeting with the Gerlach community, the residents asked a lot of questions. She noted more than 70 people came to Ormat's "off-the-record" meetings, where the community asked many questions about things such as the subsidence, the well pads, the residents, and the noise (decibels, dBs). She said the residents did not receive any firm answers. She remarked there was a sudden change; Ormat said it would just explore. Ms. Gambrell declared that Ormat wanted everyone to believe it would invest close to \$13 million just to explore. She did not think that was true. She said she had fears based on the way Ormat handled both its public and non-public meetings. She expressed concerns about the Staff Report. She asserted she was a stakeholder in Gerlach and its surrounding areas and that she had standing. Gerlach was the community she had chosen to call home because of things like the wildlife and the peace and quiet. She expressed worry about the springs based on several other projects that Ormat was involved in. She opined those projects had dried up the springs surrounding

Ormat's working areas. She chose to live in Gerlach after she retired from the military, and she believed Northern Nevada was good for veterans recovering from what had occurred over the last 20 years. She did not want to see it change.

Ms. Cameron Hall stated she was not opposed to geothermal energy, but she was opposed to this project and the environmental impact. She was grateful to Commissioner Clark for being concerned about issues in Agenda Item 13 related to environmental studies and impacts. She indicated Ormat had not conducted a full environmental study, so the full impact was unknown. She thought the well sites would create an environmental impact and she wondered how people would know about it.

Ms. Crimson Rose asked the Board to reject anything Ormat might present for this community. She stated was not against geothermal; she was against the process that was not sufficiently vetted by the BLM. She discovered Gerlach in 1991 and fell in love with the environment, the wildlife, the dark skies, and the quiet that people did not experience within a city setting. She and her husband purchased a two-acre property 15 years prior and she declared it would be their forever home. She opined the proposed geothermal plant would destroy all the things she and her husband loved about Gerlach and would probably destroy their home due to subsidence. She asserted all the natural hot springs in the area would dry up, adversely affecting the wildlife's habitat. The Ormat proposal was unprecedented as it would be the first geothermal plant built right next to an existing community. She believed there were hundreds of other geothermal locations throughout Nevada where the impacts would not directly affect a community. She observed Ormat had the San Emidio Geothermal Plant 25 miles south of Gerlach and she wondered why it needed a plant in this area. She believed the BLM incorrectly applied Ormat an environmental assessment (EA), which was used when there was no significant impact like a commercial event permitted on the Black Rock Desert. She claimed that what the BLM should have applied to Ormat was an EIS, which concisely described and analyzed a proposed action that might have a significant impact on the environment. She declared the drilling process would remove groundwater, light up the sky, create significant noise, and change the viewshed. She claimed Ormat's impact would be significant for generations to come. She read part of the Washoe County mission statement, "Working together regionally to provide and sustain a safe, secure, and healthy community." She said that was what the residents were asking for.

Ms. Margie Reynolds said she owned a duplex in Gerlach and rented one-half of it to a local schoolteacher. She asserted there were many reasons to oppose this project. In Gerlach, wetlands were part of the community's very existence, dating back to native people as evidenced by cultural artifacts found in the area. She indicated ranchers, businesses, recreationists, wildlife, and an entire ecosystem relied on the water resources. She believed Ormat was a very real threat to the area. She said not long ago, in Jersey Valley, a major spring dried up when the Ormat project went online despite monitoring. She said Ormat needed to mitigate this so the spring could once again be used. She wondered whether Ormat could keep its promises to Gerlach. On another note, several years prior, there was an earthquake swarm of more than 230 earthquakes in the Gerlach area with the largest registering at 3.9. In 1931, one of Nevada's largest quakes on record,

registering at 7.2, toppled a water tower in Gerlach. It was recognized that this type of drilling could lead to increased seismic activities particularly when it was done on a fault line. She noted the drill pads were all on fault lines. She wondered who would be responsible for property damage if building foundations became compromised due to drilling or subsidence. She opined Gerlach was truly one of Nevada's most unique communities which was largely driven by tourism because it sat on the edge of an iconic landscape. She asserted this type of industrial project would become inextricably forced upon a thriving community, which would not benefit from the power generated. She mentioned Pulitzer Prize-winning poet Mr. Gary Snyder had visited Gerlach in the 1980s and had a commemorative stone on Guru Road.

Mr. Seth Schrenzel lived in Gerlach and asked the Board to reverse the decision by the BOA. He said the HDAP indicated that it aimed to preserve a prevailing feeling of openness and spectacular mountain vistas as well as minimize negative impacts from growth in the area. He asserted the Ormat geothermal project was fundamentally inconsistent with this plan and ran the risk of changing a spectacular mountain vista to a view of an industrial plant. He could not accept that the BOA concluded the "issuance of the permit would not be detrimental to the character of the surrounding area." Further, he said, the BOA staff report indicated a copy of the project application was provided to the GGID. He was elected to that board and said there was no record of that happening. Ormat indicated the project would create local jobs, but in local meetings, it was discussed that most jobs would be remote. If jobs were created locally, it was unlikely that anyone from Gerlach would have the qualifications required to hold those positions. He noted discussions about improvements to the municipal water system had occurred, but he had not heard any more information about a proposal. In the end, Gerlach shouldered the risk but realized no benefits. The proposed project was a real threat to the community's homes, livelihood, and the nature of the area. He asked the Board to do its part to protect the community.

Ms. Lilian O'Donnell shared the concerns of her fellow residents and urged the Board to oppose the project.

Mr. Joseph Bardzel thought without a proper EIS this was a dangerous endeavor.

Mr. Matthew Ebert provided a document, which was placed on file with the Clerk. He stated he was a 23-year resident of Gerlach. He indicated that over the past 20 years, he had participated in two separate economic development projects with the Nevada Governor's Office of Economic Development (GOED). He had served on the Gerlach Empire CAB for 15 years. He noted both of the economic development projects pointed to tourism as the most likely strategy for growing economic opportunity in Gerlach. He stated BM had become a successful tourism business and an important partner for the community as it increased local employment and encouraged more people to live in the community. People were investing in local infrastructure, a recreational vehicle (RV) park was developed in town, and the globally-recognized natural wonder Fly Geyser was available for public viewing for the first time in decades. He said two decades of guidance from the

State of Nevada and Washoe County pointed towards tourism and the power plant proposal was inconsistent with this vision. Ormat would construct its intense industrial-use project just yards from the community. He said even in Empire, the Gypsum Mine was miles away. The project proposal was immediately adjacent to the historic Great Boiling Springs discovered by Mr. John C. Fremont in 1843. Geothermal drilling would likely diminish or destroy that resource. He was currently involved in a destination development proposal project funded by the Nevada Commission on Tourism and had provided a tour of Guru Road, which was a mile-long art road constructed by area resident Mr. Dwayne Williamson in the 1970s and 1980s. It was located just outside of town on BLM land and had caught the attention of Pulitzer Prize-winning poet Mr. Snyder who contributed to a book in 1996 exploring the meaning of the displayed art. Destination development professionals marveled at just how closely it matched the ideal of the spirit of Nevada embraced by the Commission on Tourism. Guru Road would be destroyed by an Ormat power plant. The power plant proposal was full of risks and threats with very few benefits to the community. It would create very few jobs and would be run remotely. It would severely impact not only existing and future tourism development but the peace of mind of the residents. He would take every opportunity to protect his community from this disaster.

Mr. Matthew Deluge stated he found Gerlach through the BM event and fell in love with it because of the environment. He said Gerlach was majestic and spiritual. He thought this project was pushed through by Ormat in a way that was not obvious to the town. He stated it was obvious that this was the most convenient, easiest, and cheapest place to try to build the plant without consideration for the people in the town. There were other places where geothermal would work and he thought Ormat should be exploring those. He said the environment was extremely fragile, plants took a long time to grow in the desert, and there were numerous endangered species that were unique to the area's hot springs. He said research showed that other Ormat projects resulted in long-term effects, and it was obvious they caused water to dry up. He asked the Board to reconsider the project and protect his home.

Mr. Allen Nash said he was a member of the Gerlach CAB and Vice President of the Gerlach Volunteer Fire Department (GVFD). He said he wanted to speak about the decision that took place on January 5. He was sure the letter of the law was followed in noticing the people of Gerlach, but he thought if Gerlach residents had been properly notified, more people would have shown up to the meeting. He opined the only reason there were some people at the meeting was that an individual happened to hear about it and told the community. He said they were not against renewable power and said he had even spoken with Washoe County Sustainability Manager Brian Beffort who said that Gerlach was ripe for sustainable energy. Mr. Nash admitted they had a hard time getting power to the area and could not build enough houses due to a lack of electricity. However, he asserted none of the power that would be generated by the plant would go to Gerlach, rather it would go to California. He urged the Board to oppose the permit on the grounds that the community was not notified, which would have given residents an opportunity to speak.

Mr. Dave Cooper provided documents, which were placed on file with the Clerk. He said he had lived in the Black Rock Desert for the past 22 years, the last 14 years in Gerlach. He noted he retired from the BLM and had been the first manager for the Black Rock National Conservation Area. He did not receive notification of any hearings in the County related to the proposed Ormat project and therefore was unable to comment previously. He mentioned the documents shown on the projector were the geothermal leases for Ormat. He referred to the blue-shaded area where the BLM had created a geothermal unit that covered Gerlach entirely. The proposed project was not consistent with the HDAP. He said it had the potential to change the character of Gerlach and the surrounding area from rural to a permanent industrial zone if fully developed. He opined the proposed project could be larger than the town which would dominate the landscape and cause significant long-term adverse impacts to the quality of life and the property in the community. Issuance of the administrative permit had the potential to allow significant detrimental harm to the community adjacent to private properties, private springs, and water rights especially where wells were just a few hundred feet from property boundaries. He believed there would be detrimental impacts on the character of the surrounding areas with the introduction of heavy industrial development into a landscape where there was none. Well sites were located along three miles of sloped and steep granite mountains and would require significant cut and fill for well pads and roads. He stated the area was subject to flash floods and high erosion. He noted most of the development was situated in an amphitheater where it would reflect light and noise over the community. All the public lands were used for recreation as well as wildlife habitat and would be off limits when fences and no trespassing signs were installed. He stated the only way to mitigate the significant adverse impacts on the character of the community was to move all the development away from Gerlach and the adjacent private properties. This would result in the project being out of sight and sound of the community, but he said the BLM never considered an alternative like this. He said staff comments within the report to the BOA indicated that not all concerns with this project were able to be completely mitigated. He had written numerous EAs and EISs over his 30 years with the BLM and believed this EA was flawed. The decision documents did not state the well pads would be deconstructed or removed upon completion of the resource confirmation. He thought this was likely because Ormat intended to transition the same well pads into permanent production and ejection wells in the second phase of the project.

Ms. Kaitlyn McManus stated she and her husband moved to Gerlach with their son to provide him with an ideal childhood on the edge of the beautiful natural conservation area. The Gerlach community was a family and when people said it took a village to raise a child, that was what they had in this little desert town. She was not made aware of the BOA meeting in January regarding Ormat's Phase I well drilling, nor were many other Gerlach residents. The community members deserved the time to comment on their concerns. She asserted this project would deeply affect the quality of life for her family and the other 150 people who called Gerlach home. Ormat representatives said this project was purely exploratory, but she knew this level of investment would lead to a utility-level plant. She noted the plant would be right on the edge of town and could dry their water supply, create light and noise pollution, potential subsidence, possible consequences to tourism, and create other environmental issues. As an employee of the

BM Project, she was guiding the development of the 360-acre property they called “The 360.” Ormat representatives claimed that the residents of Gerlach were against this project because they wanted to develop a geothermal utility project of their own. This, she asserted, was a blatant lie. Recreational hot springs, a natural resource, were being developed which could be stripped from them by Ormat’s activity. She indicated in order to attend this meeting, she had to get a babysitter, pay nearly \$100 in gas, find work coverage, and drive four hours round trip. There were many Gerlach community members who could not make the same sacrifices to be at this meeting and she hoped she could make a difference in asking for additional consideration and time for public comment. Gerlach was a small community, but it mattered. She hoped the Board would take that into consideration.

AJ Pizzo stated they resided in Gerlach. When Ormat proposed the project a handful of years ago, many residents attended informational meetings held by representatives of Ormat. AJ said many were advocates of green energy and came to meetings with more questions than concerns. As time passed and their questions garnered answers, that began to raise real concern. At that point, Ormat stopped sending representatives to meet with the community. It became evident that Gerlach had many objections and Ormat no longer wanted to hear their concerns. Since the initial meetings, Gerlach had held its own town hall meetings and attendance at CAB meetings skyrocketed. Residents had called in scientists, engineers, and a representative from the BLM to better educate the community. Ormat declined invitations to attend those meetings. AJ learned that the BLM approved an EA instead of a more in-depth and comprehensive EIS. It was clear to them as a community that what Ormat called exploratory drilling was in fact the first phase of a multi-phase process that would lead to the construction of an industrial geothermal plant, possibly multiple plants. AJ opined that no company would spend more than one million dollars per drill site without knowing if it would move to the next phase. AJ also learned from visiting environmental scientists that projects such as this had a long track record of drying out hot springs and causing groundwater subsidence. AJ stated every building and roadway in Gerlach, including the school, historic Main Street, and all residences were built on top of fill dirt. AJ could not stress enough that the entire community was resting on top of a thin layer of gravel and dirt and mere feet beneath that was the water table, therefore, Gerlach homes did not have basements. AJ asserted the entire town shook when a train rolled past. An exposed geothermal surface water area was just feet away from the roadways. The impact of groundwater subsidence had the real possibility of sinking their homes and the community. Ormat was moving forward without an EIS, a document that would extensively study the effects of its project and the community. Both Ormat and the BLM had repeatedly ignored the community’s concerns and had not provided residents with a guarantee that their investments would survive the exploratory project. AJ declared the entire community was existing in a palpable state of impending doom.

Mr. Patrick Donnelly stated he was the Director of the Great Basin Center for Biological Diversity. He said the question before the Board was whether this Board and the BOA had adequate public input to make a decision about the permit for this project. This was important because geothermal energy development had the potential to reveal significant environmental impacts on the area near where it was located. He said it could

fundamentally alter the way of life for people in Gerlach. An impact of geothermal projects was that they dried up hot springs, which was a universal experience. The most prominent example in Nevada was the Steamboat Hot Springs which used to have one of the world's greatest geyser fields. He said there were a number of reasons the Steamboat Hot Springs dried up, but part of that was due to geothermal development. A Pershing County hot spring was brought up earlier because it dried up after Ormat began production there. He stated that in recognition of these threats, the United States Fish and Wildlife Service (USFWS) recently listed the Dixie Valley Toad under the Endangered Species Act because it lived at one hot spring-fed wetland in Churchill County and a geothermal power plant proposed next to it threatened to dry it up. Government scientists were on record saying there was enough risk that geothermal plants would dry up hot springs that some species would need to be listed as endangered. There was a broad amount of scientific data, he said, to back up that assertion. He informed a recent paper had come out about the impacts of geothermal energy on Greater Sage Grouse. It found that Greater Sage Grouse abandoned their leks in proximity to geothermal projects because they were noisy. Leks were where the birds reproduced, and if it was noisy enough to impact Sage Grouse reproduction, it would certainly impact the reproduction of people in Gerlach. He believed if there was potential for significant environmental impacts from geothermal development, then it was imperative for the Board and all regulatory bodies to make decisions with public involvement and scrutiny. He said it was clear that did not happen in this case. He stated the public comment period for this permit was directly aligned with the holidays and as a direct result no input was received. He thought something broke down with the BOA's process and it failed to solicit public input. Now, there were many people at this meeting and in Gerlach whose way of life was on the line. Gerlach residents felt like they were getting railroaded in the process. He believed the Board had the moral and legal obligation to provide a chance for the people of Gerlach to have a voice.

Mr. James McManus said he was a Merchant Marine and a Captain in the U.S. Coast Guard (USCG). He spent 16 years at sea teaching students and scientists about freshwater ecology and the importance of water sources. When he saw the Black Rock Desert, he did not see a desolate area, he saw what Lake Michigan would become. He implored the Board to deny the permit for the residents of Gerlach and the betterment of the environment.

Mr. Carl Copek thanked the Board for its time and wanted to speak against the Ormat plant in Gerlach. He said Gerlach was a dark and quiet place, and the residents did not wish it to turn into a place that was loud and bright. He would not want to live there if it was and would probably move. He believed the town would cease to exist in the way it had. He shared a quote, "Nothing focuses the mind like a hanging," and he felt like it was high noon in Gerlach. He said it would be up to the Board to issue a stay of execution. He believed the town would become a ghost town because no one would want to visit or live there, including animals. He stated the area was one of the last active sheep ranges in the Country. He spoke about water and BM. He shared another expression, "You cannot chase two rabbits at once." He wondered whether one could chase the economic development of power and chase the economic development of having a giant art festival;

he thought they were at cross-purposes. He thought it would be in everyone's best interest to put the project on the back burner.

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

Chair Hill said the Board first needed to make findings on the standing and then findings on the merit of the appeal.

Vice Chair Herman asked whether the applicant would agree to a remand or further mitigation. Mr. Gordon said he believed staff made the recommendation for approval based on the findings, as did the BOA, so Ormat would not be agreeable to a remand. He understood the importance of public participation, noting a significant number of public participation steps would be taken if a resource was found as a result of the exploration and a geothermal power plant was proposed.

Vice Chair Herman observed the two choices were to either affirm and modify the proposal or to go back to the BOA. She suggested the Board could attempt to affirm and modify the proposal.

Chair Hill thought the attorneys were looking to the Board to determine whether both appellants had standing. She acknowledged it would have been great if BM had participated in the BOA hearing, but she thought both the appellant and BM had standing in this case. She wanted to ensure that piece of the entitlement was discussed and agreed upon before it went back to the BOA for an appeal. She asked for Vice Chair Herman's thoughts about who the aggrieved parties were. Chair Hill believed they both had standing.

Assistant District Attorney (ADA) Nate Edwards indicated Chair Hill had asked a good question. The first step, he said, was to determine if anyone on the Board thought there was a problem with standing for either of the parties. Chair Hill agreed and asked whether the Board needed to vote on standing. ADA Edwards thought the Commissioners could make decisions on the merits if no issues with standing were found.

Commissioner Clark observed the residents of Gerlach had to travel a long distance to appear in the Chambers and make public comments. He asked for the County to consider making accommodations for the Gerlach community so it could participate in meetings via Zoom. He applauded the dedication of the community members who were still present in the Chambers so late in the day. He acknowledged the statements made by the representative for Ormat regarding working with the BLM, the accommodations for the golden eagles, the bighorn sheep, and the dark sky standards. He indicated he had questions about where the water for the project would come from and how deep the water at the hot spring was.

Chair Hill said it appeared the Commissioners agreed on the issue of standing and asked Vice Chair Herman for her thoughts. Vice Chair Herman asked whether she would need to list the modifications she wanted to make. ADA Edwards replied yes, noting the options were to approve the permit, approve the permit with modifications, or to deny the permit.

Mr. Carlson asked, on behalf of BM, whether the Board still had the option to remand the issue. ADA Edwards responded no, the Board had an obligation to either approve, deny, or approve it with modifications. Mr. Carlson believed the Board did have the authority to remand the issue with or without instructions to the BOA.

Vice Chair Herman said she had discussed the power plant with several people and understood people wanted it to be placed out of sight because they did not want the noise or the lights. She believed the permit should be contingent on water quality and she wanted a professional report on that. She said that only one well should be done at a time. She said she understood that an EIS was only required by the government. ADA Edwards responded that was a federal law requirement, but the BLM decided it was not required in this case.

Chair Hill observed that an EIS could be required if this project were to proceed to the next step. ADA Edwards said that was correct. Chair Hill did not know whether a guaranteed EIS would be required, she thought it could be an EA instead. The BLM would determine what would be required for the plant.

Vice Chair Herman acknowledged the comments made by the public about wanting the permit to go back to the BOA. ADA Edwards asked Vice Chair Herman whether her preference was for the application to go back to the BOA. Vice Chair Herman thought that would be best. ADA Edwards thought sending the application back to the BOA was an option; the Board could reverse the decision and send it back or it could modify the application and send it back for further proceedings before the BOA. Chair Hill confirmed with Vice Chair Herman that she wanted to remand the issue back to the BOA because she was concerned about the noticing.

For clarification, Commissioner Andriola asked about comments made by Ormat regarding BM's intentions to explore development of its own geothermal plant. Mr. Carlson stated BM had no geothermal power plant exploration intentions on its property. The only intention was to utilize the hot springs for recreational and scenic use, not industrial use. Commissioner Andriola asked whether BM would be conducting any drilling. Mr. Carlson responded the hot springs already existed, so no drilling was required.

Commissioner Garcia observed several people had referred to the finding regarding consistency with the Master Plan. She referred to page 58 of the Gerlach Economic Development Plan which included a section about renewable energy. She said there was a paragraph specifically about geothermal development. She asked Mr. Carlson to elaborate on how this project did not fit consistently with the plan. Mr. Carlson stated the key, when considering geothermal development in terms of industrial energy

production, was that there was a qualifier in the plan that addressed sustainability. He said there would need to be a balance with geothermal industrial power production. It would need to be sustainable, as well as preserve the other goals of the plan, including Gerlach, the Black Rock Desert, and the scenic vistas. He said there was a conflict even at the exploratory stage as it could not necessarily be done in a sustainable way. He stated there had not been an opportunity for the residents of Gerlach to present to the BOA to establish a record should there be another appeal. He summarized the plan allowed for geothermal energy, but it also contemplated recreational use and preservation of the area.

Commissioner Garcia said she watched the BOA meeting and did not hear anyone from BM making public comments at the meeting and it had not submitted anything in writing. She asked why BM was not present at the meeting. Mr. Carlson replied the notice was sent out two days prior to Christmas, a time when people were on holiday. With regard to the contention that NRS 278 required BM to appear at the meeting, he asserted it did not have to be present. He was confident a BM representative would have been at the meeting if it had not been during the holidays. He said BM's argument was not that the timing of the notice was inappropriate. The WCC required that the CABs be noticed despite the Board lawfully exercising its authority to modify how the CABs did business. He stated the Board should have also modified the Code, otherwise that Code was superfluous and nugatory, which the Supreme Court would not like.

Mr. Garrett mentioned BM's environmental sustainability roadmap identified geothermal development at Fly Ranch and its 360 Properties in Gerlach. He asserted the area plan encouraged geothermal development in all different capacities including on BLM and BM land. He explained that language was included in the plan and was not him stretching the truth. He said Ormat was in agreement with Vice Chair Herman's suggested revisions, which did not include the geothermal plant. Ormat agreed with doing one well at a time and he said a water study was already required by the BLM. Explaining how the process worked, he said there would be a pre-scoping meeting and scoping meetings. Hundreds of comments were received by BM and other constituents. One of the changes Ormat had made to the plan was to monitor spring discharges and wells to allow for the early detection of potential changes. This would indicate the level of connectivity between the reservoir and any shallow aquifers. He asserted if the Board was moving towards approval with the revisions the Vice Chair suggested, Ormat was in agreement with them.

Chair Hill stated her review of the conditions for approval and the appeal led her to believe the BOA had made a good decision. She admitted the noticing had been done at an inconvenient time, but it was what the board chose to do. She felt the concerns the Commission heard were part of the federal process and it did not weigh in on many of those discussions.

ADA Edwards identified the source of a discrepancy regarding remanding. The agenda language stated if the Board modified or reversed the decision, it could remand this item back to the BOA with instructions. He stated when Vice Chair Herman was speaking with Mr. Gordon about that, it sounded as if he was not amenable to it being

remanded, so that would have to be an action over the objection. Development Code 110.912.20 talked about the possible actions on an appeal, and it could only be remanded to the deciding body if the decision being appealed was the denial of a permit, not the approval of a permit. He asserted that was the discrepancy between the Code language and the agenda language. The Board's options were to approve the administrative permit, approve it with modifications, or to deny it.

Vice Chair Herman stated if she had known about the meeting at the BOA, she would have been there. She indicated she did not receive notice of the meeting. She asserted this was her district and she had to defend her constituents. She asked ADA Edwards to repeat the options of the Board, which he did.

Vice Chair Herman asked whether the Board's decision would be final. ADA Edwards stated it would be final, but then the parties had varying rights for judicial review.

Vice Chair Herman moved to reverse the decision of the BOA and deny Administrative Permit number WADMIN22-0025 for Ormat geothermal exploration. The reversal was based on the Board's inability to make the findings required by Washoe County Code Section 110.808.25.

Chair Hill announced there was a motion on the floor and asked for a second to the motion. She explained if there was no second the motion would fail.

Commissioner Clark stated he had comments. Chair Hill stated if Commissioner Clark wanted to comment he would be required to second the motion, then make his comments. Chair Hill asserted the motion failed due to a lack of a second. She asked for another motion.

Commissioner Clark stated it was evident that the residents of Gerlach felt they were not heard. He said he would have to side with the people because they lived there, and he thought they needed to be heard. He deferred to Vice Chair Herman as it was her district.

Chair Hill asked whether Commissioner Clark was seconding Vice Chair Herman's motion. Commissioner Clark stated yes.

Chair Hill stated there was a motion and a second.

Commissioner Andriola echoed Commissioner Clark's comments. She stated the Board appreciated the residents of Gerlach. She expressed appreciation for Vice Chair Herman's dedication to her constituents. She suggested an idea to Vice Chair Herman. She asked if Ormat funding an EIS with full transparency to the residents prior to drilling the first well could be an option for approving the permit with conditions. She said she was trying to figure out a creative way to ensure the citizens of Gerlach had a voice with the facts presented to them.

Chair Hill questioned Vice Chair Herman about her thoughts on this suggestion. Vice Chair Herman asked whether the suggestion was a possibility.

ADA Edwards indicated if Vice Chair Herman wanted to change her motion based on the condition proffered by Commissioner Andriola, that was a possibility. He thought the applicant's counsel would want to provide feedback on that possibility.

Mr. Gordon stated the EIS process would take about two more years. He explained an EA process was just completed for this permit. However, in the event Ormat found the resources and moved forward with a permit for a power plant, the BLM would choose between an EA and an EIS. He said Ormat would commit to the selection of an EIS in the event it submitted a permit for the power plant. He asked whether that would satisfy the Board.

Commissioner Clark stated he had an Ormat plant in his neighborhood and it was a good neighbor. He indicated he had been ready to support this project until he heard the passion from the residents of Gerlach. He asserted those people were the ones who lived there. He supported the people in Gerlach, thought they needed to be heard, and would support Vice Chair Herman's direction as it was her district.

Commissioner Andriola said ensuring the residents in the community had a voice was the number one priority. She said there were differing comments from people who seemed to have credentialed experience. She heard public comments regarding a flawed EA, which was why she suggested the EIS. She said she appreciated it would cause a two-year delay, but the land was not going anywhere, and the citizens would have a lifetime to live with the decision. She was not trying to put an undue burden on anyone but felt there were varying circumstances such as noticing near a holiday when people were not necessarily available. She had offered a possible solution to consider.

Mr. Gordon said in the spirit of finding possible solutions, he wondered if in addition to conducting an EIS at the next stage, it would be amenable to add another condition. He suggested hosting no less than two neighborhood workshops to walk through the analysis and requirements of the EA before a building permit was pulled. He said he read the EA and it was very thorough with lots of plans, studies, and reports. He hoped this would satisfy the Board.

Commissioner Andriola said she would defer to Vice Chair Herman. She wondered about this as another creative opportunity. She wondered about the recourse for the residents of Gerlach if the Board allowed this to move forward.

Mr. Gordon stated his goal to explain the rigorous reporting standards so Ormat could be held accountable to meet them. He explained if the public understood all the EA requirements and Ormat did not satisfy any one of them, then the Board would have the right to pull the permit. A condition of the approval of the permit would be to comply with federal and State requirements. He indicated the Board would have the ability to determine if the commitments made to the BLM were not satisfied. The residents would

have recourse based on Ormat's compliance with the EA. He said committing to an EIS would still be on the table if Ormat found the resource to move forward.

Commissioner Andriola wanted to ensure she understood Mr. Gordon, recapping his suggestion that Ormat would be willing to meet with citizens of Gerlach and would commit to two meetings. She was unsure whether she was comfortable with the suggestion for two meetings because these were complex issues. She thought any complex information provided at one meeting could necessitate a follow-up meeting. She was not comfortable limiting the number of meetings that would be held for the residents. She asserted if a citizen review of the EA substantiated any reason not to move forward, she wanted a guarantee that the Board would be able to stop the project.

Mr. Paul Thompson, Vice President of Business Development for Ormat, thought there was confusion and he wanted to add clarity and answer questions. The permit Ormat received after two years of work was just for exploration drilling. The BLM could determine the need for either an EA or an EIS for that exploration work. The BLM chose to proceed with an EA. Subsequently, that EA was brought to the BOA for a SUP which was granted. He stated if Ormat wanted to proceed with a power plant, it would have to go back to the BLM and get an EA or an EIS, which would take another two to three years. Ormat would then proceed as directed by the BLM. The conversation that concerned him was, Ormat did not have a choice between an EA or an EIS. That was directed by the federal government. He indicated Ormat heard from the residents of Gerlach, and the citizens did not want to evaluate the power plant and exploration at the same time. He stated Ormat was allowed by federal law to permit a utilization plan for exploration drilling. He explained Ormat listened to the residents and applied for the exploration permit to determine whether there was a geothermal resource. He stated if there was no geothermal resource, Ormat would reclaim the wells, reseed them, and move on to the next project. He said BM was upset that Ormat bifurcated the process; however, Ormat had done this to slow the process down and to allow for public comment. He stated the recourse that the Board discussed was being implemented currently by the BLM. BM was suing the BLM to reverse the EA in federal court. He thought the Board's job was the evaluation of the SUP based upon the recommendation of the BOA. BM had the recourse to continue to litigate and overturn the BLM's position on the exploration EA.

Commissioner Andriola said the public comment the Board heard differed from what Mr. Thompson said. She stated the citizens were feeling as if they were not allowed to participate like they wanted and much of the information provided to them was provided at a high level. She was trying to mitigate a solution because this would impact the residents long-term, not only for the people at the meeting but for their children as well. She realized this was only for exploration and that the BLM had the federal jurisdiction to determine whether an EA or an EIS was conducted. She asserted the EA was not clear and it appeared the findings were flawed. She was not an expert and was not taking a position; however, she believed there was a lack of clarity for the citizens about the results of the EA. She realized the BLM had a process related to drilling until it was determined that there would be a positive outcome. She expressed concern about the possibility of 13 drilling sites. She thought a meeting could happen where the citizens would have a strong

voice, and this is what she was trying to accomplish. She thought there were two actions for this item, approve with conditions or deny.

Mr. Gordon thought there was a third option, to continue this item and host a public workshop, then come back to the Board with a summary and synopsis of the workshop. He believed that could be accomplished with an approval and conditions including the workshop. Ormat would be amenable to this rather than a denial.

Mr. Carlson thought everyone needed to refocus. He indicated there were comments about the EA not being sufficient and suggestions that an EIS should be the required standard. He explained what was before the Board that day was what the BOA considered. The BOA primarily looked at the HDAP. He stated if there was no remand option, the condition of follow-up meetings had no bearing, and he wondered what the follow-up meetings would produce. He feared the meetings could produce more significant concerns, but Ormat had an approved permit in hand. He believed the Board needed to refocus on Vice Chair Herman's motion to deny, focus on the competing interests in the area plan, and determine whether exploration could be done in a sustainable manner based on what was heard from BM and the residents of Gerlach.

Commissioner Clark asked if it was possible to table the item, allow the workshops to take place in the community, and then bring it back at a later date. He wanted Gerlach residents to have the option to utilize Zoom to allow them the opportunity to voice their concerns without having to drive to the meeting in person. He thought the meetings should be held before a decision was made by the Board.

Chair Hill stated there was a motion on the table.

Vice Chair Herman asked if it was possible to delay the action. ADA Edwards stated not unless both appellants agreed. He noted according to NRS 278.3195, the Board had a 60-day deadline to render a decision. He added if both appellants agreed to push out a decision and continue this item to allow for community sessions to take place with that information to be brought back to the Board at a later date, then this item could be delayed.

Chair Hill questioned whether Vice Chair Herman wanted to ask the appellants if they were agreeable to a delay. Vice Chair Herman replied she did.

Mr. Gordon indicated Ormat agreed to a delay.

Vice Chair Herman indicated this was the reason she had been fighting so hard to get the CABs reinstated, so they could hear all the information. She expressed support for the residents of Gerlach. She wanted to do things right and thought the community needed more time to be informed.

Mr. Carlson stated BM would not agree to a continuance. The CAB reviewed the EA and did not believe the report was sufficient. They had not been provided with the opportunity to be heard by the BOA. He appreciated the process of trying to find a solution but believed it was not in the best interest of BM.

Vice Chair Herman thought there was no other choice but to vote on the action before the Board.

Chair Hill stated there was a question on the table. She recalled the motion was to deny the BOA's action. ADA Edwards agreed that was the motion and Commissioner Clark seconded the motion.

On motion by Vice Chair Herman, seconded by Commissioner Clark, which motion duly carried on a 3-2 vote with Chair Hill and Commissioner Garcia voting no, it was ordered that the Washoe County Board of Adjustment's approval of Administrative Permit Number WADMIN22-0025 be reversed.

23-0221 **AGENDA ITEM 18** Public Hearing: Master Plan Amendment Case Number WMPA22-0007 and Regulatory Zone Amendment Case Number WRZA22-0008 (395 North). Consideration of Planning Commission's recommendation to approve:

- (1) A master plan amendment to the Cold Springs Area Plan to change the land use designation on one parcel (APN 081-121-35) totaling 2,500 square feet (\pm .05 acres) from Suburban Residential (SR) to Industrial (I);
- (2) Subject to final approval of the associated master plan amendment and a finding of conformance with the Truckee Meadows Regional Plan by regional planning authorities, a regulatory zone amendment to the Cold Springs Regulatory Zone Map to change the regulatory zone on one parcel (APN 081-121-35) totaling 2,500 square feet (\pm .05 acres) from Public/Semi-Public Services (PSP) to Industrial (I); and
- (3) If approved, authorize the Chair to sign the resolutions to that effect.

The applicant is Panattoni Development and the property owner is the Great Basin Water Company. The subject parcel is located at 0 Reno Park Boulevard, south of the intersection of Reno Park Boulevard and White Lakes Road. The Board of County Commissioners may adopt the proposed amendments, may modify the proposed master plan amendment and refer the modified amendment back to the Planning Commission for its report in accordance with NRS 278.220(4), or may deny the proposed amendments after the public hearing. Community Services. (Commission District 5.)

Chair Hill asked the Board whether there was a need for a staff presentation.

Vice Chair Herman said she did not believe a presentation was needed as this item was a simple deal.

There was no response to the call for public comment.

On motion by Vice Chair Herman, seconded by Commissioner Andriola, which motion duly carried on a 5-0 vote, it was ordered that Agenda Item 18 be approved and authorized. The Resolution for same is attached hereto and made a part of the minutes thereof.

6:25 p.m. **The Board recessed.**

6:30 p.m. **The Board reconvened with all members present.**

23-0222 **AGENDA ITEM 17** Discussion and direction to staff regarding legislation or legislative issues proposed by legislators, by Washoe County, Truckee Meadows Fire Protection District, or by other entities permitted by the Nevada State Legislature to submit bill draft requests, or such legislative issues as may be deemed by the Chair or the Board to be of critical significance to Washoe County. Pending legislative bills can be located here: <https://www.leg.state.nv.us/Session/82nd2023>. Current bills the County is tracking that may be reported on or discussed are but limited to: AB92 & AB175, additional bills are listed under Government Affairs at www.washoecounty.gov. Due to time constraints inherent in the legislative process, a list of specific bills that staff will seek direction from the Commission on during this item will be posted on the web site under Government Affairs at www.washoecounty.gov by 6:00 p.m. the Friday before the meeting. Due to the rapid pace of the legislative session, additional bills upon which comment may be sought from the Board of County Commissioners will be posted as soon as known. Manager's Office. (All Commission Districts.)

Chair Hill requested that Government Affairs Liaison Cadence Matijevec start her presentation with Assembly Bill (AB) 92 as there were people waiting for this item. She noted District Attorney (DA) Chris Hicks and City of Reno Assistant City Attorney (ACA) John Shipman were present to help with the process.

Assistant District Attorney (ADA) Nate Edwards indicated he previously reached out to ACA Shipman, who was his counterpart at the Reno City Attorney's Office and asked him to sit in as Board counsel specifically for AB92. ADA Edwards explained AB92 was a bill that would authorize county commissions to create the Office of County Counsel, which would in effect replace the Civil Division of the DA's Office in the County. He stated being Board counsel to the Board of County Commissioners (BCC) on this item put him in an impracticable position. Out of an abundance of caution, he wanted to recuse himself from being involved in the discussion. He said he would leave the Chambers but would return once this item was complete.

6:32 p.m. **Assistant District Attorney Nate Edwards left the meeting.**

Ms. Matijevich explained AB92 was enabling legislation that would authorize the BCC to create the Office of County Counsel. The bill was passed out of the Assembly on March 24, with 30 in favor, 11 opposed, and 1 excused. She indicated the bill was not scheduled for hearing in the Senate, and she did not believe it would be scheduled anytime within the next week due to the calendar for the legislative session.

Chair Hill knew Commissioner Clark specifically called for the bill, and she wanted to hear questions and thoughts before DA Hicks spoke.

Commissioner Clark stated he understood the language and thought it was important that the community was able to vote for the highest law enforcement officer in the County. He said it was a vote of confidence and he believed this person was a subject matter expert who had to stand up and deliver. He thought anyone who had that position had to know that the voters controlled their destiny. He believed it was important to keep it as an elected office.

DA Hicks clarified he was not present as the County's lawyer, but rather as the elected DA. He expressed appreciation to ACA Shipman for stepping in to cover. As the elected DA, he felt he needed to share his deep concerns about AB92, the so-called County Counsel Bill. He said if enacted, AB92 would allow county commissions across Nevada to strip away the entire civil division from the DA's offices, replacing that long-standing role with appointed lawyers. He asserted this action was problematic for two primary reasons in his estimation. First, it would disenfranchise voters by taking away their right to choose the attorney who would represent their county government. He noted he was directly elected by the people to provide legal representation to the County, which was done through him and his talented Civil Division. He spoke about the presentation he provided earlier in the meeting. He clarified AB92 would take that away, in favor of an appointed lawyer who served at the pleasure of the BCC. The second primary flaw of this bill was that having an appointed Office of County Counsel that served at the pleasure of the BCC interfered with the independence of the legal advice given. Under AB92, the appointed County lawyer would be subject to removal by the BCC if a majority was unhappy with the representation provided, whether it was quality representation or not. As the elected attorney for the County, he did not answer to the County Manager or the Board. He explained that he answered to the citizens. Washoe County public officials, boards, and agencies were provided the legal advice they needed to hear, not the legal advice they wanted to hear. The current structure allowed for purely objective legal advice without a fear of reprisal, which resulted in public officials being better informed of the consequences of their proposed actions. That, in turn, led to better-informed decision-making with the taxpayer's dollars. He stated proponents of AB92 said the bill was needed due to legal conflicts that arose in DA's offices throughout the State. He asserted this claim was frankly a red herring. In the legal world, it was not uncommon for legal conflicts to arise, as they regularly happened in private law firms, just like they occasionally happened in public attorney agencies. Ironically, it would also happen in the Office of County Counsel if this bill passed. He indicated it would not eliminate the conflict issue. He believed AB92 was a solution that was searching for a problem that did not exist. The cost, if passed, would remove voting rights in Washoe County and compromise the objectivity of the critical legal

advice provided to County officials. He stated AB92 was a bad public policy, and he encouraged the Board to take a public position against it.

Commissioner Clark reemphasized his earlier statement. He said elected officials came and went and it depended on who was in the position. He gave the example of if someone did not like someone else and used political pressure on them and stated he had been on the receiving end of that. He did not want people to be able to control the DA's Office and have the DA go after their political opponent. The elected DA should control his office and if he did a good job, he would get re-elected. He thought it needed to be independent, and there should be a buffer between an appointed person and an elected person. He noted there were multiple people on the dais who were appointed. He believed the people were disenfranchised and needed a say in what was taking place. He asserted he supported the DA and wanted to keep things the way they were in the State.

On motion by Commissioner Clark, seconded by Vice Chair Herman, which motion duly carried on a 5-0 vote, it was ordered that the Board decline to support AB92.

6:52 p.m. Assistant District Attorney Nate Edwards returned to the meeting.

Ms. Matijevich explained that AB175 revised provisions governing boards of trustees of school districts. As introduced, AB175 would adjust the composition of the boards of trustees of certain county school districts to provide for the election of four of the seven members while outlining conditions for the appointment of the remaining three members. When the bill was heard in committee on March 9, the bill sponsor, Assemblywoman Shannon Bilbray-Axelrod, submitted an amendment specifying that the bill would be specific to Clark County School District (CCSD) and would no longer include the Washoe County School District (WCSD). Further, the bill was introduced to retain the seven elected positions on county school boards but allow for the appointment of four additional members. She said that provision would be permissive for school districts, other than Clark County, but would be required for CCSD. She noted the amendment was passed out of the Assembly Committee on Education on April 6, noting the vote had four nays.

Commissioner Clark thought this was another issue that would disenfranchise voters in general, but parents in particular. He believed this should not be utilized anywhere in the Country. He stated he would be opposed to this. He said people who wanted to be on the school board should run for office and be out amongst the public running a campaign and answering questions. He was opposed to anyone being appointed to the school board.

On the call for public comment, Ms. Valerie Fiannaca stated she had not missed many school board meetings in the past two and a half years. She expressed opposition to AB175. She believed the school board had the capacity to get any opinion from any expert it wanted. She said there were only two people who were elected without first being appointed to the WCSD board, which had created a huge problem and dissent. She opined citizens were not going to meetings anymore because they knew they were not being heard. She mentioned members resigning before their term was up, and that someone

would be appointed to fill the position that the public had no say about. She stated people could voice their opinions about who should represent their district, but it did not make any difference. She asserted people were tired of not having a voice in their own government. She believed parents were the best experts on their own children and what was best for them. She spoke about how many children and grandchildren she had and thought no one knew how to raise their kids better than their parents and grandparents. She thought having an appointed expert try to do that job was obscene.

On motion by Commissioner Clark, seconded by Vice Chair Herman, which motion duly carried on a 5-0 vote, it was ordered that the Board decline to support AB175.

Chair Hill mentioned another bill that Ms. Matijevich wanted direction from the Board on. Ms. Matijevich addressed some late-breaking developments with respect to Senate Bill (SB) 68. She indicated it was a bill already on the list of bills of interest since the first week of the session. She said the bill as introduced would have created an increase in the real property transfer tax (RPTT) and would have allocated the proceeds of that increase to a new fund in the State general fund. The fund would then be appropriated to regional housing authorities that would have the ability to allocate those funds. She noted the County had not taken a position on the policy of a tax increase, concern had been expressed to the bill sponsor about the appropriation of funds to non-elected officials based on legislative principles of fiscal responsibility, local determination, and local decision-making. She mentioned it was very concerning that the funds would go directly to appointed boards and that elected officials would have no say in how the funds were being spent. The bill was heard in committee about a month prior and was in a committee work session that day. Unbeknownst to any of the local governments, the proponents of the bill had not discussed this with the County, an amendment to the bill was brought forward earlier that day. The amendment would remove the original provision that would increase the RPTT, and instead take a portion of the existing RPTT and appropriate and allocate it in accordance with the original scheme of the bill. The issue remained that taxpayer funds would be appropriated, and the spending of that money determined by a non-elected group of individuals. She explained if that were to happen, it would divert existing County revenues that were used to provide support to the community, particularly the most vulnerable in the community.

Even though the Board had not taken a position on the bill, Chair Hill said she was personally in support of it even if a committee was going to look at how the funds needed to be allocated. She mentioned all the conversations that took place during the meeting about the work being done for homeless services and permanent supportive housing. It was a little distressing to her that the bill was looking to take RPTT that the County already utilized for the most vulnerable citizens. She wanted to hear the Board's thoughts.

Commissioner Andriola noted she heard about the work session that day and the amendment that was proposed for SB68. She felt the bill breached the legislative boundaries of providing authority to an appointed board without going through the process of allocating existing RPTT. She was not in favor of SB68. She made a motion not to support SB68. Commissioner Clark seconded the motion.

ADA Edwards indicated SB68 was not on the list, but the Board could discuss the bill. He noted Ms. Matijevich could make professional judgments based on the Board's commentary. He stated if the Board wanted to take a vote on this bill, it should be brought back the following week.

Chair Hill said the matter would be brought back the following week so the Board could take an official position. Commissioner Andriola withdrew her motion that was not agendized.

Commissioner Clark thought Ms. Matijevich understood where the Board was going with this. He did not think it needed to be brought back for a vote since direction was provided to her. ADA Edwards thought that was for the Board to decide and believed Ms. Matijevich could define much from the comments made, but if there was a desire for a formal position from the Board then it should be brought back.

Chair Hill thought it might need to be brought back because it was asking to use funds that were already being used at the County level for something else. She noted the Board had not been consulted regarding the matter. She mentioned she knew the bill sponsor and believed in what the sponsor was trying to do. She hated to go against the bill sponsor, but she thought it put the BCC in a tough position. She thought Ms. Matijevich understood the discussion and could probably articulate that as she saw fit. She asked for the matter to be brought back for full consideration of the Board.

Ms. Matijevich expressed appreciation for the discussion and understood the concerns with the bill. Per the Board's discussion, she believed she could express the concerns. If it was the Board's decision at the next meeting to take an official position, then she would communicate that information.

Chair Hill asked Ms. Matijevich whether there were any other updates that were imperative. Ms. Matijevich stated the only thing she wanted to share was that the current week was a big deadline week at the Legislature. Friday was the deadline for passage of bills out of their committee and their house of origin. She noted things would be moving quickly that week. She would likely have a significant update for the Board about which bills did and did not make it past the deadline.

Chair Hill thanked Ms. Matijevich for all the work she did in Carson City.

23-0223

AGENDA ITEM 15 Recommendation to approve 1) a contract with the Elections Group for an operational review of the 2022 election processes and staffing and make recommendations to the County Manager to improve the operational effectiveness and accuracy of the Washoe County election process; effective upon execution through December 31, 2023 (extensions may be allowable under certain circumstances) and; 2) if approved, approve the use of General Fund Contingency in the amount of \$100,000 needed to support Phase I of the Elections Group contract in accordance with Nevada Revised Statute (NRS) 354.598005 and; 3) if approved, direct the Comptroller's Office to make the necessary budget appropriation transfers and to authorize the Purchasing and Contracts Manager to execute the agreement. [Total Fiscal Impact \$600,000; Fiscal Years 2023 of approximately \$100,000 for Phase I and up to a maximum of \$500,000 for Fiscal Year 2024 for Phase II.] Manager's Office. (All Commission Districts.)

Chair Hill asked whether there was a staff presentation on this item. County Manager Eric Brown indicated there was not.

Chair Hill stated there was a new Board member and she thought Commissioner Andriola might have some questions on this item.

Commissioner Andriola asked Manager Brown to share how the Elections Group was selected and wondered about the process. Manager Brown explained the concept of hiring an independent, third-party group was discussed with various members of the Board. Chair Hill had approached staff and mentioned the Board needed to get professional help to research the election operations and processes, and she asked to have recommendations brought back to the Board. With that direction, Manager Brown and staff consulted with multiple agencies, including the National Association of Counties (NACo), the International City/County Management Association (ICMA), and the Secretary of State's (SOS) Office. There were two firms that came forward and the County solicited proposals from them. He asserted since this was a professional services agreement, it was standard practice for something at this scale to be in the \$100,000 range. He stated he, Chief Financial Officer (CFO) Abigail Yacoben, and Director of Communications Nancy Leuenhagen, reviewed the proposals, scored them, and the Elections Group was the clear winner. The reason he chose the Director of Communications was because she was integrally involved in the election process. He noted she was present in the room watching what happened operationally during early voting and election night. He said she was a veteran in that space. He noted the CFO provided an independent set of eyes to help ensure the County was fiscally comfortable with what it was seeing. After scoring the proposals, the matter was referred to the procurement group which ensured the proposal was in compliance with the County's policies and procedures.

Commissioner Andriola said that in looking over the materials, she wondered whether there was a basis in the process that would give an opportunity to look at staffing. Manager Brown replied that the scope of work included staffing, evaluation of workflows, and the evaluation of technologies. He believed the evaluation of technologies should make one think about the voter rolls because the voter registration system Washoe County used was no longer supported by the vendors. He indicated the County would have to invest in a new system for the voter rolls. By using this group, the County would have additional expertise on the technology front to help evaluate options. He mentioned there were logistical issues for the County, such as how to ensure ballots were developed accurately, ballot integrity and accuracy, errors on the ballots, and how to ensure ballots were mailed in a timely fashion. He asserted staff was looking for a firm that could help operationally with best practices based on what other jurisdictions did around the Country, particularly in areas that had gone to an all-mail or primarily mail environment. He believed that was where the County was, with over 62 percent of voters in the last election voting by mail.

Chair Hill stated she brought the matter up with the Audit Committee, which she and Vice Chair Herman both served on. She wanted to see if the internal auditor could do this; however, at the time the County was in transition with the internal auditor and the County Manager thought experts needed to be the ones to do it. She noted the discussion had occurred at the first Audit Committee meeting after the election.

Commissioner Andriola said it appeared the process would come back to the Board for transparency when it was completed. She noted she would wait until after public comment was heard but thought, due to the Chair and the Vice Chair being on the Audit Committee, it would be beneficial for the Audit Committee to be a part of the review. She thought it would help to bring back the results and the recommendations that could possibly have a budget impact. Manager Brown stated the thought was to have the recommendations and budget brought back to the entire Board, not just the Audit Committee. The matter of updates would be up to the Board, including how it wanted the information to be shared. He asserted it was critically important for the County to gain access to the expertise, ensure the Board understood the information, and execute the findings. Commissioner Andriola thought transparency was critical since the Board had heard various things. She believed sharing the information would create a level of transparency that was required for the citizens of Washoe County. She looked forward to hearing information and having additional discussions regarding the matter. She said she was trying to say that the information should be more transparent to allow everyone to see the process, and so the recommendations would have the outcome everyone expected and wanted.

Commissioner Clark was surprised the matter was back on the agenda. He had the same concerns he had last time and more. He did not think the \$600,000 being proposed for the Elections Group would fix the difficulties at the Registrar of Voters (ROV) Office. He read an article on Pecan Press Media about a perfect example of the problems with the office and he said a public record was posted on Facebook recently about the error the ROV Office made by not placing the Reno Court Judges on the primary

ballots. He believed spending \$600,000 in taxpayer dollars for window dressing would not fix the problem. He reasoned there were other ways to get this done, saying he was about the foundational basis of the election rolls. He suggested the ROV could take lessons from other departments such as the offices of the Assessor, Recorder, and Treasurer. He believed the Treasurer's rolls were perfect and once the ROV rolls were in order, many of the other issues would disappear. He asserted once the rolls were good no one would care whether there were mail-in ballots or voting machines. He mentioned allocating funds for overtime or extra staffing from other County departments that kept good rolls. He stated the County had the ability to do that process. He spoke about having a blue-ribbon committee made up of members of the Democratic, Republican, and non-partisan parties to get input from them before spending large sums of money. He wanted to see this item put off for a month or two to allow the County to try something else to see what was really impacting this. He asked for a report from ROV Jamie Rodriguez including a list of what she thought her deficiencies were. He wondered how the Board could help the ROV do a better job. He referred to the fact that the County Manager, the Director of Communications, and the CFO were not subject matter experts on keeping any type of rolls. He mentioned there were misspelled names, ballots that were shredded, ballots printed incorrectly, and ballots mailed out wrong. He asserted the County needed to put someone in charge who knew how to do something. He thought hiring someone did not make any sense.

Commissioner Garcia brought up the January 25 strategic planning meeting. She stated four of the Commissioners were sitting in the room when Ms. Rodriguez provided a presentation about the election system. Prior to Ms. Rodriguez speaking, Manager Brown reminded the Board that the 2022 Board of County Commissioners (BCC) had recommended an operational review of the election system. When Commissioner Garcia spoke to staff the previous week, she asked them how long the Board had known there were problems with the system. She asserted it had been decades. She said the members of the Board were all in agreement that things needed to be improved. She stated staff, as directed, began the process to bring the Board to where it was currently. She recalled that during the strategic planning meeting, Manager Brown provided an update on the process and how he would select a firm. She said that during that meeting she had believed it was in Manager Brown's purview as the County Manager. She applauded him for putting this item on the agenda when he did not have to, in an effort to be transparent and open with the public. At the meeting on January 25, the four Commissioners confirmed an interest in investing in infrastructure processes and staffing. She asserted the item being heard that day was exactly that, an investment. She indicated there was no more time, the Board wanted the issues fixed now and had a path to move forward. She expressed support for this item.

Chair Hill echoed Commissioner Garcia's comments.

Commissioner Clark spoke about a meeting he had the previous week with Manager Brown and the budget staff to review the budgets. He thought it looked as if the income was going to diminish in the County and he believed there were better and more cost-effective ways to accomplish this process. He asserted it was a lot of money to have

someone come in and provide a report. He indicated there were ways that were not as costly and involved local citizens.

On the call for public comment, Ms. Janet Butcher provided documents that were placed on file with the Clerk. She stated she submitted the information previously, but she was unsure whether anyone had looked at it, although she thought a couple of the Commissioners had. She created her own process and procedure audit related to the 2022 election. She had prepared many reports such as this for various companies like the International Business Machines Corporation (IBM) and Bank of America (BofA), among others. At first, she compiled a quick audit of the primary election and indicated a couple of the issues people were smart enough to fix. She believed the County had the ability to fix the rest of the issues without spending \$600,000 for someone to come in who did not have a stake in what was going on. She asserted if the County wanted to please the people, it should bring the people in to be involved. She said when she received the call to meet with the Elections Group, she did not realize it was a group of external people. When she returned home after meeting with the group, she started investigating the groups the other people said were the Elections Group's resources, and she was very concerned. She could not believe the County would have a group such as this come in. She indicated the group had worked in Arizona and a couple of other places. She asked the group whether it had spoken to any states that had smooth elections, but the group was not interested in those results. Her understanding was that the group was trying to do some things that would legalize some of the errors that were discovered. She hoped the Board would take the time to review her documents and she noted there were many talented people in the community who could be used to help fix the problem.

Ms. Betty Thiessen spoke about Gerlach, saying during the election there were problems with the citizens of Gerlach not getting their ballots. She expressed opposition to hiring an outside election group to do this process. She stated she was ready to volunteer to help fix the issues as she had said previously. She asserted that many people would help fix the voter rolls. She thought if the voter rolls were cleaned up then the elections would go smoothly.

Ms. Susan Vaness stated her questions about how this group was selected were answered. She indicated she did significant searching about the Elections Group, which was led by Mr. George Soros. Ms. Vaness asserted that Chief Executive Officer (CEO) and Co-Founder Ms. Jennifer Morrell was involved in significant questionable voter activities before and after the election. Ms. Vaness said the Elections Group was thrown out of Milwaukee because Mr. Ryan Chew, one of the group's higher-ups, had one of his emails uncovered about him congratulating a Registrar for a 3:00 a.m. dump of ballots which put their candidates over the line. The group then went to Arizona, and she declared the same thing happened there. She wondered how much investigation was done into this group. She noted there were several states that had thrown the group out including Virginia, which did so two days before it came to Washoe County. She stated her Commissioner knew nothing about this until the day the group showed up. She thought everyone should have known. She said the citizens were the ones who worked on the elections, canvassed, and called people on the voter rolls. She claimed more than 2,000 people who had been

called claimed they did not vote in the State of Nevada. She mentioned many of the people who were called said they did not live in the State any longer and if a ballot came through it was not from them. She spoke about the post office making money by the weight of the postage. She believed there should be a chain of custody of ballots from the post office, where it was known how many ballots were being shipped due to their weight.

Ms. Penny Brock expressed concern about preserving the republic, which depended on fair and honest elections. She stated that as the Board was aware, in the 2020 and 2022 elections, there were six states known to have had huge election problems. She asserted Nevada was one of those states. She wondered why Nevada was one of them and opined it was because it was a swing state. She believed Washoe County was a swing county not only for Nevada, but the entire Country. She thought the leftist voting rights group targeted Washoe County because it knew how important it was to swing the election. She asserted fair and honest elections must be restored. She said the prior year there were two Commissioners on the Board who heard the people coming time after time to support Vice Chair Herman's election proposal. She stated many of the suggestions the Elections Group made had already been completed, as the citizens knew how to fix the issues. She noted there were professionals and they had done the research. She mentioned the number of voters in Washoe County was 300,000 and the County did not need an outside group. She asserted the Elections Group was shocking and unprofessional. She displayed photos from the group's website, which did not include an address or phone number. She asked about the group's funding source and said it was unknown. She asserted the Elections Group would connect its partners with the County, and she wondered who the group's partners were and thought they were leftist activist groups from Washington, D.C. She indicated the Center for Tech and Civic Life (CTCL) was already working not only in the State of Nevada but in Washoe County. She claimed it provided the County with Zuckerberg Bucks, known as Zuck Bucks, which were private donations. She said many states were outlawing private donations. She remarked that the Democracy Fund had been working in Washoe County, along with the National Vote at Home Institute (NVAHI). She believed the State of Nevada and Washoe County had already been influenced by them. She encouraged the Board to vote against this item because the citizens knew they could get the job done. The documents displayed were placed on file with the Clerk.

County Clerk Jan Galassini advised the Board she received an emailed public comment, which was placed on file.

Commissioner Andriola said that when Manager Brown explained the process, he had mentioned the SOS and NACo, along with a few other organizations that had essentially provided two groups for consideration. Manager Brown stated that was correct. Commissioner Andriola asked him to remind her who the other organization was. Manager Brown responded it was the ICMA, which represented all the counties in the Country and internationally.

Commissioner Andriola questioned whether all three organizations recommended the Elections Group. Manager Brown indicated no, some recommended two of them, and some recommended one. He stated the other firm being considered was the Voting Center, which had done work in Clark County. When the County spoke with NACo and Clark County, that was where the name of that group came from.

Commissioner Andriola asked if Manager Brown was aware of any state that had dismissed or had complaints about the Elections Group. Manager Brown indicated there were not. He stated a review and reference checks were done and the County did not find the kind of items Commissioner Andriola asked about. Commissioner Andriola wondered how many states the group was in. Manager Brown was unsure but said he would provide her with that information.

Commissioner Andriola referenced Commissioner Clark's comments and recommendations. She wondered whether there was anything happening currently, instead of waiting, that could take some of the information that Washoe County currently had and review the voter rolls. Manager Brown said he informed the Board at the workshop in January that the ROV had six full-time employees. He observed all the workers had turned over since the 2020 election, noting Ms. Rodriguez was the only one there who had worked during the most recent election. He believed people experienced burnout. He said there had not been proper training or expertise in the office, and he indicated the next item was to address that issue. There were not enough people or the right people in the right places to perform the work that needed to be done. In his professional opinion, the issues could not be solved with volunteers. He asserted there were deep problems and compared it to a financial audit being conducted by volunteers, which was a very dangerous thing to do. He noted auditors would not be asked about their political affiliation or their financial philosophy. The group was being hired to look at very specific things outlined in the scope of work that the County was unable to get to on its own. He mentioned the clock was ticking and staff needed to start moving now, as the election season would start in October.

Commissioner Andriola thought looking at an independent group was important, and opined it was amazing to have volunteers who were willing to contribute; however, she believed that could create misunderstandings although well-intentioned. She proposed an independent group including a total commitment with the Audit Committee, with Vice Chair Herman and Chair Hill being part of that, to provide the County with findings and recommendations throughout the process. She understood the difficulty for a consulting firm wanting to review the whole process but noted if there were things that could be addressed and acted upon, it may warrant action that could help ensure the public was fully aware of the entire process. She said it was more than rolls, it was the operational review that occurred. She brought up Commissioner Garcia's point that the Board previously discussed the matter and gave the authority to the County Manager to proceed in reviewing independent organizations. She thought that was important. She asserted the process needed to be transparent, and the public should be assured that there was nothing but the best happening for every citizen who voted. She wanted to have consideration of her proposal to have the Audit Committee, including Chair Hill and Vice Chair Herman,

be a part of the process and she requested the results and reports be seen incrementally, and not just at the end.

Commissioner Andriola asked Manager Brown whether there was an exit clause for the County in the proposed contract that allowed for the termination of the contract if there was concern about the group. Manager Brown stated there was an exit clause in the contract. He clarified staff was asking for authorization of \$100,000, not \$600,000. The second amount of \$500,000 would only happen after it was brought back to the Board for approval if the work being conducted was acceptable and the Board wanted to embark on more work. Commissioner Andriola thanked Manager Brown for the clarification.

Chair Hill asserted there was a “termination without cause” clause in the contract, which was 12.1. She indicated it was 15 calendar days from the date of service of the notice.

Vice Chair Herman moved, seconded by Commissioner Clark, to deny the contract included in Agenda Item 15. The motion failed on a vote of 2-3, with Chair Hill and Commissioners Garcia and Andriola voting no.

Chair Hill asked Assistant District Attorney (ADA) Nate Edwards if the Board needed to do a motion to approve the contract to which ADA Edwards responded yes. Commissioner Andriola motioned to allocate \$100,000 for Phase I, as proposed, with the matter being involved with the Audit Committee, Chair Hill, and Vice Chair Herman. She motioned for timely reports to be brought back to the Board for review. Commissioner Garcia seconded the motion.

ADA Edwards recommended having only one Commissioner, either Chair Hill or Vice Chair Herman, and not both so there would not be a sub-committee. Chair Hill observed the Audit Committee was a sub-committee. ADA Edwards indicated the motion was to have Chair Hill and Vice Chair Herman report to the Board. Chair Hill explained she and Vice Chair Herman were both on the Audit Committee already. ADA Edwards questioned whether the contract would be run through the Audit Committee as a new provision of the contract. He was unclear about the intention. Commissioner Andriola clarified she meant not the contract necessarily, but the entire review process to have the oversight of the Audit Committee and reports brought back to the Board by Chair Hill and Vice Chair Herman. She thought that would allow transparency about how the review process was being conducted. ADA Edwards asked whether there would be presentations to the Audit Committee while the review was happening. Chair Hill stated the Audit Committee met monthly. ADA Edwards said that worked.

On motion by Commissioner Andriola, seconded by Commissioner Garcia, which motion duly carried on a 4-1 vote, with Commissioner Clark voting no, it was ordered that Agenda Item 15 be approved, directed, and authorized with the Audit Committee having oversight of the review conducted by the Elections Group.

23-0224 **AGENDA 16** Recommendation to approve a job classification title change from Assistant Registrar of Voters to Deputy Registrar of Voters; and to approve the creation of one new full-time Deputy Registrar of Voters position, pay grade P (\$132,785); the creation of one new full-time Administrative Assistant I position, pay grade K(\$102,329); and one new full-time Department Systems Specialist position, pay grade KL(\$108,688) (Registrar of Voters) as reviewed and evaluated by the Job Evaluation Committee (JEC); and authorize Human Resources to make the necessary changes. [Total fiscal impact \$343,802; Fiscal Year 2023 impact \$85,951]. Registrar of Voters. (All Commission Districts.)

Chair Hill asked Commissioner Andriola if she had any questions or if she wanted a staff presentation on this item.

Commissioner Andriola asked whether the two open positions on the organizational chart were in the process of being filled. County Manager Eric Brown clarified the Elections Group was assigned to the Office of the County Manager (OCM) to avoid any interference by the Registrar of Voters (ROV) Office, but this item was related to ROV staffing. Commissioner Andriola asked if the two vacant positions on the organizational chart were currently advertised or if there was a plan to fill them.

ROV Jamie Rodriguez clarified three ROV positions were currently vacant: Assistant Registrar of Voters (AROV), Department Systems Specialist (DSS), and Election Specialist (ES). An offer was made and accepted for the DSS and the individual would start at the end of the month. She said the ROV was finalizing the hiring process for the vacant ES position and the posting for the AROV would be reopened because several people dropped out so not many eligible candidates were available.

Commissioner Andriola noted there might be opportunities to look at staffing levels based on the Elections Group study. She inquired whether it would be possible to delay filling the positions until after the Elections Group offered information and analysis that would allow the budgetary support necessary for those positions. Manager Brown replied the Elections Group was looking at staffing but the work was suspended when the agreement was not approved by the Board. He said the County would have a recommendation from the Elections Group regarding the organizational chart. The plan was always to have the input before moving forward with hiring, but the input was not available yet because of the delay. He said there was time to make adjustments if necessary. The Elections Group had reviewed the preliminary organizational chart and had not expressed concerns, but the group felt there needed to be a Public Information Officer (PIO) position in the ROV. The plan was to present that position during the budgeting process since it was less time sensitive.

Ms. Rodriguez indicated the reason she was asking for these positions was that training and onboarding would be more extensive. She mentioned prior discussions about establishing working groups for the next election cycle, noting any delays in creating and filling these positions meant more time not having these positions to perform that work.

She referred to discussions during the retreat in January regarding the lack of excellent ROV procedure manuals, which would require management staff to create them. She indicated that extensive onboarding was the reason for requesting these positions outside of the cycle. She noted Manager Brown mentioned the 2024 election cycle would start in October so there were less than six months to put everything together.

Commissioner Andriola understood the strain of not having staff. She asked for clarification that the Elections Group staffing recommendations could be available as soon as the following week. Manager Brown said he would need to contact the Elections Group because it was in the process of working on the analysis when the Board asked the group to stop work. He mentioned the Audit Committee met quarterly, which would slow things down if staff had to wait three months to provide reports to the Elections Group.

Chair Hill asked whether more frequent meetings could be arranged with the group. Manager Brown said staff could try to convene more frequently if that was allowed or perhaps provide a weekly or bi-weekly update such as the one provided for the legislative report. This would allow the Commissioners to receive information before items were presented to the Board.

Assistant District Attorney (ADA) Nate Edwards said the prior item would need to be reopened if the Board was going to change the motion. He thought the Audit Committee could meet more frequently; the Board could hold a special meeting with one item and public comment. Chair Hill thought the meetings would be held monthly; she hoped the OCM could provide staff with more resources to make that happen. Manager Brown replied the issue was the availability of the Audit Committee, not staffing.

Commissioner Andriola said she was encouraged by hearing there would possibly be feedback from the Elections Group as soon as one week. She conjectured whether it would be conducive to postpone this item until the Board received the information and feedback. She clarified she was not suggesting there was no need, but she thought having that information might be prudent since the Board was already considering the allocation of funds.

Ms. Rodriguez asked for clarification that these positions would have to go through the Job Evaluation Committee (JEC). She noted every new position for any department had to go through the JEC and she believed the JEC would not meet again for several months. Chair Hill observed that elections were an essential function of the County so she believed the JEC could meet on a special basis to consider the recommendations of the Elections Group. Ms. Rodriguez acknowledged that was possible. She clarified that postponing this item would result in a delay of more than just one or two meetings because after receiving the Elections Group recommendations there would be an Internal Audit Committee (IAC) meeting and an evaluation by the JEC before the positions could be presented to the Board again. She understood the Board's prior motion indicated anything from the Elections Group had to go to the IAC. Chair Hill believed the positions would only need to go to the JEC if there was a change because the JEC had already approved the

positions currently before the Board. She thought further evaluation was not a bad compromise.

Manager Brown questioned the benefit of the IAC versus the Board of County Commissioners (BCC) receiving those updates. He suggested having the updates sent to the BCC meant everyone would have access to the information at the same time and it could be shared with the IAC. He indicated his primary interest was the Commissioners' thoughts and concerns. Commissioner Andriola thought that a committee would allow for deeper discussion. The IAC would provide additional intellectual power and a collaborative opportunity so that when the Board received a report it would have already gone through a committee-level discussion.

Commissioner Clark asked whether the ROV had Manpower staff working in the office. Ms. Rodriguez said yes. Commissioner Clark asked how many Manpower employees worked in the ROV and if other temporary employees worked in the ROV. Ms. Rodriguez said five Manpower employees currently worked in the ROV. She stated the ROV also had a contract with My Next Career Path Staffing, and she currently had one temporary employee from that company. Commissioner Clark inquired how much temporary employees were paid. Ms. Rodriguez replied she would need to provide that information at a later date because each company contract rate was different. Commissioner Clark asked whether the ROV budget allowed for those employees. Ms. Rodriguez confirmed the ROV budget had an allotment for temporary employees. She noted the ROV was a very small department and would not be able to operate with only the permanent staff. Commissioner Clark inquired whether it would be prudent to account for the temporary staff when asking the Board for an additional \$343,800 annually for new employees. He asked how long temporary staff worked for the ROV on average. Ms. Rodriguez indicated the responsibilities of the temporary employees were vastly different from the responsibilities of full-time County employees. She noted temporary employees could not write policies or procedures and they could not perform many of the voter roll maintenance requirements; that was why they were not accounted for when reporting staff size. She observed temporary employees were not accounted for in the workload and responsibilities of the department because their number fluctuated greatly, from 30 employees during an election down to 3 employees. She said not all temporary employees worked full-time. The temporary employees were currently working on voter roll maintenance projects and they were kept on based on direction from the Board and her request for a new voter registration system. Commissioner Clark asked about the typical contract term for temporary employees. Ms. Rodriguez replied the employees did not have a term but the ROV's contract with Manpower was on an annual basis with the option to extend; she would need to confirm the term for the State's contract with My Next Career Path Staffing.

Commissioner Clark inquired whether any complaints were made by ROV employees to Human Resources (HR) and if so, how many. Ms. Rodriguez replied yes, but she did not know how many. Commissioner Clark asked how many ROV employees left the department in the past 24 months. Ms. Rodriguez said her department consisted of nine employees and all of them left between 2021 and the present.

Chair Hill observed a suggestion was made to postpone this item until it was vetted further. She asked Commissioner Andriola whether she still wished to postpone. Commissioner Andriola said yes.

On the call for public comment, Ms. Penny Brock noted this item was on the March 28 agenda and her handouts for this item were on the record for that meeting. She observed the average wage in the City of Reno was \$40,000 per year but the staff report for this item provided no justification for paying these three employees \$100,000 per year. She speculated about the Elections Group's involvement, asking whether the group would bring three people from out of state for these positions. She observed the staff report did not specify education or professional requirements for the positions; it only provided a job description, title, and salary.

Ms. Janet Butcher recounted a past job interview after which she was not offered the job because she had too much experience. She knew of one person with experience who applied for the position in the ROV Office and had not been given consideration. She inquired whether the County was looking at all other departments to increase employee salaries to make things equitable.

Chair Hill asked for clarification about the process for tabling an item. ADA Edwards said the Board did not need to take any formal action.

There was no action taken on this item.

23-0225 **AGENDA ITEM 20** Public Comment.

Ms. Janet Butcher observed the current elections muddle resulted from the legislative decisions made before the 2020 election. She thought the Commissioners needed to speak with the legislators and stop mail-in ballots. She spoke about a conversation she had with County Manager Eric Brown regarding centralization, stating Manager Brown was a proponent of centralizing. She stated centralizing was difficult to scale so centralization was more common in smaller jurisdictions. She voiced her concerns about centralization and about outsourcing election issues to an out-of-state group.

Ms. Melissa Adam thanked the Board for listening to the Gerlach residents. She said Gerlach residents were a great group of people. She mentioned Gerlach had previously been a green belt and she requested help from Manager Brown for Arbor Day. She received assistance and 25 trees were provided by the County and 22 from the State. She thanked Manager Brown for attending most Gerlach General Improvement District (GGID) and Citizen Advisory Board (CAB) meetings, noting Vice Chair Herman participated in those meetings via telephone as well.

23-0226 **AGENDA ITEM 21** Announcements/Reports.

Commissioner Clark wanted to investigate how the County could facilitate access to Board of County Commissioners’ (BCC) meetings via Zoom in the outlying areas of the County such as Gerlach. Chair Hill concurred with the request as it would apply to Incline Village (IV).

Commissioner Clark observed that developer Mr. Mark Campbell was working with Sheriff Darin Balaam on the secondary road through the Regional Public Safety Training Center (RPSTC). He asked for this item to be agendized as soon as possible since he understood the developer was anxious to begin construction.

Chair Hill welcomed Commissioner Andriola to the team.

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8:10 p.m. There being no further business to discuss, the meeting was adjourned without objection.

ALEXIS HILL, Chair
Washoe County Commission

ATTEST:

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

Minutes Prepared by:
Doni Blackburn, Deputy County Clerk
Taylor Chambers, Deputy County Clerk
Carolina Stickle, Deputy County Clerk
Evonne Strickland, Deputy County Clerk
Lauren Morris, Deputy County Clerk