

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

TUESDAY

10:00 A.M.

NOVEMBER 28, 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

Mary Kandaras, Chief Deputy District Attorney

The Washoe County Board of Commissioners convened at 10:00 a.m. in regular session in the Commission Chambers of the Washoe County Administration Complex, 1001 East Ninth Street, Reno, Nevada. Following the Pledge of Allegiance to the flag of our Country, County Clerk Jan Galassini called roll and the Board conducted the following business:

23-0768 AGENDA ITEM 3 Public Comment.

County Manager Eric Brown reviewed the rules for public comment. He advised this item was eligible for virtual public comment in Incline Village (IV) and Gerlach when available. He explained virtual public comment availability could be confirmed by contacting the Office of the County Manager (OCM) at Washoe 311 the day before any meeting.

Ms. Cheryl Guinan stated her support of the Special Use Permit (SUP) appeal from Safe Embrace. She cited domestic violence statistics to reinforce her position about the importance of Safe Embrace operating at their full potential. She noted long-standing community support for the growth of Safe Embrace and urged the Board of County Commissioners (BCC) to align with those supporters to expand domestic violence resources in Washoe County. She suggested direct assistance for domestic violence victims would reduce the burden on other County resources, like courts, first responders, and services for unhoused residents. Ms. Guinan restated her position that the County could not afford to decrease domestic abuse resources, and that Safe Embrace provided essential support for many victims taking their first steps away from their abusers.

Ms. Elise Weatherly talked about the importance of accountability, consistency, and respect. She expressed disappointment in the lack of progress through traditional channels on disputes with her Homeowners Association (HOA).

Ms. Tammy Holt-Still commented about increased water levels in Swan Lake and requested the Sewage, Wastewater, and Sanitation (SWS) Hearing Advisory Board hold a hearing to address concerns regarding dangerous conditions in the area for humans and animals. Ms. Holt-Still displayed documents and images, copies of which were distributed to the Board and placed on file with the Clerk. She declared unsafe levels of effluent were present and was deeply concerned about how the area was being managed.

Mr. Terry Brooks spoke about homelessness and the correlation between climbing real estate values, higher rent, and increased numbers of unhoused citizens in the area. He praised the variety of services available at Hope Springs and the Cares Campus, and thanked Commissioners for their support of those assistance programs.

Mr. Rick Snow recalled going to Washoe County Code Enforcement on November 22, 2022 to have a problem solved at 128 Kennedy Drive, Reno, Nevada. He described frustration about being directed to four different locations before he finally found someone who would speak to him, ultimately at the Office of the County Manager (OCM). He expressed further frustration about the restraining order filed against him because of a perception that he was out of line. He shared that he placed a call on November 27, 2023 to follow up on 128 Kennedy Drive and was informed there was no case open regarding that property. He said he filled out a witness form on November 22, 2022, which was given to him by the County. He was disappointed that nothing had happened for a full year, despite his pursuit of multiple avenues of resolution. He added he submitted a full written description of the violations along with pictures over a year ago. He advised he would follow up using the case number he had now obtained. He objected to the taxes he paid despite not getting the service and support from the County he expected in return.

Ms. Katie Knepper described statements and documents provided by Safe Embrace and Christy Corporation that she claimed were deliberately misleading and inaccurate. She said the figures cited in those documents made the SUP appeal appear to follow Washoe County building codes, when in fact they did not. She reasoned her claims were validated when Washoe County staff visited the site on November 17, 2023 to measure, and updated their figures accordingly. She restated her findings about total livable space at the Safe Embrace property, which did not include all on-site structures, since not all were permitted for livable space. She disputed inflated figures provided by Safe Embrace, and insisted the new measurements taken by the Washoe County Planning and Building Division be used instead to determine compliance. Ms. Knepper displayed documents, copies of which were distributed to the Board and placed on file with the Clerk.

Ms. Katie Knepper also provided comment on behalf of her husband, Alferd Knepper, on American Disabilities Act (ADA) accommodation. She recalled Safe Embrace was subjected to a group care facility license revocation previously. She emphasized the importance of adherence to Washoe County Code (WCC) and referenced Code violations at the Safe Embrace dwelling, such as not having a kitchen within the dwelling unit. Ms. Knepper read and responded to a number of quotes from the October 17, 2023 BCC meeting. She objected to repeated assurances from Safe Embrace that were not fulfilled. She maintained the change from a group home to a group care facility was a major change,

and that a commercial compound within the existing Low Density Suburban (LDS) neighborhood of Ponderosa Drive was inappropriate. She feared approval of the SUP could lead to additional expansion requests in the future.

Mr. William T. Steward displayed documents and images, copies of which were distributed to the Board and placed on file with the Clerk. He thanked Commissioners for their public service, and relayed information about fire prevention, response, and safety. He asked for more federal funds to be recouped and directed to Homeowners Associations (HOAs) to help with fire mitigation, home hardening, and creation of defensible space. He said this was especially urgent considering the history of wildfires in and around Washoe County and increased risk due to population growth. He stated concern about many neighborhoods with abundant fuel for fires which could create a domino effect. He recalled devastating effects of fires in prior years, and urged the BCC to be proactive about fire prevention. He recommended Commissioners consider joining the Firewise USA program.

Ms. Valerie Fiannaca expressed her ongoing concern with the management of public libraries locally, which she noted she had brought to the attention of the BCC on many prior occasions. She questioned how far it should be allowed to go. She mentioned an upcoming review of Library Director Mr. Jeff Scott, which she hoped would provide an opportunity to reassert control and address what she perceived as an escalation of inappropriate events and actions. She also mentioned personal attacks on her character. She felt Mr. Scott's attendance at coffee events hosted by new Washoe County Library System (WCLS) Board of Trustees member Gianna Jacks was inappropriate and ill-intentioned.

Ms. Pam Darr related an incident from early October 2023 at the Senior Center, which she said she already shared with some Commissioners. She disclosed an uncomfortable experience of encountering a man sitting in a chair in the lounge area of the women's restroom. She said he left, but she wondered why he was there in the first place. Ms. Darr subsequently called a friend, who regularly went to the Senior Center, to get her perspective. The friend told Ms. Darr about a fistfight she witnessed at the Senior Center that day which the Sheriffs were called out for. Ms. Darr shared that she used to take her mother to the Senior Center at times, and never felt it was unsafe, but she would no longer feel comfortable doing so given the current circumstances. She was especially concerned about the risk to seniors that came from drug use by some visitors to the Senior Center, particularly homeless seniors. She opined many seniors needed additional support that extended beyond what could be offered by the Senior Center.

Mr. Matthew Wilkie expressed his concern about meetings of the Community Homelessness Advisory Board (CHAB) being reduced while the urgency of houselessness in the community increased. He felt community collaboration remained crucial to addressing ongoing challenges, and encouraged more regular meetings be held. He expressed gratitude to Commissioners for their support of community organizations like Urban Roots and Options Veterinary Care. He urged the County to prioritize houselessness and ensure regular, consistent CHAB meetings.

Ms. Amanda Bullard, Deputy Director for the Nevada Coalition to End Domestic and Sexual Violence (NCEDSV), commented in support of the SUP appeal from Safe Embrace. She thanked the Commissioners for the opportunity to speak. She provided background on the mission and scope of NCEDSV and shared that her organization had worked closely with Safe Embrace for many years. She praised the tireless work Safe Embrace did with women to assist in their transition from victims to survivors. She was confident that approving the SUP request was one of the most effective ways to have a positive impact on victim/survivors and the safety and well-being of Washoe County's most vulnerable. She reminded Commissioners of the high rates in Nevada of domestic violence per capita, which reinforced the importance of additional local shelter capacity.

Mr. Bruce Foster declared concern about materials being promoted in the Washoe County libraries that he did not feel were suitable for children and were not an appropriate use of tax monies. He asserted the American Library Association had pushed an agenda that was also being supported by the WCLS. Mr. Foster displayed images, copies of which were distributed to the Board and placed on file with the Clerk. The images were selected pages from *The Every Body Book* by Rachel E. Simon which he said his wife had checked out from the children's section of a local library as an example of inappropriate materials readily available.

Chair Hill interjected to ask for guidance from Chief Deputy District Attorney (Chief DDA) Mary Kandaras regarding what was suitable to show in Chambers. Chief DDA Kandaras stated that although it was a public forum, the decorum of a BCC meeting in Chambers differed from a public library. She asked that Mr. Foster not show the images.

Mr. Roger Edwards disputed the viewpoint of Chief DDA Kandaras, and asserted there could not be a forum more public than the meeting they were in that day. He echoed concerns expressed earlier in the meeting by Ms. Fianacca about Library Director Jeff Scott and overall management of WCLS. He said he was happy to see the agenda for that day did not include spending millions of dollars. He urged Commissioners, particularly the Republicans on the BCC, to be fiscally responsible and not spend public dollars unnecessarily.

Ms. Aspen Murillo explained Safe Embrace was one of the few resources in the community able to offer transitional housing, and transitional housing was sometimes the bridge in leaving a domestic violence situation. She reasoned without that bridge, people would more often end up on the streets. She contended more transitional housing options were needed and suggested if the County denied the SUP, they needed to provide something else to the community to make up for that loss.

Ms. Penny Brock spoke about election integrity. She specifically mentioned Strategy Rose and Amber McReynolds, Chief Executive Officer (CEO) for the National Vote at Home Institute and Vice Chair of the United States Postal Service Board of Governors. Ms. Brock recalled County Manager Brown hiring The Elections Group in December 2022, and remained concerned about retroactive consideration of that contract

by the BCC in March 2023. She reviewed the timeline of negotiations and contracting between the County and Strategy Rose and was deeply concerned about the legality and transparency of these proceedings. Ms. Brock imparted her opposition to mail-in ballots generally, and preferred voting in-person.

Ms. Samantha Gonzalez expressed her opposition to the proposed Safe Embrace expansion. She suggested there were many alternative locations for the expansion of Safe Embrace. She commented they could open additional group homes in the community to increase capacity, whereas homeowners on Ponderosa Drive could not easily go elsewhere. She shared that she had lived on Ponderosa Drive for 23 years, raised her children there, and had many memories tied to her home. She added many neighbors had similar situations. Recognizing the community support for Safe Embrace, she emphasized that she was not opposed to their mission but did request that the SUP application be evaluated on facts alone. She listed reasons why a group care facility was inconsistent with the neighborhood, and related prior incidents. Ms. Gonzalez also disputed statements about neighbor support from Safe Embrace on their application, and cited specific disruptive incidents related to Safe Embrace residents over the years.

Ms. Nora Constantino provided history about the property at 1995 Ponderosa Drive in Sparks, beginning with its former use as a group home that provided hospice care for people dying of AIDS. She recalled at that time there were only 5 patients and hardly any visitors. She mentioned the subsequent operation of Safe Embrace as a licensed group care facility, and claimed the group care facility license was revoked because it was illegal. She said there had been a cascade of poor decisions since. She clarified that she supported the mission of Safe Embrace but emphasized the BCC decision that day must be based on the requirements for a Special Use Permit. She contended it was about site suitability in that neighborhood. She suggested Safe Embrace had options to open more group homes or apartment buildings, as their other sister agencies had. She alleged Safe Embrace had the financial means to provide lower density housing for women and their children in an environment that was safer than the plan outlined in the SUP application before the BCC. She argued homeowners in the neighborhood did not have the luxury to buy more houses and move. She restated the LDS zoning designation of Ponderosa Drive, the intent of which she said was to maintain the feeling of being in the country while being in the city. She added that was why there were no streetlights or sidewalks, which also posed a risk to the women and children staying at Safe Embrace. She maintained approving the application would increase foot traffic, often at night, which would be unsafe. She reiterated that number of people on a one-acre lot was not suitable for the Ponderosa Drive neighborhood. She stated there was an on-site office that operated Monday through Friday. She was concerned about the lack of supervision at night at the location.

Ms. Nicole Winckelmann, policy specialist for NCEDSV, shared her support of the Safe Embrace SUP application. She said domestic violence was complex, nuanced, and often misunderstood. She noted the lack of affordable housing in Washoe County and the difficult position of people who tried to find housing after they left a domestic violence situation. She provided statistics that highlighted the prevalence of those

difficult and often dangerous choices. She cautioned against judgement, and explained schedule differences did not indicate delinquent behavior, though they might appear odd to observers. She suggested job schedules, including night shift and swing shift, coupled with possible reliance on public transportation, could necessitate hours that appeared unusual to neighbors, but they did not pose any real danger.

Ms. Janet Butcher referenced prior commentary from Ms. Brock and said she appreciated the concerns Ms. Brock raised about The Elections Group and related contracting. She also found the distinction about what constituted a public, unrestricted forum interesting, and felt if books were easily accessed by children in a public library, that content should also be freely shared in a BCC meeting.

Ms. Michon R. Eben, Tribal Historic Preservation Officer for the Reno-Sparks Indian Colony (RSIC), provided her perspective on Agenda Item 7E6 of that day's agenda, which recommended placement of a tribal land acknowledgement as standing language on the BCC meeting agenda. She thanked Commissioners for acknowledging the first people of the region. She mentioned she was the 650th generation of her people to live in the Great Basin area. She believed land acknowledgements were an important admission of a rightful history that was long overdue. She said it was necessary to remind the citizens about what brought them to reside on Washoe County land. She imparted indigenous people did not believe in lines, fences, boundaries, or maps. She added that type of personal property was colonization and wanted to make clear that the Truckee Meadows region was used by several tribes, not just one tribe. She described it as a shared use area due to the landscapes and abundant food, land, water, and medicines. She held land acknowledgement meant acknowledging the lands themselves, and what they were used for. She provided examples of the Truckee River that flowed 127 miles from Lake Tahoe to Pyramid Lake, and of Aka Kiba (Sunflower Mountain in the Paiute Language), familiar to many Washoe County residents as Peavine Mountain. She noted the Truckee River was named for a Paiute man who led the settlers across the large mountains, and stated "Truckee" was not his actual name, though it was a native name. She emphasized the importance of acknowledging all people who were a part of the land, and wanted to ensure tribes were consulted and a part of any processes regarding land designation or acknowledgement, especially the Truckee Meadows Public Lands Management Act (TMPLMA.)

23-0769 **AGENDA ITEM 4** Announcements/Reports.

Commissioner Andriola thanked the County Manager for the allocation of staff to explore horse property codes, solicit feedback, and consider barriers to progress on updating the codes. She advised it was clear from the beginning that there would be additional items to consider from a regulatory standpoint. She shared because there would be items that were bound by statutes and administrative codes in other jurisdictions, she reached out to the Nevada Department of Agriculture (NDA), the Office of the Lieutenant Governor, and the Governor's Office for guidance on how to continue moving forward. She thanked everyone for their hard work as they explored the potential for change.

Commissioner Clark noted the higher price of gas in Washoe County as compared to the national average of \$3.25 per gallon. He posited higher prices for fuel, goods, and services put Washoe County residents at an economic disadvantage. He mentioned an email he received on Thanksgiving from someone at the Cares Campus, which he sent out to the other Commissioners and put on record with the Clerk. Commissioner Clark read the email, which detailed concerns about food at the Cares Campus. Specifically, the email alleged food brought in using warming vans had given multiple people food poisoning on several occasions. It also described seemingly haphazard tracking of non-perishable foods overseen by Volunteers of America (VOA), which the author stated were purchased using Supplemental Nutrition Assistance Program (SNAP) funds. The email claimed those foods were being kept off-campus. It also related hot water and coffee had been limited to morning hours though demand continued through the night, especially as temperatures dropped approaching winter. The author contended the Cares Campus was a homeless shelter, not a prison. Commissioner Clark said he was troubled by that type of message and asked his fellow Commissioners to take a close look at the content of the email and conditions at the Cares Campus. He added those issues mirrored concerns he had often raised about the quality of food at the Senior Center. He questioned the need for a logo for the Cares Campus which he had seen. Commissioner Clark recalled the BCC meeting held at Sparks Library the prior month and felt the expense for the workshop facilitator was wasteful. He showed a book entitled *How to Counter Group Manipulation Tactics* that he claimed explained everything that happened at the October 24, 2023 BCC meeting. He requested the book be placed on the record.

Chair Hill invited everyone to attend a tour of the Resource Center at the Nevada Cares Campus on December 1 ,2023 at 10:00 am. She said the tour was open to the public and was in lieu of the Community Homelessness Advisory Board (CHAB) meeting previously considered for December 2023.

23-0770 **AGENDA ITEM 5** Presentation and discussion by Gabrielle Enfield, Community Reinvestment Manager, regarding a status update for the State and Local Fiscal Recovery Fund (SLFRF) grant (\$91,587,038) awarded to Washoe County pursuant to the American Rescue Plan Act of 2021 (ARPA). Manager’s Office. (All Commission Districts.)

Community Reinvestment Manager Gabrielle Enfield conducted a PowerPoint presentation and reviewed slides with the following titles: Community Reinvestment Update; Overview; ARPA-SLFRF Update; ARPA-SLFRF: Funding Status; ARPA-SLFRF: Reporting; ARPA-SLFRF: Timeline; Opioid Abatement & Remediation Program; Opioid Settlement Funds Plan: Funding Status; Opioid Settlement Funds Plan: Notice of Funding Opportunity – Spring 2024; Opioid Settlement Funds Plan: Fund Distribution; Opioid Settlement Funds Plan: Timeline; Opioid Settlement Funds Plan: Funding Priorities (from Needs Assessment); Opioid Settlement Funds Plan: Evaluation and Selection Criteria; Washoe County: Opioid Settlement Funds Plan: Examples and Uses of Funds; Opioid Settlement Funds Plan: Examples of Uses of Funds (continued); General Division Updates; Division Update: Community Reinvestment Org Chart; Division

Update: Discretionary Grant Facilitation & Assistance; Division Update: Discretionary Grant Facilitation & Assistance (2); Division Update: Discretionary Grant Facilitation & Assistance (3); Questions?.

Ms. Enfield provided information about three broad areas: American Rescue Plan Act of 2021 (ARPA), an opioid abatement and remediation program, and general Community Reinvestment division updates. Regarding ARPA funds received by Washoe County, she reminded Commissioners of the \$91.5 million already received from the federal government to support recovery, activities, and projects related to the impact of COVID-19 (C19). She said this was a mature program that was well underway. She shared that of the \$90,485,241.37 allocated by Commissioners, \$58,115,982.29 was already obligated. She advised all funds needed to be obligated by the end of 2024, and felt confident about current progress towards that target. She added that of those obligated funds, \$32,964,080.37 was already expended, and just over \$1 million remained to expend. She noted some projects awaited BCC review and approval, and contingency funding was needed for projects already being implemented. She explained there was a total of 111 projects, 59 of which were internal and 49 of which were external awards to organizations and projects throughout the community. She said there were also three administrative accounts, which provided organizational and accounting support for funds awarded. She imparted there were a lot of community projects and one of the goals of her department was to provide high-quality assistance and support with management of federal funds, which was complex. She praised the work of her team and the support they had provided to sub-recipients of the program. She clarified that as her department moved forward, the focus was on increasing the capacity of non-profit organizations to independently obtain federal funding as well as properly implement ARPA funds passed through Washoe County. She directed attention to the Annual Report of fund use, a copy of which was placed on file with the Clerk, and copies of which were available for the public in both printed and digital form. She said the report summarized all of the projects and included project details and notes on outcomes. She advised the report was produced every year in July and would include updates as projects were implemented. Regarding the overall timeline, she informed most of the grantmaking process had been completed and allocations would continue, but the focus for the next six months would shift to meeting obligation and expenditure deadlines. She indicated monitoring and reporting work would continue alongside implementation support for departments and non-profits.

Ms. Enfield provided an overview of the Opioid Abatement & Remediation Program and funds received through the One Nevada litigation with support from the District Attorney's (DA) office. She reported \$41 million was expected over the next 20 years and \$2.8 million was already received. By the end of November 2023, she expected \$6.4 million would have been received. She explained the funding sources required annual reporting as well as eligibility use requirements, which were often unique to each award. She shared the set of funding priorities developed from a Washoe County opioid use and use disorder needs assessment approved by the BCC in December 2022. She explained it would be an open competition, and funding awards would focus on priorities identified by the needs assessment. She said applications were expected from County departments, non-profit organizations, treatment providers, and private entities. She noted some preference

would be given to internal Washoe County projects. She expected the notice of funding availability (NOFA) to be released in January 2024, and anticipated a funding distribution of \$5.6 million. She reported the first round of awards would be established as two-year grants, and the second round would be established as three-year grants. She advised about departmental preparation for the accounting and hoped to move forward with the timeline as planned despite some staff turnover. She disclosed though her staff were experts in grant management, they were not experts in opioid use and abuse treatment and would develop an advisory committee of subject matter experts in the community to assist as needed. She described examples of eligible uses for funds that would match the identified criteria, and noted those examples would be available along with other information for applicants in the NOFA. She expected to make awards and bring the slate of proposed projects and programs to the BCC for approval in June 2024.

Ms. Enfield provided Community Reinvestment division updates, which included an overview of the staff organization chart and current vacancies, planned growth, and recent changes. She updated Commissioners on discretionary grant facilitation, which she explained was assistance to County departments and potentially to non-profit organizations in the community. The focus would be obtaining new funding for competitive grants which could include federal grants, state grants, and foundations. She said to date, Washoe County had been awarded \$4,067,926 on projects they had supported and assisted and there were an additional two projects still pending, one for electric vehicle (EV) chargers throughout the county and one for the Washoe ArTrail. Ms. Enfield reported active recruitment was underway to fill department vacancies, and anticipated beginning the appropriations process shortly. The priorities were planned to be increased grant efforts, focus on large-impact projects, and concentrated support for community nonprofits to build capacity and obtain and manage federal funds. She hoped to host a second statewide grants conference following the success of the first one in 2020. Expansion of data outcome reporting and impact storytelling were expected to be conference content highlights.

Chair Hill praised Ms. Enfield and her team for their work and commended Manager Brown for empowering the Community Reinvestment team. She said the Annual Report needed to be sent to the congressional delegation to inform them of the incredible work being done in communities. She was excited to see exemplary transparency about federal ARPA funds use, and congratulated Ms. Enfield for how hard she and her team worked to get additional funds for the County. Chair Hill added she looked forward to seeing data on final ARPA funds distribution and use. She highlighted the importance of the opioid settlement work and was glad to hear about the planned work between Community Reinvestment staff and the advisory committee. She eagerly anticipated settlement funds getting into affected communities.

Commissioner Clark asked Ms. Enfield to provide some detailed examples of how Opioid Abatement & Remediation Program funds could be used. He inquired what Ms. Enfield's view of the best use of funds was. Ms. Enfield directed Commissioner Clark to the identified funding priorities for Washoe County. She explained those priorities were the guiding principles and would be built into the evaluation component and shared with applicants to ensure alignment with grant award objectives. She noted housing was an

eligible use of these funds, and shared that she found projects that focused on treatment, prevention, root causes, and children especially compelling. Ms. Enfield indicated more proposal details would be provided as projects were selected.

DONATIONS

23-0771 **6A1** Recommendation to accept a one-time cash donation of [\$3,500.00] from private citizen Peter Lissner to the Washoe County Sheriff’s Office Honor Guard to be used for equipment and travel expenses. Sheriff. (All Commission Districts.)

There was no response to the call for public comment.

On motion by Commissioner Garcia, seconded by Commissioner Andriola, which motion duly carried on a 5-0 vote, it was ordered that Agenda Item 6A1 be accepted.

CONSENT AGENDA ITEMS – 7A1 THROUGH 7H1

23-0772 **7A1** Acknowledge the communications and reports received by the Clerk on behalf of the Board of County Commissioners, including the following categories: Communications; Monthly Statements/Reports; and Quarterly Statements/Reports. Clerk. (All Commission Districts.)

23-0773 **7A2** Approval of minutes for the Board of County Commissioners' regular meeting of October 17, 2023, and special meeting of October 24, 2023. Clerk. (All Commission Districts.)

23-0774 **7B1** Recommendation to: (1) adopt Resolution R23-163 declaring Washoe County’s intent and decision to lease a portion of Assessor’s Parcel Number (APN) 008-211-51 (formerly APN 008-211-46), for the continued use of a portion of land (approximately 250 square feet) to the Lamar Companies, as authorized within NRS 244.2833; and if approved, (2) schedule a Public Hearing for December 12, 2023, to allow for objections related to the proposed Sign Location Lease for an outdoor advertising structure, retroactive to June 1, 2023 for a 36-month term with a rental fee to Washoe County of \$1,750.00 monthly between Washoe County (Lessor) and the Lamar Companies (Lessee); and, (3) direct the Clerk’s office to provide notice of the public hearing and other matters properly related thereto. Community Services. (Commission District 3.)

23-0775 **7C1** Recommendation to confirm the appointment of Tammi Davis, retiree, to the Washoe County, Nevada Other Post-Employment Benefits (OPEB) Trust Fund for a two-year term ending on November 28, 2025 with the eligibility of continuing for an additional two-year term ending on November 28, 2027. The OPEB Trust is a legally separate entity from Washoe County for the exclusive purpose of providing funds to pay for the

post-retirement benefits provided by the employee welfare benefit plans maintained by the County and all assets of the fund are irrevocably dedicated to, and are used for the exclusive purpose of, providing for the payment of benefits and for paying reasonable expenses of administering the Fund, and will not be available to any creditors of the County or Truckee Meadows Fire Protection District. Comptroller. (All Commission Districts.)

23-0776 **7D1** Recommendation to accept three grant awards from the United States Department of Housing and Urban Development to support the Continuum of Care initiative with planning, coordinated entry matchmaker activities and implementation of specific policies and procedures to address domestic violence survivors' needs in accessing services; (1) in the amount of [\$72,185.00, \$20,948.20 county match] retroactive for the period July 1, 2023 through June 30, 2024; (2) in the amount of [\$30,000.00, \$10,789.00 county match] retroactive for the period May 1, 2023 through April 30, 2024; and (3) in the amount of [\$30,000.00, \$10,788.96 county match] for the period January 1, 2024 through December 31, 2024; authorize the Interim Agency Director to sign award documents; and direct the Comptroller's Office to make the necessary budget amendments. Human Services Agency. (All Commission Districts.)

23-0777 **7D2** Recommendation to accept two FY24 subgrant awards from the State of Nevada, Department of Health and Human Services, Division of Public and Behavioral Health (DPBH) to support the position and activities of the Regional Behavioral Health Coordinator whose mission is to coordinate regional mental health services for underserved populations: (1) in the amount of [\$107,930.00; no county match] retroactive from October 1, 2023 through September 30, 2024; and (2) in the amount of [\$87,571.00; no county match] retroactive from October 1, 2023 through August 31, 2024; authorize the Interim Director of Human Services to retroactively execute the grant award documents; and direct the Comptroller's Office to make the necessary budget amendments. Human Services Agency. (All Commission Districts.)

23-0778 **7E1** Recommendation to approve, pursuant to NRS 244.1505, Commission District Special Fund disbursement in the amount of [\$2,000.00] for Fiscal Year 2023-2024; District 1 Commissioner Alexis Hill recommends a [\$1,000.00] grant to TEDxReno - a non-profit organization, created for religious, charitable or educational purposes - to support the independently organized TEDx event; and a [\$1,000.00] grant to the Nevada Interfaith Association -- a non-profit organization created for religious, charitable or educational purposes -- to support the 2024 Dr. Martin Luther King, Jr. Interfaith Memorial Celebration; to approve Resolutions necessary for same; and direct the Comptroller's Office to make the necessary disbursements of funds. Manager's Office. (Commission District 1.)

- 23-0779** **7E2** Recommendation to approve, pursuant to NRS 244.1505, Commission District Special Fund disbursement in the amount of [\$2,500.00] for Fiscal Year 2023-2024; District 2 Commissioner Mike Clark recommends a [\$2,500.00] grant to Urban Roots - a non-profit organization, created for religious, charitable or educational purposes - to support the Gardening for All Initiative, which focuses on building gardens for specific areas and providing garden education; approve Resolution necessary for same; and direct the Comptroller's Office to make the necessary disbursement of funds. Manager's Office. (Commission District 2.)
- 23-0780** **7E3** Recommendation to approve, pursuant to NRS 244.1505, Commission District Special Fund disbursement in the amount of [\$15,000.00] for Fiscal Year 2023-2024; District 3 Commissioner Mariluz Garcia recommends a [\$5,000.00] grant to Glenn Duncan STEM Academy -- a government entity -- towards commissioning a physical education teacher, purchasing of athletic equipment, commissioning an artist for a new mural and retouching an existing mural, supporting the students and families with counseling, and purchasing social-emotional classroom materials; a [\$5,000.00] grant to Options Veterinary Care – a nonprofit organization created for religious, charitable or educational purposes – to provide quality, affordable, and accessible spay/neuter services and veterinary care options for pets; and a [\$5,000.00] grant to Urban Roots -- a non-profit organization, created for religious, charitable or educational purposes -- to support the Gardening for All Initiative, which focuses on building gardens for specific areas and providing garden education; approve Resolutions necessary for same; and direct the Comptroller's Office to make the necessary disbursements of funds. Manager's Office. (Commission District 3.)
- 23-0781** **7E4** Recommendation to approve and sign the interlocal agreement between the City of Reno and Washoe County that authorizes reimbursement in the amount of \$100,000 by Washoe County to the City of Reno for expenses incurred by Dig Studios, an architecture and design firm, for a Truckee River Master Plan, and in accordance with NRS 244.1505, approve a subgrant of American Rescue Plan Act (ARPA) funds through the Coronavirus State and Local Fiscal Recovery Fund (SLFRF) to the City of Reno in the amount of [\$100,000] for a retroactive performance period of July 1, 2023 through September 30, 2024, and if approved authorize the County Manager to sign the necessary grant documents. Manager's Office. (Commission Districts 1, 3, and 4.)
- 23-0782** **7E5** Recommendation to approve transfer of collected 12% indirect salary costs from eligible approved American Rescue Plan Act Coronavirus State Fiscal Recovery Fund and Coronavirus Local Fiscal Recovery Funds projects from April 1, 2023, through September 30, 2023, totaling \$143,200.83. These include Cares Campus Operations \$96,546.23; Public Defender Personnel \$13,119.90; Human Services Agency Personnel

\$9,774.50; District Attorney Personnel \$2,952.62; Second Judicial District Court \$286.50; Second Judicial District Court \$5,363.99; Juvenile Services Mental Health \$4,506.93; ARPA Admin Personnel \$10,650.17. And, if approved, direction to the Comptroller's Office to make necessary net zero cross-fund and/or cross-functional budget appropriation transfers and unbudgeted transfers. Manager's Office. (All Commission Districts.)

23-0783 **7E6** Recommendation to acknowledge and approve the placement of a tribal land acknowledgement as standing language on the Board of County Commissioner meeting agenda. Manager's Office. (All Commission Districts.)

23-0784 **7E7** Recommendation to approve allocation of American Rescue Plan Act (ARPA) funds through the Coronavirus State and Local Fiscal Recovery Fund (SLFRF) in the total amount of [\$280,000] for the following 3 projects: a. Medical Examiner's Office Renovation \$130,000 b. South Valleys Library Renovations \$75,000 c. Spanish Springs Library Renovations \$75,000 Recommendation to approve amended allocations to two projects d. Increase funding for the Purchase of 1240 E. Ninth Street by \$60,000 for a total of \$4,860,000 to cover acquisition closing costs. e. Increase funding for the Health District Lobby Demo by \$6,135.38 for a total of \$36,135.38 to cover additional concrete removal and lighting for the clinical services demolition. Recommendation, in accordance with NRS 244.1505, to subgrant SLFRF funds to previously approved allocations and if approved authorize the County Manager to sign the necessary grant documents.: f. Brain Health Leadership Foundation for Neuromodulation Treatment Services for individuals in recovery in the amount of \$100,000 And, if approved, direction to the Comptroller's Office to make necessary net zero cross-fund and/or cross-functional budget appropriation transfers. Manager's Office. (All Commission Districts.)

23-0785 **7F1** Recommendation to approve agreements between Washoe County and Alpine County, Carson City, Churchill County, Douglas County, Esmeralda County, Eureka County, Humboldt County, Lander County, Lassen County, Modoc County, Nye County, and Plumas County for forensic pathology services provided by the Washoe County Regional Medical Examiner's Office for a period of up to five years effective retroactively on July 1, 2023 with an estimated annual revenue of [\$1.6 million]. Regional Medical Examiner. (All Commission Districts.)

23-0786 **7G1** Recommendation to approve additional funding to the 2022 High Intensity Drug Trafficking Area (HIDTA) Northern Nevada Investigative Support Center [in awarded amounts \$10,000.00, \$1,000.00 and \$1,800.00 for a total amount not to exceed \$12,800.00, no County match required] to be used for the necessary furniture, fixtures, computer equipment, software, email access, desk phone utilized by the newly added Northern Nevada Lab

Technician while stationed in the Washoe County Sheriff's Office Northern Nevada Regional Intelligence Center, and Washoe County employee travel to Las Vegas for the 2023 conference administered through Las Vegas Metro Police Department for the retroactive period of September 11, 2023 through June 30, 2024, and direct Comptroller's Office to make the necessary budget amendments. Sheriff. (All Commission Districts.)

23-0787 **7G2** Recommendation to accept a grant award from the Bureau of Justice Assistance (BJA) FY 23 Formula DNA Capacity Enhancement for Backlog Reduction (CEBR) Program, Award No 15PBJA-23-GG-01328-DNAX [amount not to exceed \$150,000.00, No County match required], to cover costs related to the DNA capacity enhancement for backlog reduction/prevention, for the retroactive grant term of October 1, 2023 through September 30, 2025 and if approved, authorize Sheriff Balaam to execute grant award documentation, and direct the Comptroller's Office to make the necessary budget amendments. Sheriff. (All Commission Districts.)

23-0788 **7G3** Recommendation to accept a grant award from The U.S. Department of Justice, Office of Community Oriented Policing Services (COPS) FY 2023 Law Enforcement Mental Health and Wellness Act Award (LEMHWA), Award No 15JCOPS-23-GG-01836-LEMH [amount not to exceed \$122,268.00, No County match required], to cover costs related to expanding the capabilities of the WCSO Peer Support Team through education and increasing peer support team awareness throughout the WCSO, for the retroactive grant term of October 1, 2023 through September 30, 2025 and if approved, authorize Sheriff Balaam to execute grant award documentation, and direct the Comptroller's Office to make the necessary budget amendments. Sheriff. (All Commission Districts.)

23-0789 **7G4** Recommendation to retroactively approve the Forensic Support Services Agreements between Washoe County on behalf of Washoe County Sheriff's Office and various Local Law Enforcement Agencies: Douglas County on behalf of Douglas County Sheriff's Office in the amount of \$36,165, paid to Washoe County; Lyon County on behalf of Lyon County Sheriff's Office in the amount of \$131,264 paid to Washoe County; the City of Reno on behalf of the Reno Fire Department in the amount of \$12,000 paid to Washoe County; State of Nevada Department of Wildlife \$3,215 paid to Washoe County for Forensic Laboratory Analysis Service, including but not limited to DNA analysis, firearms/toolmark examinations, latent print comparisons and processing, controlled substance analysis, and limited forensic scene investigation, for the retroactive term of July 1, 2023 to June 30, 2024, with a total revenue of [\$182,644.00]. Sheriff. (All Commission Districts.)

23-0790 **7H1** Recommendation to approve a Consent to Assignment of Investment Advisory Agreement between Washoe County and FHN Financial Main Street Advisors, LLC to Meeder Public Funds, Inc. for investment management services, for the remainder of the four (4) year term that began June 8, 2021, with annual renewal options as agreed upon by all parties; estimated annual cost \$250,000.00, which is allocated among the funds and agencies who participate in the Washoe County Investment Pool - Treasurer. (All Commission Districts.)

Commissioner Garcia disclosed she had a family member employed with the Washoe County Library System. Commissioner Garcia informed the renovations proposed in Agenda Item 7E7 did not impact the position or salary of her family member. and stated she would be voting on the item.

On the call for public comment, Ms. Lori Wray shared that she was one of the directors of the non-profit organization Scenic Nevada, whose mission was to preserve, protect, and enhance the scenic beauty of the State. She displayed a document, copies of which were distributed to the Board and placed on file with the Clerk. She remarked billboards were nothing more than eyesores that diminished scenic vistas and created a negative impact on the character of Washoe County communities. On behalf of the Scenic Nevada board, she recommended denial of Agenda Item 7B1. She urged consideration of the existing billboard ban in Washoe County Code and the City of Reno. She reasoned the choice to refuse a new lease and set in motion the process to tear the old billboard down would rid the region of one more unsightly sign that blocked scenic views and reduced nearby property values. She said though this was an existing billboard, probably built before 1997, it did not meet current criteria for signs on County property. She listed a number of sign codes that she concluded should prevent the lease from being signed.

Ms. Valerie Fiannaca disagreed with the allocation of American Rescue Plan Act (ARPA) funds proposed in Agenda Item 7E7. She noted all three of the libraries listed in the item were relatively new, and she could not see what remodeling was necessary. She acknowledged there might have been a need for upgrades that were not visible, possibly including a “Zoom room” for videoconferencing, but she thought it was a lot of money. Regarding Agenda Item 7H1, she wondered if due diligence had been exercised in investigating Meeder Public Funds, Inc. She recalled prior losses of FHN Financial Main Street Advisors, LLC disclosed by the Audit Committee.

Ms. Elise Weatherly questioned grouping of items for discussion and votes as they often were in Consent Agenda Items and Block Votes. Regarding Agenda Item 7E2, she felt it might not be appropriate for the Board of County Commissioners (BCC) to commit funds to religious organizations.

Ms. Abi Damp spoke in support of the proposed donations to Urban Roots. She explained Urban Roots was an urban teaching farm located in Downtown Reno. She informed they provided nutritional education and garden education for individuals and families of all ages. She said they had partnerships with other local organizations including

Renown, Northern Nevada HIV Outpatient Program Education and Services (HOPES) transitional housing, and Washoe County School District (WCSD). Ms. Damp described how Urban Roots shared and demonstrated healthy recipes in workshops at the Food Bank of Northern Nevada (FBNN), during field trips, and in other programming. She added they provided garden education at the farm and through their Gardening for All program, which spread awareness on how to grow nutritionally dense food using climate-smart practices. She advised there was also an environmental component to their organization. As a non-profit, she imparted they had a community-centric mindset, and focused their fundraising efforts on a scholarship program which provided a minimum of 30 percent financial subsidy for participants across all programs. She said that included funding for WCSD classes to take field trips to the Urban Roots teaching farm, building and sustaining gardens at other local non-profits and schools, and farm camp attendance for students in need. She specifically thanked Commissioner Clark and Commissioner Garcia for their donations on the agenda for approval that day. She emphasized that as an organization for the community, supported by the community, it was vital for them to receive more funding from the community to support their efforts in education and provision of nutritionally dense food.

Ms. Bonney Brown, board president of Options Veterinary Care (Options) provided information about the scope of services and populations helped by the organization. She shared that Options was the only non-profit veterinary clinic in Northern Nevada and they served people who could not otherwise afford veterinary care for their pets. She said 70 percent of their clients were seniors and they also served many veterans and low-income families and individuals. She emphasized the importance of the companionship of pets for those people, especially seniors and children. She said Options was on track to serve 8,000 County residents in 2023. She added Options partnered with many other local nonprofits and agencies, including Washoe County Regional Animal Services (WCRAS). She reasoned keeping pets with people who loved them was good for the community and kept pets out of already overcrowded animal shelters. She thanked the BCC for their consideration of the donation to Options on the agenda that day, and invited Commissioners to visit for a tour if they had not already done so.

Mr. Roger Edwards shared his perspective on Agenda Item 7E6, suggesting no tribal land acknowledgment was needed for any designated group of inhabitants, regardless of how long they lived in an area. If formal acknowledgement was going to be added, he asked his own family heritage of Italian immigrants be included, and contrasted the visible imprint he and his forebears had left with the lack of permanent Native American structures on the land. He demanded equal time be set aside to acknowledge the contributions of Italians and Conservatives to the country or, if equal time was not given, he insisted on removal of the proposed land acknowledgement.

Ms. Penny Brock addressed Agenda Item 7H1 and strongly felt it was inappropriate to have included it in the Consent Agenda Items. She was concerned about past performance of Washoe County investments held with FHN Financial Main Street Advisors, LLC and contended discussion and investigation was necessary before transferring management of those funds to Meeder Public Funds, Inc. She would have

preferred to see a Request for Proposal (RFP) and, ideally, a contract awarded to a local company.

Commissioner Clark expressed unease about the billboard lease approval proposed in Agenda Item 7B1. He asked whether any County staff was present who could address the specific objections raised by Ms. Wray.

Community Services Department Operations Division Director Eric Crump reported that he would research details of the sign ordinance and how it applied to the billboard in question. He confirmed that the sign was not new and was likely grandfathered in, but if the Board wanted to take the opportunity to get rid of the sign, it was a good time to do so rather than renew the lease. He said the sign was on land acquired from the City of Reno for the Cares Campus and had no negative impact on County land use, though it did provide some revenue.

Vice Chair Herman reported while listening to the public comment, she became aware of some issues that she had previously missed. She suggested the investment contract in Agenda Item 7H1 might warrant further discussion. She also reflected on the remarks from Mr. Edwards regarding tribal land acknowledgment. Though she disclosed she was Italian, French, and Indian, she did not personally feel a land acknowledgment was necessary.

Chair Hill said she understood the concerns raised, but because a motion was already made and seconded, a vote had to be taken. She added that she spoke to the Treasurer about the investment contract in Agenda Item 7H1, and he indicated there was an intent to pursue an RFP process eventually. Chair Hill recommended taking a vote and proceeding from there.

Commissioner Clark asked that Agenda Item 7B1 be pulled from the Consent Agenda until he could speak to Mr. Crump further.

Chair Hill advised that he could vote “no”, but because there was already a motion and a second, individual items could not be pulled at that time.

Chief Deputy District Attorney (Chief DDA) Mary Kandarar interjected to clarify Agenda Item 7B1 was worded such that if it was approved that day, it would go to a Public Hearing, at which time all of the issues already raised could be addressed. She hoped this would ease the minds of Commissioners concerned about due diligence. She also said with respect to the assignment of investment pool monies in Agenda Item 7H1, the item on the agenda that day was just a standard formality when one company took over another. She added the contract in place would expire in 2025, and the Treasurer indicated in the item that an RFP would be issued prior to awarding the next contract.

Commissioner Andriola said she had also spoken with the Treasurer regarding Agenda Item 7HI, and echoed Chief DDA Kandarar’s remarks about the investment management company change notice just being a procedural formality.

On motion by Commissioner Garcia, seconded by Vice Chair Herman, which motion duly carried on a 5-0 vote, it was ordered that Consent Agenda Items 7A1 through 7H1 be approved. Any and all Resolutions and Interlocal Agreements pertinent to Consent Agenda Items 7A1 through 7H1 are attached hereto and made a part of the minutes thereof.

BLOCK VOTE – 8 THROUGH 11

23-0791 **AGENDA ITEM 8** Recommendation to: (1) approve the purchase of two (2) new Caterpillar model 950M Wheel Loaders from Cashman Equipment Company, 600 West Glendale Avenue, Sparks, Nevada 89431 [in the amount of \$725,432.58 with a five (5) year guaranteed buyback in the amount of \$485,000.00], utilizing Sourcewell (a public agency created by the Minnesota legislature) 2023 contract #032119-CAT, pursuant to the joinder provision of NRS 332.195; and (2) authorize the Purchasing and Contracts Manager to execute necessary purchasing documents. Community Services. (All Commission Districts.)

Commissioner Garcia disclosed she had a family member who was a heavy equipment operator employed by the Community Services Department (CSD). She said the replacement units proposed were for day-to-day operations and did not impact the position or salary of her family member. She stated she would be voting on Agenda Item 8.

Public comment for each item in the Block Vote was held concurrently.

On the call for public comment, Mr. Roger Edwards described his concern with Agenda Item 8 was the magnitude of the expenditure without any explanation given of what the equipment would be used for.

Chair Hill responded that the equipment would be used for snow removal.

Ms. Penny Brock was confused about the purpose and scope of the Cares Campus Resource Center. She observed in Agenda Item 11 that the Resource Center was being funded by a grant from the William N. Pennington Foundation, but felt a grant for additional senior services would have been more beneficial to the County than expansion of resources addressing homelessness. She recommended additional discussion with the William N. Pennington Foundation.

Chair Hill thanked the William N. Pennington Foundation for their support of the Cares Campus. She thought it showed work done by the County made a difference, which drew the attention of private foundations who also supported the work.

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 8 be approved and authorized.

23-0792 **AGENDA ITEM 9** Recommendation to retroactively accept Subaward Amendment #5 to the Family First Prevention Services Act, Family First Transition Act grant from the State of Nevada, Division of Child and Family Services (DCFS) that increase the subaward by [\$69,858.49] to [\$708,162.00; no county match] and extends the grant period from September 30, 2023 to September 30, 2024; authorize the Interim Director of the Human Services Agency to retroactively execute the grant award; and direct the Comptroller's Office to make the necessary budget amendments. Human Services Agency. (All Commission Districts.)

Public comment for each item in the Block Vote was held concurrently. See Agenda Item 8 for the public comment relevant to this item.

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 9 be accepted, authorized, and directed.

23-0793 **AGENDA ITEM 10** Recommendation to approve the sole source waiver to establish an agreement between Washoe County and Tahoe Downtowner, LLC, for the Tahoe Truckee Area Regional Transportation Connect Micro Transit Pilot Program for the term of January 1, 2024, through April 30, 2024, in an amount not to exceed [\$400,000]; and if approved authorize the Purchasing and Contracts Manager to sign the agreements. Manager's Office. (Commission District 1.)

Public comment for each item in the Block Vote was held concurrently. See Agenda Item 8 for the public comment relevant to this item.

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 10 be approved and authorized.

23-0794 **AGENDA ITEM 11** Recommendation to approve the acceptance of a grant from the William N. Pennington Foundation for the purpose of supporting construction of the Nevada Cares Campus Resource Center, APN 008-211-5, in the amount of [\$3,000,000.00, no match] retroactive to June 1, 2023 through July 31, 2024; authorize the County Manager to retroactively execute the grant award documents; and direct the Comptroller's Office to make the necessary budget amendments. Manager's Office. (All Commission Districts.)

Public comment for each item in the Block Vote was held concurrently. See Agenda Item 8 for the public comment relevant to this item.

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 11 be approved, authorized, and directed.

23-0795 **AGENDA ITEM 12** Public hearing: Appeal of the Washoe County Board of Adjustment's inability to approve Special Use Permit Case Number WSUP22-0019 (Safe Embrace). The applicant requests approval of a special use permit to allow a group care facility for up to 25 occupants if connected to city sewer, or up to 18 occupants if utilizing the existing septic system. The regulatory zone of the parcel is Low Density Suburban (LDS) and a special use permit is required per Washoe County Code Table 110.302.05.2. The proposal also requests to modify the parking requirements in Washoe County Development Code Article 410 by not requiring any additional paved parking spaces or additional lighting in the parking area. The applicant and property owner is Safe Embrace. The address is 1995 Ponderosa Drive in Sparks. The Assessor's Parcel Number is 026-422-14. The Board of County Commissioners shall consider the appeal based on the record and any testimony and materials submitted at the public hearing. The Board of County Commissioners may approve or deny the special use permit. Community Services. (Commission District 3.)

Chair Hill opened the public hearing. She asked Deputy District Attorney (DDA) Mary Kandaras to give the Board an overview of the item to help the Commissioners direct their focus.

DDA Kandaras pointed out the Board was being asked to determine if a special use permit (SUP) should be issued, based on its appropriateness to the property. She advised the Board to examine if the increase in users would be a justifiable use for the property. She explained any discussions about square footage would only occur because of how the item reached the Board. She stated the City of Sparks originally issued permits in error. She remarked on the ensuing litigation and said the court advised a public hearing had to occur. She noted that staff would be able to provide clarity throughout the public hearing and said she would advise on any necessary course readjustments. She informed that DDA Michael Large was present to answer any questions pertaining to litigation.

Planner Julee Olander conducted a PowerPoint presentation and reviewed slides with the following titles: Request; History; photo(s) (1 slide); Background; map (1 slide); Building Characteristics & History; photo(s) (1 slide); Evaluation for Square Footage & Occupancy; Site Inspection; Utilities and Services; Landscaping; Rear Yard Outside areas; Modifications – Parking & Lighting; Neighborhood Meeting; Addressing Neighbor Concerns; Reviewing Agencies; Recommendation & Motion.

Ms. Olander informed that all Safe Embrace's planning applications were submitted to Sparks when the shelter was within the City of Sparks' sphere-of-influence (SOI). She explained the site was returned to Washoe County's jurisdiction in 2020 and the property was zoned Low Density Suburban (LDS). She oriented the Board to the site's location. She noted the Kids Club was located in converted office space, which was previously a detached garage.

Ms. Olander mentioned the requirements for group care facilities stated in Washoe County Code (WCC) 110.322.10(c). She clarified that Safe Embrace originally requested an increase to 25 occupants but had since agreed to decrease the request to 21 occupants. She disclosed she did not have the required interior space calculation for 21 occupants. She conducted a site visit with the Building Inspector Supervisor on November 17. She explained that the site currently allowed for 18 occupants and could accommodate 21 occupants if the attached garage was renovated. She clarified that allowing 25 occupants was not an option unless additional structures were built onsite. She reported that Safe Embrace was still deliberating with Sparks regarding a switch from the use of septic system to city sewer.

Ms. Olander remarked that additional planning inspections would occur if the SUP was approved, and that a new business license would need to be obtained. She said this would initiate a commercial review that included inspections by the Planning and Building Division (PBD) and Northern Nevada Public Health (NNPH). The business license would require compliance with WCC 110.412 regarding landscaping regulations, which the site did not currently meet. She noted that Article 322 of the Washoe County Development Code (WCDC) required group care facilities to have a neighborhood response program (NRP) and an emergency response program (ERP), which would also be addressed through the business license process.

Ms. Olander noted the possible motion found in the Staff Report was amended to include the request for 21 occupants.

Commissioner Andriola confirmed with Ms. Olander that an overnight staff member at the shelter would factor into the 21-person occupancy limit.

Commissioner Garcia inquired if the 532 square foot playroom was included in the total interior square footage, to which Ms. Olander affirmed. Commissioner Garcia observed that an earlier public commenter claimed the Kids Club playroom was not permitted and should not be included in the total interior square footage. Ms. Olander advised that there was a building permit for the playroom's conversion to habitable space which, to her knowledge, had met all the necessary requirements. The conversion had been completed in two sections. She clarified the space was not a daycare but rather contained items like bean bags and coloring books. She said the children recreated there but did not attend school there.

Commissioner Clark asked for clarification on the permit for the playroom conversion and questioned if the conversion was complete. Ms. Olander explained two

building permits were issued for the conversion. The client office area was completed in 2002 and the space being used as the Kids Club was completed in 2006. She specified the space was not originally used as a Kids Club.

Garrett Gordon, partner at Lewis Roca, conducted a PowerPoint presentation, a copy of which was placed on file with the Clerk, and reviewed slides with the following titles: Safe Embrace Mission; Special Use Permit; photo(s) (2 slides); Code Requirements (2 slides); Community Outreach; Reviewing Agencies; Legal Findings; Questions.

Mr. Gordon reviewed Safe Embrace's mission and stated the organization provided a huge service to the community. He noted the appeal addressed transitional housing and mentioned the site had been operating for over 20 years. He thought a beneficial component of SUPs was that conditions could be applied. He believed the combined list of conditions would lead to a holistically beneficial situation.

Mr. Gordon informed that the original request submitted to Sparks asked for 32 occupants, which was reduced to 28 occupants during the application process. During the application process with Washoe County, the request decreased from 25 to 21 occupants. He said despite the significant decrease, they felt 21 occupants was a fair adjustment that would only occur if the site was connected to city sewer. He pointed out that because Safe Embrace was a nonprofit organization, it would have to raise funds to connect to sewer.

Mr. Gordon explained the site had to comply with landscaping requirements before acquiring a license for increased occupancy and compliance would be verified by County staff. He was appreciative of County staff for measuring the total interior square footage. He said increased occupancy was a positive thing because each occupant faced a dire situation, and they wanted to make sure the site was a good neighbor.

Mr. Gordon shared he had contacted the attorneys representing the site's litigating neighbors to inquire if there were additional conditions that would mitigate neighborhood concerns. He said no additional conditions were provided and noted the attorneys' statement that private roadway improvements were accomplished.

Mr. Gordon announced adding additional occupants meant Safe Embrace could obtain more grant funding, which would be used to fund the overnight employee advocate. He explained that as part of the NRP, every neighbor would have 24-hour contact information for Safe Embrace's executive director and the shelter manager.

Mr. Gordon remarked that each agency listed on the "Reviewing Agencies" slide had provided input on the project application.

Mr. Gordon reviewed the "Legal Findings" slide and mentioned a total of five legal findings. He removed the last finding regarding military installations because it

was not applicable. He asserted the other four findings were all directly met and reiterated the facility's existence for over 20 years.

On the call for public comment, Ms. Marvice Beutel disclosed her backyard adjoined the shelter's. She posited that approximately five years ago, a Sparks City Councilmember put their own interest above the public's by disrespecting the permitting process to expand Safe Embrace's scope without allowing public discussion or notice. She opined Safe Embrace should not be allowed to operate in its current location. She mentioned the Kneppers' five-year fight against Safe Embrace's operation in its current location. She claimed Ms. Olander and Safe Embrace's attorneys were unprepared at a recent meeting with the Sparks City Council and cited their inability to speak to the available space for residents. She believed statements that the site had operated for over 20 years were misleading. She informed that the neighbors agreed to a continuation of the site's status as a group home. She stated increasing the occupancy was unacceptable and referred to the opposition report submitted to the Board. She said Safe Embrace was a business operating in a residential subdivision with no legal standing to be there. She mentioned the options available to the Board and opined Safe Embrace would not meet the specified conditions due to its past actions.

Ms. Katie Knepper remarked on the information provided to the Board regarding the Kids Club. She referenced a statement from PBD in 2018 that stated the structure showed no permit for a conversion from a storage room to the habitable computer room. She said she submitted a copy of the statement in a previous meeting and was not sure why PBD was contesting it. She declared pictures and volumes of documentation had been submitted pointing out why the SUP should be denied. She remarked code did not allow either of the property's detached structures to qualify as living space so square footage in those areas could not count towards livable space. She said this meant the livable square footage was 1,427 square feet, which was only enough for 7 occupants, although 10 were allowed if the residence remained classified as a group home. She posited that the finding of consistency could not be met. She noted a group home was defined as a single-family residence and stated a group care facility was a change in use that did not meet the consistency requirement. She commented that findings of improvement could not be met. She said the road was dangerous, as it had no sidewalks or lighting. She displayed a picture of the site taken after dark, a copy of which was placed on file with the Clerk. She explained the lights shown at the end of the street were from Agnes Risley Elementary School, and suggested the area posed a danger to pedestrians. She opined findings of site suitability could not be met, as per code, only one dwelling unit per acre was allowed in LDS zoning. She posited findings of the site not being detrimental could not be met, and the site's safety issues had been detailed. She declared that a commercial complex containing the required six foot, nonwooden wall around the perimeter, with parking for 10 cars and a trash enclosure was out of character in the neighborhood.

Mr. Alferd Knepper informed he lived in his residence on Ponderosa Drive for 36 years. He had appeared before the BCC and Sparks to fight the item for five years. He divulged hardships that occurred throughout his life, including his parents' deaths at an early age and remarked on a disease he had that caused difficulties with speaking. He

posited Safe Embrace had a history of disregarding code. He said the organization told Sparks in a 2017 presentation that it had 14 occupants and 4 staff members. He noted that was during a time when only 10 residents were allowed. He stated Safe Embrace applied for a permit that surpassed the 18-occupancy allowance, based on its septic system certification. He commented that Washoe County did not enforce the site's landscaping code while the shelter operated as a group care facility. He reported using a wooden fence and removing trees at the front of the property were both code violations. He said inhabitants had occupied the site's detached garage for years without proper permitting. He claimed PBD was incorrect and that the original building permit was only issued for the office and the bathroom. He said in 2006, the remainder of the building was documented as being used as a storage area.

Ms. Serena Evans announced she was the Policy Director for the Nevada Coalition to End Domestic and Sexual Violence (NCEDSV). She said the need for Safe Embrace's services in the community was undeniable. She noted Washoe County only had two emergency safe shelters for individuals fleeing domestic violence. She remarked that with Safe Embrace operating at reduced capacity, many individuals were potentially forced to use less sustainable solutions. She observed that multiple hearings revealed the neighbors were not opposed to services for domestic violence victims but did not want to witness it. She stated neighbors had encouraged Safe Embrace to build a facility elsewhere, so she wanted to explain why that was not a feasible option. She disclosed that domestic violence programs across the state were nonprofit organizations that relied on State and federal grants and private donations. She reported that federal funding sources had drastically decreased in recent years and Nevada was one of few states that did not fund domestic and sexual violence service providers in its general budget. She noted programs received a small amount of funding from fees attached to each marriage license issued in Nevada, but the amount was miniscule compared to states where these programs received unrestricted state funding. She mentioned domestic violence was misunderstood in the community and Safe Embrace was doing its best with the available resources. She stated building a new shelter and relocating was not an option for Safe Embrace. She wished to address concerns that domestic violence shelters had no oversight by stating they were not group home facility treatments, so they did not operate the same way. They did not have the same oversight as group homes, but this did not mean there was no accountability. She explained shelters had to apply for funding annually, and therefore had to meet specific operational requirements. They routinely underwent programmatic audits from State and federal funders, which included shelter tours. She mentioned statewide grievance procedures that allowed victim survivors to voice mistreatment or concerns for investigation. She said domestic violence shelters were accountable to those they were funded by and those they served. She stated domestic violence victim survivors were blameless and declared reducing the number of available shelter beds meant ignoring people in need.

Ms. Danielle Mills remarked she was the Training Coordinator for the NCEDSV. She informed that a main component of her role was to educate community agencies and leaders on best practices related to domestic and sexual violence services and prevention. She wanted to provide insight into the complexity of Safe Embrace's

application. She asserted the shelter's confidentiality and safety had been prioritized throughout the process. She reported numerous emergency domestic violence shelters had operated for many years under a well-intentioned, but outdated, model that kept shelter locations confidential. She noted that no shelter operated in complete confidentiality, and said they were always seen as "dirty kept secrets in the community." She explained that advocates knew shelters could never truly exist confidentially when groups like law enforcement, neighbors, and service providers were aware of the location. She stated many shelters nationwide were moving towards a rules reduction model, which addressed the false premise that shelter locations should be confidential. She noted the public shelter location model provided victim survivors an array of benefits, including survivors not having to walk several blocks to receive transportation. She commented that Safe Embrace's shelter address had been made a part of public record and appeared in multiple news articles. She reported there had been no instances of perpetrators or unwanted guests showing up at the shelter, nor was there a need for law enforcement intervention. She discussed that national studies showed shelters with public locations experienced no additional adverse effects. She stated NCEDSV vouched for Safe Embrace and the practices surrounding its shelter operations. She declared the shelter complied with best practices, state and federal standards, and funding requirements. She said the narrative that the shelter operated as a free-for-all was harmful, false, and perpetrated negative stereotypes about victims of violence and trauma. She remarked that penalizing victim survivors was not in the County's spirit and opined that denying the SUP could lead to increased violence in the community.

Ms. Janet Butcher expressed fondness for Safe Embrace and mentioned the organization was very helpful to a relative of hers. She remarked on her personal experiences with domestic violence and posited there was a major difference between domestic violence currently and in 1977. She observed the number of occupants the appeal was asking for. She spoke about the amount of money spent on the Cares Campus and asked why more facilities could not be established to help domestic violence survivors. She suggested that more facilities would reflect Washoe County's growing population. She expressed empathy for the neighbors' experiences and discussed facing personal changes in living expectations. She asserted the needs of the shelter's residents and its neighbors all had to be considered.

Mr. J.D. Drakulich divulged he was on Safe Embrace's Board of Directors and supported the SUP. He commended staff actions to help domestic violence survivors. He explained there was only one other local organization that served domestic violence survivors at the same level as Safe Embrace. He asserted an expansion was needed because there were 10 people being served in the shelter and there was a waitlist. He stated the Board's approval would help meet the needs of domestic violence victims looking to escape abusers. He noted Mr. Gordon's mention of grants being based on capacity and said increasing capacity would help the organization provide enhanced services.

Ms. Nora Constantino said she supported Safe Embrace and their actions. She opined Safe Embrace had other options and did not meet site suitability or consistency of the neighborhood. She referenced testimony given by the site's neighbors. She reminded

the shelter housed children with unrelated male and female adults. She questioned Safe Embrace's dedication to meeting the specified conditions and claimed there was no County oversight of the children living at the shelter. She stated public knowledge of the shelter's location caused risk to everyone living on the same street. She opined the federal government recognized this risk because federal government grants required removal of funding if an address was publicly divulged. She doubted the efficacy of the exterior security camera. She said the allowable square footage continued to be in question. She posited that the shelter was illegally approved as a group care facility and operated in that state for over two years. She declared the County did not hold the shelter accountable for failing to implement an NRP during that time. She posited the site had no oversight. She commented that voting against the SUP did not equate to a vote against Safe Embrace because it would remain a group home.

Ms. Samantha Gonzalez questioned if any Commissioners had 13 to 26 people living next to them. She said she intentionally purchased her home in a low-density neighborhood. She asserted the SUP did not meet the requirement of consistency because it did not fit into the LDS area. She observed the requirements accompanying the application and questioned Safe Embrace's ability to follow through on promises since there was no change in ownership. She asked why the attached structure was built with no kitchen since WCC required a dwelling unit to have a kitchen. She mentioned that Washoe County Sheriff's Office's (WCSO's) response time to a situation in the area had been 20 minutes and noted consistent WCSO response times were between 20 and 30 minutes. She commented that the road was in disarray and said it caused her muffler to break. She stated the road was repaired with asphalt grinding that the neighbors provided. She noted Safe Embrace provided partial funding for road repairs but did not initiate the repairs. She asked again if any Commissioners had 13 to 26 people living next to them with additional staff during the day.

Ms. Tami Wittich declared the site's location was a residential neighborhood that had no place for a commercial building. She mentioned Safe Embrace's application asserted it would comply with landscaping regulations. She said when she purchased her property, the shelter looked like the other houses in the neighborhood, but most trees had since been cut down and replaced with gravel. She stated the picture shown in the SUP application did not accurately reflect the site's appearance. She reported her neighborhood was surrounded by the City of Sparks and its code did not allow domestic violence shelters in a residential neighborhood for security reasons. She claimed allowing more than 10 residents did not comply with deed restrictions or fit in with the County's residential regulations. She opined approving the SUP would create security issues in the neighborhood. She asked the Board to keep the site a group home and recommended Safe Embrace to perform commercial activities elsewhere, as the SUP was not a justified use for the property. She informed she bought her property in 2017 with the understanding it was a low-density residential neighborhood. She said she discovered that all the properties were zoned E-1 at the time of purchase, which meant 10 or less occupants. She remarked none of her neighbors wanted to have a group care facility in the area and asked the Commissioners if they would be agreeable to it in their own neighborhoods.

Vice Chair Herman requested that DDA Large update the Board on litigation related to the item. DDA Large explained that a lawsuit against Safe Embrace, Washoe County, and Sparks was filed in 2020 by several of the shelter's neighbors. He stated the litigation consisted of two parts, the first being a writ of mandamus. The neighbors sought a reversal of Sparks' administrative approval. He said when Safe Embrace submitted an application to Sparks requesting an expansion, Sparks mishandled the request. He noted Sparks handled it in an administrative fashion instead of sending the request to its Planning Commission and City Council. He asserted that Safe Embrace was blameless in the expansion because of Sparks' mistake. He remarked that the lawsuit was filed in 2020 after the SOI changed from Sparks to Washoe County. He explained the situation became problematic because jurisdictional responsibilities had to be articulated. Regarding the writ of mandamus, a judge declared Sparks was in error and instructed that a public hearing was in order. At that time, Sparks' approvals were revoked, and Washoe County was required to revoke the business license. He discussed ongoing litigation and several pending claims against Sparks and Safe Embrace from the site's neighbors. He informed that the judge issued a tentative ruling the prior week that reduced many of the claims. Although Safe Embrace succeeded in defeating multiple claims, some litigation was still pending. He explained litigation regarding the writ of mandamus had been concluded unless the Board decided to appeal, which would be discussed later as necessary. He specified the Board had to determine if it could make the necessary findings for Safe Embrace's application, based on the evidence in the record.

Vice Chair Herman clarified that Board approval of the appeal would not damage the litigation. DDA Large affirmed that the Board's decision would not harm the litigation, regardless of its determination. He said there would be varying ramifications, and he was prepared for all of them.

Commissioner Clark noted Sparks made an error that increased the complexity. He thought women and children were the most vulnerable population and he supported efforts to help those victims. He said he would prioritize helping women and children over destitute individuals if choosing between the two groups. He observed Washoe County spent significant money on the homeless population and contended it had not done much for victimized women and children. He asserted that he would redirect 15 to 20 percent of funds from the homeless population to building shelters and facilities for victims of domestic violence if he could. He stated the other Commissioners should also prioritize those efforts and challenged them to allocate funds toward that cause. He commented that he consistently empathized with people who had to confront the issues associated with this item in their backyards. He spoke about the expense of having a home and suggested the Assessor examine if the situation devalued the shelter's neighborhood. He said his septic tank was recently pumped and he was concerned about the shelter's septic situation. He inquired into the pumping frequency of the shelter's septic system, and noted it was a health concern that should be addressed in a later meeting. He asked if there were regulations dictating the frequency of septic tank pumping. He speculated that the shelter's septic system was undersized and overused for the property. He questioned the functionality of the space and reiterated that Sparks made an error that added to the

complexity. He noted the shelter's address had been disclosed and questioned how many calls had been made to WCSO.

DDA Large pointed out that Sparks admitted to its mistake, which had been a procedural error. He said the issue was not that Sparks had approved or denied the request. Rather, the issue was that the city's code required the item to be sent to a hearing. He mentioned there was no way to know if the matter would have been approved or denied in an open meeting. He reiterated the Board's purpose was to determine if the five findings for the SUP could be made. He stated the other involved agencies supported the request with the provided conditions, and each agency or department would address the various concerns pertinent to it.

Commissioner Clark disclosed that he resided in his house for 18 years and never had septic tank pumping requirements dictated to him during that time. He pondered how often the shelter pumped its system, given the number of occupants. DDA Large noted the applicant could answer those questions. Commissioner Clark posited his concerns were appropriate because they had far-reaching implications. He was curious about the percentage of homes in the area that used septic systems and the pumping requirements. He said his primary concerns were health related when considering a group living together because health regulations had a large impact on the community.

DDA Kandaras reiterated that the question before the Board was if the SUP was appropriate for the property. She noted Safe Embrace would need to obtain any necessary permits prior to increasing its occupancy and assured that all of Commissioner Clark's questions would be addressed by the appropriate departments. She thought the focus should remain narrower due to the Board's scope of determination. Commissioner Clark acknowledged DDA Kandaras's point and said he wanted his concerns to be recorded for later examination.

Commissioner Garcia stated the item came before the Board because two members of the Board of Adjustment (BOA) could not determine the findings. She said they offered many reasons for the decision, and she noted the members' primary concerns were site suitability and the issuance of the SUP not being detrimental. She shared her disappointment that the administrative process was not observed at the item's outset. She expressed appreciation for the attendees and said they deserved to have their voices heard.

Commissioner Garcia requested to ask staff additional questions. She inquired into the statement that the dwelling unit had no kitchen. She also asked about permitting for the playroom and the condition of the site's video surveillance. She thought she observed a new surveillance system during a site tour the previous week. She acknowledged nods from the attendees and affirmed the condition had been met. She asked if any of the other conditions had been met. Ms. Olander said the detached office area was permitted while the property was under the jurisdiction of Sparks. She noted Sparks' regulations differed from Washoe County's, and she could not speak to that permit. She reported that permitting for the detached building with office space took place entirely under Washoe County's jurisdiction in 2002. After that, she mentioned, the SOI changed

to Sparks, so any planning components were sent to Sparks for review. She advised that she could not speak on behalf of Sparks or its processes. She explained the four bedroom addition was done through Sparks so Sparks' planning staff would have performed reviews that aligned with its code.

Commissioner Garcia opined everyone could support Safe Embrace's mission and affirmed that more resources were needed. She observed the situation was messy and said she wanted the neighbors to know their concerns were acknowledged. She asked Mr. Gordon if any other conditions had been implemented. Mr. Gordon confirmed the new camera system was installed and assured that any new concerns would be addressed through the NRP. He informed that the landscaping initiated at the front of the property would be completed after winter and prior to increasing occupancy. He stated the implemented pet policy was effective. He assured that any concerns voiced by neighbors in weekly meetings would be addressed. He clarified the site's commercial septic system had capacity for 18 occupants. Commissioner Clark asked how many gallons the septic system contained. Mr. Gordon responded that he did not know the number of gallons and mentioned NNPH and PBD had allowed for up to 18 occupants with the existing commercial septic system.

Commissioner Andriola commented that Sparks missed an opportunity that complicated the situation. She acknowledged that the neighbors' experiences were concerning. She inquired if more information could be provided regarding the number of calls made to WCSO. Mr. Gordon reported on his understanding that 2 calls were made to WCSO to visit the site within the last 12 months. Commissioner Andriola asked if there were any reports of violence or individuals being harmed at the site. Mr. Gordon said no and stated his understanding that no calls had ever resulted in a citation to the site for violations of WCC or operating procedures. He noted the Board could revoke the SUP if its conditions were not met.

Commissioner Andriola stated the neighbors' concerns related to their quality of life. She wanted WCSO's 20-minute response time to be considered and verified as part of the NRP. She pondered if Safe Embrace could work with a local alarm or security company. She observed that security measures were taken to meet the neighbors' concerns and commended the efforts made to manage conflict resolution.

Mr. Gordon noted that an ERP was a requirement for the facility and explained the SUP could be revoked if that requirement was not fulfilled. He assured the ERP would be put on agendas at the weekly meetings with neighbors to incorporate their feedback. He reported the ERP was a legal requirement. Commissioner Andriola appreciated the information Mr. Gordon shared and expressed appreciation for the pet policy's implementation because it was a good faith effort. She remarked on Safe Embrace's responsibility to help mend the situation. She appreciated its efforts to be trustworthy and consistent. Mr. Gordon pointed out that Safe Embrace's executive team was present to hear that information directly from Commissioner Andriola.

Commissioner Clark appreciated Mr. Gordon's response about the WCSO and said he wished to verify the information with the WCSO. He wanted to ensure the County was aware of the septic system's gallon capacity and asked for clarification from staff. Ms. Olander informed that Environmental Health Specialist Supervisor James English of NNHP could address Commissioner Clark's questions.

Mr. English said the State provided permitting for the shelter's septic system and that Washoe County confirmed permitting before signing off on a business license or SUP. He reported the shelter's septic system was a 4,000-gallon system. He explained that commercial septic systems utilized fixture counts to determine sizing, unlike NNHP, who only regulated residential septic systems. He further explained that fixture counts meant examining the number of sinks and toilets in a facility, whereas residential septic systems were calculated based on bedroom counts. He requested the permit and its accompanying conditions from the State. He mentioned the permit had general operating conditions that he could not speak to. He advised the permit would have pumping and maintenance frequency specifications and stated NNPH only had one concern relating to the septic system, which he had personally included as a condition in the SUP application. He specified that in the event the system failed, a repair system would need to be installed in the front yard because the current system was in the backyard below concrete. This was not an ideal location because it could potentially affect the system's operation. If the system had to be repaired, the driveway would be ripped out and parking would be unavailable in that area. He said PBD and Safe Embrace would have to agree to this condition. He noted that heavy vehicle traffic and parking on top of a septic system caused compaction and could lead to decreased longevity. He remarked that to resolve future septic issues in the area, NNPH was seeking a grant or other funding to allow for residences on that street to connect to city sewer.

Commissioner Clark spoke about unintended consequences and clarified that the State monitored pumping of the septic system. Mr. English said the State had a general operating permit that applied to all commercial septic systems, which would contain pumping frequency and reporting requirements.

Chair Hill reiterated the DDAs' comments that the Board was to examine the findings. She stated the SUP application met the four applicable findings. She expressed sympathy to the site's neighbors for being put in a difficult situation. She declared the community's SOI situation had to be addressed. She challenged the Commissioners who served on the Truckee Meadows Regional Planning Agency's (TMRPA's) Governing Board to examine the issue. She remarked that the issue plagued parts of her district and created uncertainty, confusion, and questions regarding permit applications. She shared how she derived solace from the SUP's required conditions and Safe Embrace's requirement to follow up with neighbors. She mentioned the Board's ability to revoke the permit was taken seriously. She informed that she would vote to approve the SUP.

Commissioner Clark asked what recourse neighbors had if their concerns were not addressed in the scheduled meetings. Mr. Gordon explained a formal complaint could be submitted to the County if the neighbors believed Safe Embrace was not

complying with code. The SUP could then be examined in a revocation proceeding and Safe Embrace would be tasked with proving its compliance. Commissioner Clark noted he wanted the recourse path to be stated on the record so the site's neighbors were aware of it. Ms. Olander said Article 322 of the WCDL addressed recourse and explained that neighbors could contact Code Enforcement or PBD if they were not satisfied with the NRP. She asserted responses to concerns would be timely when addressed this way.

DDA Kandaras addressed statements regarding a lack of discussion with the site's neighbors. She reminded that the matter was in litigation for several years and mentioned it was common for attorneys to advise clients not to speak to each other during the pendency of litigation. She specified she did not know if that was the case, but mentioned it was a possibility that was not uncommon.

Commissioner Andriola reiterated the Board was tasked with examining the findings and she thought the findings had all been met.

On motion by Commissioner Andriola, seconded by Vice Chair Herman, which motion duly carried on a 5-0 vote, it was ordered that Special Use Permit Case Number WSUP22-0019 be approved, with the Board having made the findings required by WCC Section 110.810.30.

23-0796 AGENDA ITEM 13 Public Comment.

Ms. Penny Brock expressed her preference that voting be done by paper ballot, and provided some examples of how that question was being evaluated in other jurisdictions and states. She cited cybersecurity concerns and asked Dominion voting machines not be used. She requested 2024 elections and all elections moving forward be conducted using paper ballots and hand counts in Washoe County. She cautioned this was being watched very closely by herself and others.

Mr. Roger Edwards agreed with Ms. Brock about the importance of integrity in voting systems. He thought using American Rescue Plan Act (ARPA) funds for expansion and improvement of the Stead sewer treatment plant to prevent effluent going into Swan Lake would have been a better use of funds than remodeling libraries that were already in good working condition.

Ms. Janet Butcher remarked on the amount of time, effort, and money that it took for Safe Embrace to achieve a housing capacity increase of only two people. She suggested, when additional County funds were available, consideration be given to addressing the need for domestic violence shelter space. She hoped when Commissioners were up for re-election, people remembered negative effects from zoning changes and exceptions approved by the Board of County Commissioners (BCC). Ms. Butcher objected to Block Votes in meetings. She requested prompt reconsideration of Vice Chair Herman's election integrity observations and suggestions, which Ms. Butcher did not feel were satisfactorily resolved.

Ms. Katie Knepper claimed Community Services Department (CSD) Planner Julee Olander made an intentionally incorrect statement earlier in the meeting regarding the permit legality of the detached garage at the Safe Embrace site. She also disputed a statement of uncertainty from DA Michael Large, and said he was present in court when the City of Sparks conclusively stated they would have denied the Safe Embrace Special Use Permit (SUP) application. Based on multiple exceptions being granted, she disagreed with the assertion made earlier in the meeting that “the rules are the rules.” She was disappointed in the unanimous BCC vote on the item despite all the time she spent preparing and presenting evidence for denial of the (SUP) application.

Ms. Marvice Beutel expressed deep frustration with the conduct of Safe Embrace. She described her attempts to engage in constructive dialogue with them as neighbors, which she said were met with no effort on the part of Safe Embrace to satisfy any of the agreements they were supposed to fulfill. Ms. Beutel was angry about the way Safe Embrace appeared to be rewarded for their ignorance of regulations over the years.

23-0797 AGENDA ITEM 14 Announcements/Reports.

Commissioner Clark wanted the County to figure out a way to support Safe Embrace in finding a better location, possibly outside of the residential area they were in. He encouraged Ponderosa Drive residents to contact him if they had complaints, especially if the new agreements outlined and approved that day were violated by Safe Embrace in the future. He requested a future agenda item be planned for a presentation from Tracy Bower, Director of External Affairs with the Desert Research Institute (DRI). He also requested an agenda item to consider reduction of the spending limit of the County Manager from \$300,000 to \$100,000, which he reasoned would help Manager Brown defray accusations and shift responsibility to Commissioners to account for their voting record.

Vice Chair Herman mentioned a recent phone call with Lassen County Supervisor Tom Hammond, who recommended the Washoe County Board of Commissioners invite the new Commander from Herlong, California to give a presentation. She suggested adding the matter to a future BCC agenda.

* * * * *

1:51 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:
Kendra DeSoto-Silva, Deputy County Clerk
Heather Gage, Deputy County Clerk