

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

TUESDAY

10:00 A.M.

FEBRUARY 28, 2023

PRESENT:

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

Janis Galassini, County Clerk
Eric Brown, County Manager
Nathan Edwards, Assistant District Attorney

ABSENT:

Vaughn Hartung, Chair

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:

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Vice Chair Hill requested a moment of silence for the lives lost in the Regional Emergency Medical Services Authority (REMSA) Care Flight incident. She observed the incident was a reminder of how small the community was because so many people were touched by this tragedy. She offered condolences to the families on behalf of the Board.

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23-0127 AGENDA ITEM 3 Public Comment.

Vice Chair Hill acknowledged there were a number of people present and asked County Manager Eric Brown to review the rules regarding public comment. Manager Brown read the rules which indicated comments were limited to three minutes per person, may pertain to matters both on and off the agenda, and were to be made to the Commission as a whole. Vice Chair Hill added there would be no applause while in Chambers.

Mr. Bruce Parks opined the Library Director was out of control and it was the Board's job to reign him in. He pointed out that the trustees of the library board did not have individual Washoe County email addresses and requested that be corrected. He asserted the chair of the Library Board of Trustees knitted during meetings and the board

did not follow Robert's Rules of Order. He spoke about Open Meeting Law (OML) violations due to the minutes not being posted before the meeting. He discussed the vacancy on the library board that had been open since July 2022 and stated it needed to be filled. The library board had to cancel meetings because it could not obtain a quorum and he thought having an additional person on the board might fix that issue. He stated he was a Washoe County resident in District 4. He displayed a document which was placed on file with the Clerk. The document was from a website titled, "Gays Against Groomers." He declared the website was put together by a coalition that opposed drag queen story hour (DQSH). He pointed out a photo in the document and stated it was from a presentation the Library Director gave to the public justifying DQSH. He indicated the MAP flag was depicted in the photo, noting this meant Minor Attracted Person. He asserted he did not want the DQSH in the libraries and he expected the Commission to put this on an agenda for discussion.

Ms. Valerie Fiannaca informed she was a Nevada library patron and Chair Hartung was her district representative. She read from a video transcript of "Lesson from History: Transgender Mania is Sign of Cultural Collapse," noting the argument was presented by American academic, Camille Paglia.

Mr. Cliff Nellis displayed a document which was placed on file with the Clerk. He shared he was a resident of Washoe County and showed his library card. He stated he liked the libraries, but he did not think they should be places for DQSH. He requested the Board place the defunding of DQSH on a future agenda. He did not believe his taxpayer money should be used to fund things like this and opined it was child abuse. He directed the Board's attention to the document and asserted the drag queen known as Kitty Demure warned that the exposure of children to drag queens was abuse and would ruin them. Mr. Nellis suggested it was no different than exposing children to adult entertainers. He reiterated DQSH should not take place in libraries. He discussed statistics from a 1970s study regarding the intimate lives of homosexual individuals and a British study about the intimate lives of women. He stated the counterculture movement started in the 1960s and that traditional Americanism was the opposite of this movement. He asked the Board to consider individuals who were on the traditional side. He claimed there was a culture war occurring and people had to be on one side or the other. He reiterated his request for the Board to agendize the defunding of DQSH.

Mr. Nick Martin stated he had been a resident of Washoe County for 43 years. He disclosed he had two granddaughters who were full of life and joy. He asserted this was due to two things, the way their parents were raising them, and their innocence. He expressed concern about having to discuss something that could strip away a child's innocence. He postulated a conservative did not have the idea for DQSH. He claimed those who leaned left politically appreciated acceptability and inclusion. He opined the lowest rung on the social ladder was a pedophile. He declared he did not want drag queens talking to children in libraries and asked the Board to vote against DQSH.

Ms. Tammy Holt-Still displayed photos which were placed on file with the Clerk. She indicated she was a member of the Lemmon Valley Swan Lake Recovery Committee. She declared she had called both the City of Reno and Washoe County regarding the amount of water on the Swan Lake side of Lemmon Drive. She referred to the photo displayed, noting it was taken two weeks prior and more water had accumulated since. She explained the inlet for the water was being blocked, preventing it from entering Swan Lake. She declared the standing water was between Arkansas Street and Red Pine Road, and due to the flooding between 2017 and 2020, a blockage was preventing the communication of that water to Swan Lake. She asserted the standing water needed to be taken care of and that it was time for the members of the Board to do their jobs. She opined Item 8C1 should be pulled from the agenda because there was a contract already in place for those assessor's parcel numbers (APNs) and she did not think it should be withdrawn. She asserted the person who bought the property should not have the opportunity to terminate something that was already agreed upon.

Mr. Alan Munson said he was a resident and library patron of Washoe County. He expressed concerns about DQSH. He thanked the members of the Board for taking the time to serve as Commissioners and he hoped they would hear what the citizens were saying. He opined it was wrong to teach a young person about sex and such discussions should wait until they were 13 or 14. He stated the concern was whether indoctrination was occurring. He referenced a study that stated there was no deoxyribonucleic acid (DNA) or gene that made a person homosexual. He asserted it was a lifestyle choice. He alleged when people were young, they made bad choices. He read a statement that claimed virtually all transvestites were homosexuals, and 3 percent or less of the population was homosexual. He asserted homosexuality led to a higher rate of suicide so it was not a lifestyle that should be promoted. He again thanked the members of the Commission for their service and for listening to people's comments. He hoped they would think about what the citizens were saying.

Mr. Wes Brown stated he was a member of District 4 and voted for Chair Hartung. He expressed opposition to taxpayer funds being used for DQSH in the libraries. He believed there was a lack of background checks on the drag queen readers in Nevada public libraries which led to convicted predators being scheduled to be around Nevada children. He suggested the history of DQSH had not been good in other states, such as Texas, where multiple readers were charged and convicted of crimes against children. He claimed DQSH may put the County in violation of several Nevada Revised Statutes (NRS). He alleged DQSH would be in violation of Nevada law if it was conducted in the same manner as it was in parts of Texas, Florida, and Arizona. He pointed out if the County funded such activities and harm came to a child, the County could be liable. He asked the Board to make the right decision.

Ms. Dawn Cooper informed she was a taxpayer living in Washoe County and had a vested interest in the library programs. She shared that her representative was Commissioner Clark, and she lived in precinct 2041. She requested DQSH not be held at taxpayer-funded libraries and requested this item be placed on the agenda of a future Board of County Commissioners' (BCC) meeting.

Ms. Nichelle Hull commented she lived in precinct 610300, State Senate District 13, State Assembly District 30, and Commission District 4. She reported Albert Alfonso Garza was a DQSH reader in Texas before arriving in Las Vegas last fall. Mr. Garza had been convicted of a crime against a child and neither library, in Texas nor Las Vegas, performed a background check before scheduling him to read for DQSH. She observed both libraries issued written public apologies to their communities in the aftermath of the revelation that a convicted criminal was recruited by library staff to entertain children. She read an excerpt from the Houston Public Library's statement to the public. Ms. Hull relayed that a drag queen from Pennsylvania named Brice Patric Ryschon Williams was recently charged with crimes against children. She added Williams identified as a gender queer social worker and was a well-known LGBT activist. She informed he had been active with many boards and committees in Franklin County, Pennsylvania, and received several awards as an advocate for LGBTQ rights.

Mr. Tyler Colton informed he was a first-generation American, and his mom was from Mexico. He disclosed his dad was a former Treasurer of the State of Nevada as well as a judge. He added that his sister was a judge in Nevada and his grandmother was the first female to give a polygraph test in Nevada. He shared he was a Washoe County resident and a small business owner. He opined the public commenters that day were from a group that was targeting the LGBTQ community. He asserted many of the individuals were older and living in the past. He postulated most of the commenters and their children or grandchildren had watched movies and shows such as *Some Like it Hot*, *Bosom Buddies*, *Tootsie*, *The Birdcage*, and the *Madea* franchise. He opined drag queens were actors comparable to Santa Claus, noting they dressed up as fictional characters to portray a feminine look.

Vice Chair Hill asked to pause Mr. Colton's time to address the audience. She announced that anyone who interrupted public commenters would be escorted out and reminded that clapping or any other noises would not be allowed.

Mr. Colton continued. He declared DQSH was a program that promoted inclusivity, diversity in communities, and provided an opportunity for children to learn about different gender expressions and identities in a fun and engaging way. He claimed the program allowed children to see there was nothing wrong with expressing oneself in a non-traditional way and helped to foster acceptance and understanding. He asserted there were groups who sought to harm and discriminate against the LGBTQ+ community by promoting fear and intolerance. He opined they posed a threat to safety and wellbeing, and he felt unsafe being surrounded by those present in Chambers. He stated the group's efforts to disrupt DQSH and other events that celebrated diversity were unacceptable and should be condemned. He hoped the Board would not put DQSH on an agenda. He declared the County should focus on raising teacher salaries, the education level, and creating funding to increase the school system and the libraries.

Ms. Elise Weatherly shared she was a Washoe County resident. She recalled a television commercial claiming hair was central to identity. She claimed while her hair had been central to her identity, other things had been too. She said she identified as a

FWWTC, Former Wild Woman Turned Celibate and divulged her sexuality was previously central to her identity. She stated she had always tried to fit in, but realized she was different. She mentioned she had been asked for her opinion about abortion and she replied she did not want to pay for it. She spoke about music and referenced the Bible.

Ms. Lynnelle Carter declared she and her family lived on nine acres in Spanish Springs. They were recently cited by Washoe County under recreational vehicles and commercial use. She recounted asking the inspector how many recreational vehicles were allowed on her family's nine-acre property and was told one or two. She asserted they were not running a business out of their house; no money had ever been exchanged. She stated the trailers belonged to her family and close friends who stored them for the winter months. She was told by the inspector that anything over two was considered commercial use regardless of whether money was exchanged. She had asked if there was specific language within the code regarding how many vehicles were allowed. She was told no but was informed she would be fined if they were not moved. She investigated the codes further and discovered her family could have one cargo container per acre of lot. She opined it was more offensive to have nine cargo containers on the lot than the nice trailers that were only stored there during the winter months. She divulged she posted about this on the Neighbors by Ring application and received over 11,000 views. She informed it was something the community was affected by and asked for language to be added to the code regarding how many trailers were allowed on a property. She wanted everyone to work together to get this fixed.

Mr. Robert Beadles said he closely examined the County's certified data, specifically the voter rolls and tax records. He referenced a statement from former Assessor Mike Clark that the tax records were 99 percent accurate. Mr. Beadles declared if people did not pay their property tax bills, the County knew where to find them. He asserted when it came to the County-certified voter rolls, over 68,000 people needed to be investigated to determine whether they should be on the rolls. That number comprised 23 percent of the voter rolls. He recalled that the Registrar of Voters (ROV) and the County stated the voter rolls were pristine. He declared those 68,000 people voted from properties such as vacant land and churches. He contended there were 792 active voters between the ages of 95 and 110. He asserted according to NRS and the National Voter Registration Act (NVRA) it was the County's duty to maintain and ensure accurate voter rolls. He opined the County's voter rolls were far from accurate which affected legitimate Washoe County voters. He claimed it was the duty of the Board to investigate and fix all the errors. He offered the services of his team to walk the Board through every address and voter that needed to be investigated. He alleged the majority of the County's population lacked faith in elections due to concerns about the accuracy of the voter rolls. He asked the Board to do its duty and clean the rolls. He declared he had emailed the necessary information to the members of the Board and believed Commissioners Herman and Clark would do their job and serve the constituents. He asked if the other Commissioners would do the same. Regarding DQSH, he urged the Board to cut the funding for the program and disallow it in libraries and schools to protect the children.

Mr. Richard Thomas stated he had only been to one other meeting and it was because there was an issue. He affirmed he did not want to speak in public but he had convictions and believed everyone had a right to use their voice. He agreed that most of the individuals in attendance were older and suggested more people would have been present if not for the weather. He informed he had been in Washoe County for 35 years. He opined children should be left alone to be children. He reiterated everyone had a choice and convictions and said he was willing to die for his. He stated the members of the Board, as representatives, were asked to make choices about what they allowed. He asked that taxpayer money not be used for DQSH and that children be allowed to be children.

Mr. Craig Dyson stated he was part of the younger generation. He shared he lived in District 4 and was a Washoe County taxpayer. He asserted he cared about how taxpayer funds were used in the County, especially as it related to the protection of children. He declared he was a husband of 22 years, a father of three children, and a faith leader in the region. He relayed that over the past few years, he had seen the impact of the drag queen movement and opined it strategically targeted children and teens. He recounted seeing videos and images of drag queens reading LGBTQ+ material to children in libraries as well as children attending family-friendly drag shows. He asserted what people wanted to do in their private life was fine, but it was important to protect children at all costs. He opined he did not want taxpayer dollars used to fund and facilitate the intentional indoctrination of children. He expressed thanks for the opportunity to speak before the Board and hoped DQSH could be added to a future agenda. He asserted the Board had an important role and had been given an opportunity to lead in a way that protected the future and the long-term interest of the County. He implored the Board to agendaize DQSH and vote to remove it from the County.

Ms. Ashley Jacobs informed she had been in the Reno-Sparks area her whole life, was a fourth-generation Nevadan, and was raising three children. She opposed DQSH. She asked if it was really about inclusion, and if so, where did it stop. She opined once morals were removed, there was no limit in the name of inclusion. She suggested the implementation of real women story hour or dads teaching about how the government works for the people story hour. She spoke about passivity. She declared a moralless ideology had no limits and a child audience for adult entertainment in the name of inclusion proved that. She asked the Commission to do what was right and protect the children.

Mr. Karl Sweder indicated he was a taxpayer living in Washoe County and he had a vested interest in the library program. He noted he had been a member of the library for almost 50 years and took his daughter countless times when she was in school. He conveyed that his Commissioner was Chair Hartung in District 4 and his precinct was 7416. He asserted DQSH did not belong in public libraries and requested it be placed on the next possible BCC agenda.

Ms. Ann Sweder said she had lived in Washoe County for 42 years and Chair Hartung was her representative. She declared DQSH in the libraries was unacceptable. She opined DQSH needed to be placed on a future BCC agenda and said she did not want her tax dollars funding the program. She claimed women did not act or dress

like drag queens. She informed if she did not have a child with her, she could not go in and observe DQSH and wondered why. She alleged that drag queens reading to children was not entertainment. She requested DQSH not be held at taxpayer-funded libraries and reiterated she wanted this item to be placed on a future agenda.

Mr. Donald Griffin, co-founder and director of Black Wall Street Reno (BWSR), discussed the work the group was doing in the community to address the opioid epidemic. He informed BWSR had six locations that provided Narcan, but there was a shortage of it. He stated BWSR went to schools to teach children how to administer Narcan. He declared BWSR was looking for more funding and support from the community to help with the battle against the opioid epidemic. He noted he was also in attendance to show support for the mothers and fathers who had lost their children to addiction.

Ms. Christina Sherbrook stated she was a Washoe County resident who went to the libraries and had children who had gone through the school system. She declared there were a lot of issues in the County, including the safety and security of children and families. She thought that should be a priority because children were the future. She assumed no one in the room would take a child to a night club, as it was inappropriate. She informed when she and her husband volunteered at the public schools they went through screening including background checks, and fingerprinting for overnight trips. She declared she was against taxpayer-funded DQSH at the libraries. She said she was not against any person or group of people, but she wanted to protect the children. She asked for this item to be placed on a future BCC agenda to defund the program. She suggested asking parents, grandparents, and older siblings to read to children.

Ms. Janet Butcher informed she was a 30-year resident and taxpayer of Washoe County in precinct 7416 and Chair Hartung was her representative. She stated she had a library card and a vested interest in library programming. She affirmed there were many great programs within the County's library system and that children had the right to have their innocence protected. She opined it was harmful to expose children to the proclivities of adults. She affirmed she was not commenting out of hate, but as a concerned grandmother. She relayed her family had endured 18 years of psychiatric help for a family member who still struggled with the residual effects of grooming. She understood the Commission appointed the library trustees who were responsible for the Library Director. She declared it was time to be responsible curators of the public library system and put the children first. She requested DQSH be placed on a future BCC agenda. She recalled the last library trustee meeting where there was discussion that librarians were becoming, in a sense, social workers. She wondered why that was.

Ms. Tracey Thomas displayed a document, which was placed on file with the Clerk. She quoted the Bible and requested an agenda item be added to discuss funding for DQSH. She stated the constituents had no need, desire, or appetite for such events and declared it was a lawsuit waiting to happen. She opined the program was not safe, secure, or healthy and neither the County nor the school district had the right or the qualifications to instruct children about sexuality. She believed that was the sole right of the family as the child was their private property until the age of 18. She also requested an agenda item

to discuss the Board's commitments to elections so there could be a discussion about transparency and integrity before the next election. She stated it was the Board's responsibility to direct staff as to the manner elections were to be conducted. She requested attention be paid to NRS Chapter 293, which she opined Washoe County and the Nevada Secretary of State (SOS) violated the previous year. She encouraged the consideration of withholding the release of any election results until all ballots had been counted as stated in the law.

Ms. Renee Rezendes informed she lived in District 14, precinct 7576. She opposed DQSH. She requested this item be added to an agenda for further discussion. She recalled stories about people who were regretful about transitioning. She declared the nation was a feminine nation and there was always a masculine nation waiting to take over. She thought this issue should be opposed and children should be protected. She suggested there were many people who had done positive things for the Country, citing Harriet Tubman and Abraham Lincoln. She suggested those individuals could be spotlighted during story time to teach children about people who fought for freedom.

Ms. Sandee Tibbett displayed a document which was placed on file with the Clerk. She informed she resided in District 5 and Commissioner Herman was her representative. She shared she was a library card holder with two grandchildren who used the library. She recalled a time when drag queens provided entertainment for a subgroup. She did not want her tax dollars to pay for DQSH. She opined children's innocence was being stolen and asserted women and children needed to be protected. She requested the defunding of DQSH, not the defunding of the library. She demanded the issue be placed on an agenda before June 2023 for discussion and action.

Ms. Robin Douglas provided a document that was distributed to the Board and placed on file with the Clerk. Ms. Douglas read from the document which recounted her struggle to help her daughter through opioid addiction. She asked the members of the Board for their help to provide more rehabilitation centers. She thanked Human Services Agency (HSA) Program Specialist Lisa Lee for helping to provide resources while she waited to get her daughter admitted to an inpatient facility.

Ms. Linda Holly stated she was a 17-year resident of the City of Reno and had moved to Reno to be close to her family. She informed she had taken her grandson to story hour at the library but she had not been to DQSH. She recalled seeing a drag show on TV and declared she would have left the library if one had occurred while her grandson was there. She requested for DQSH to be placed on an agenda to be defunded. She opined it would mess with a child's mind and would take a lifetime to get over as they were not equipped to deal with drag queens.

Ms. Darla Lee informed she utilized the Washoe County library system. She enjoyed the ability to see different programs and often borrowed books. She expressed opposition to DQSH. She stated she was in District 3. She had attended at least one of the library trustee board meetings and recalled many of the same concerns were brought forward to the library board but had been ignored. She opined DQSH was adult

entertainment. She pointed out there had been one comment in support of DQSH and many opposing, which she asserted was the standard at other board meetings. She alleged there was a moral decline in Washoe County and the nation. She urged the Board to place this item on an agenda so the members of the Board could hear what the public had to say. She opined DQSH should be defunded. She did not want her granddaughter to attend DQSH and she did not want tax dollars to fund it.

Mr. George Lee noted he was a proud library card carrier. He opined the signs downtown advertising adult businesses should be removed because there was no such thing as adult entertainment anymore. He stated the issue was not about the agenda of those in the LGBTQ community or their rights; it was about the rights of children. He said kids were taught that the library was a safe place. He asked the Board to agendize a discussion about DQSH. He asserted the person behind DQSH was the library board chairman. He reminded the members of the Board they had the power to appoint that chairman and opined they should have the power to remove that person due to bad judgment. He reiterated DQSH should be an agenda item so it could be discussed. He asserted a writ of mandamus should be filed against the Commission, the head of the library board, and the library board itself for failing to act on this as it was against the law in the State of Nevada to harm children.

Mr. James M. Benthin shared he was a Washoe County resident, Commissioner Clark was his representative, and he resided in precinct 8256. He requested DQSH not be held in libraries at taxpayer expense and that this item be placed on an agenda for discussion very soon. He claimed the future of children was at stake and that caring about the safety and innocence of children was not hate speech. He affirmed the family unit was the basis of a functional society and that anything that undermined the family undermined the Country. He opined DQSH portrayed a false view of what it meant to be a boy or a girl and said children were impressionable. He stated wearing a dress did not make someone a woman and claimed that confusion and doubt undermined a boy's or girl's value and identity. He reiterated basic moral values should not be called hate speech and stated the Judeo-Christian principles of John Locke, Blackstone's Commentaries, and the Bible were the basis of the Country. He asserted men should not change biblical laws that were founded in the United States (U.S.) Constitution. He asked that DQSH be added to the next Commission agenda.

Mr. Bruce Foster stated he had six children and eight and a half grandchildren, one to be born in July. He informed he was a taxpayer living in Washoe County, his Commissioner was Chair Hartung, and he resided in precinct 6411. He requested DQSH be placed on an agenda. He asked that the Friends of the Washoe County Library organization be disbarred and not provide funding for DQSH. He wondered if standards should exist and stated that historically, standards of behavior or tradition were generally agreed upon. He asked if drag queens were acceptable in the name of tolerance. He inquired which public behaviors should be tolerated. He asked who should decide those limits and asserted they should be decided by the people. He provided documents which were placed on file with the Clerk. He explained that one was email correspondence involving U.S. Senator Rick Scott and others regarding DQSH, and the other was an article

about U.S. Catherine Cortez Masto quietly honoring a drag queen for his years of work with children at a local library.

Mr. Keith Hanly displayed his library card. He stated his representative was Commissioner Herman and his precinct was 7506. He opined he was appearing before the Board because it was not doing its job. He praised the public commenters and affirmed he stood behind 99 percent of everything he had heard that day. He played an audio clip of Ben Shapiro claiming gender dysphoria was a mental illness. Mr. Hanly added it was acceptable for people to do what they wanted in their own time and space; however, it should be kept away from children.

Ms. Julie Adams informed she had been a Reno-Sparks resident since 1982 and had visited the library with her children. She relayed a statement from Library Director Jeff Scott that said DQSH was invaluable to children's growth and development. Ms. Adams wondered how that was the case. She claimed her parents could read, do math, and utilize critical thinking and common sense. She declared she and her children were also able to do those things and opined Nevada's school-aged children no longer possessed those skills. She recalled attending a meeting at the North Valleys Library where the public received a presentation about DQSH. Questions had been asked about background checks and concerns were expressed about criminal charges against readers. She asserted neither of those was ever addressed. She informed she had to go through a background check to work with children at her church. She did not always agree with where her tax dollars went and believed using any tax dollars for DQSH was wasteful. She asserted innocence was vital to a child's security and well-being. She wondered how parents should answer children's questions about what a drag queen was. She stated a queen was a female and defined the word drag. She declared she was not a hateful person and had lost three very dear homosexual friends to acquired immunodeficiency syndrome (AIDS). She asserted there was no discrimination against the LGBTQ community; there was a target on teaching things to children that were not age-appropriate. She addressed Mr. Beadles' comments regarding the voter rolls and informed she had worked to submit information about those who had moved to the ROV.

Mr. Phil Harrison mentioned he was a taxpayer living in Washoe County. He showed his library card and said he resided in District 4. He read quotes from Vladimir Lenin, founder of the Russian Communist party. Mr. Harrison thought the drag queen agenda was indoctrination. He opined exposing children to a taxpayer-funded DQSH opened the door to gender dysphoria. He read a quote from a researcher named George Barnum. He declared that 52 of the 56 signers of the U.S. Declaration of Independence were orthodox Christians and he wondered what those signers would think of the current libraries. He requested that DQSH not be held at taxpayer-funded libraries and that it be placed on the next BCC meeting agenda.

Mr. John Quandt thanked the members of the Board for their service. He stated he recently moved to Washoe County and had grown up in Los Angeles. He declared he had friends who were drag artists who did not refer to themselves as drag queens. He opined drag artists were acceptable as they were performing for adults. He claimed there

were drag queens who desired to push their agenda onto children. He stated he moved his family to get away from crime and the demented downsizing of the social construct of the cities he previously lived in. He shared that a friend's daughter in Vancouver, Washington, had her car stolen at knife and gunpoint the day before at a Target in broad daylight. He declared he had been an assistant manager at a polling location until he was let go because he pointed out too many discrepancies. He spoke about fentanyl and opined the community did not know how bad it would get. He informed he lost his brother four years prior and demanded that attention be paid to this problem.

Mr. Bob Belknap asserted he stood with the other commenters in opposition to DQSH. He declared it was time to take back the Country and save the children. He opined it was a waste of taxpayer money to pay for DQSH. He suggested the Board replace the Library Director if necessary.

Mr. Joel Quist said he was a resident of Washoe County. He provided a prayer and thanked the veterans in the room. He said he did not want his tax dollars to pay for DQSH. He opined people immigrated to this Country because of its founding principles. He declared the Country was changing and sexploitation needed to stop. He thought the opportunity to homeschool children during COVID-19 (C19) was a blessing. He wondered what normal was. He declared people came to the Country for freedom. He claimed DQSH was okay on people's own time, in their own space, and with their own money; not on the taxpayers' dime.

Mr. Anthony Manha stated he was a resident of District 4. He declared drugs were becoming more prevalent in the area, and as a result, fentanyl was becoming more of an issue. He requested the Commission do everything possible to curtail the issue while it was still manageable. He reported areas along the border did not have the same judicial system and drugs were overrunning those communities. He spoke about DQSH and declared he was not against drag queens; he just did not want DQSH to be funded by taxpayers. He believed it was up to parents to choose whether to teach their children about sexual content. He asked that this be added to an agenda for action and discussion and requested the defunding of DQSH.

Ms. Darcy Patterson displayed a photo of her daughter, a copy of which was placed on file with the Clerk, and relayed that she lost her daughter to opioids on March 1, 2017. She reported her daughter grew up happy, had dreams, was an excellent student, a talented athlete, a giving daughter, and there were no roadblocks in her way. In middle school, her daughter made new friends who were living a different lifestyle, and she began to decline as she battled depression and other issues. Ms. Patterson stated her daughter became addicted to drugs which controlled her whole life. She relayed her family struggled with her daughter's addiction, witnessing lies, anger, overdoses, jail, rehab, withdrawals, theft, and emotional and physical pain. She asserted she did everything possible to cure her daughter's opiate addiction, but she passed away from an overdose after having been sober for six months. She asked people to remember that even though statistics were being presented, they represented someone's child.

Mr. John Hesse reported he had twin granddaughters who were attending the University of Nevada, Reno (UNR). He declared he was present to speak about DQSH at the libraries. He addressed Mr. Colton's comments in favor of DQSH and assured he was not against any individual or their ideals, but they were strange to him. He stated people could do what they wanted to do on their own time, but he did not want it done with his tax dollars. He recalled people stating they had to be fingerprinted to go on school field trips. He asked for DQSH to be added to an agenda for a vote. He added that Chair Hartung was his Commissioner, and he was a lifetime resident of Washoe County along with his family.

Dr. Layne Linebaugh gave her condolences to Ms. Patterson. She stated she was a 20-year resident of Washoe County and Vice Chair Hill was her representative. She declared it was important to guide children. She remarked that with the lowest test scores and the highest dropout rate in the nation, the bar needed to be raised quite a bit. She asserted she had a vested interest in the programming of Washoe County public libraries and did not want children to be harmed. She reported children who were exposed to sexually and gender-confused lifestyles were at an increased risk of suicide, depression, addiction, and homelessness. She believed the people did not want DQSH held at taxpayer-funded libraries and she requested it be placed on a future agenda. She recalled going to story hour when she was a child. She said the readers were mothers and grandmothers and she had a great time.

Mr. Jeff Church said he did not know much about DQSH but wanted to comment on it in a logical manner. He thought it should be placed on an agenda for discussion. He shared he was a veteran and declared he supported constitutional rights and the right to free speech. He claimed the DQSH program was biased because to be a speaker at the event, one had to be a male dressed in female attire. He had heard DQSH was taxpayer-funded. He asked if there was or could be a veteran story hour or a law enforcement story hour. He reiterated he wanted to see this item agendaized for a future meeting. He declared his primary reason for speaking was regarding the opioid crisis and opined the issue of opioid use and drugs in the schools was out of control. He reported that 51 percent of school district staff believed drug use was a moderate to major problem in the schools, 27 percent of students in the twelfth grade admitted to being regular users of marijuana, and 3 to 6 percent of students admitted to using hard drugs such as heroin, cocaine, or methamphetamine. He asserted it was only a problem for the school board until school was let out at 2:00 p.m.; then it was the Board's problem because those students went out into society and became a pipeline to prison. He asked the BCC to give consideration to that when the opioid item was agendaized. He provided documents which were placed on file with the Clerk.

Kat DeClue remarked they were a resident of District 1 and Vice Chair Hill was their representative. Kat showed their library card. Kat declared that in a democracy, laws were not based on religious morals, it was not dictated to others how they should live based on one's own personal preferences, and this Country was founded on ideals of a diversity of opinions. Kat asserted drag was not inherently sexual and most drag queens were more like clowns than burlesque characters. Kat agreed if the safety of the children

was the chief concern, background checks should be conducted on every person who worked with children. Kat opined the goal of those looking to remove DQSH was not protection but exclusion. Kat pointed out that maybe half the Country was passing anti-trans laws. Kat declared they did not want Washoe County to become exclusionary and they wanted to protect freedom.

Mr. Roger Edwards stated he was a 49-year resident of Washoe County and had taken his children and grandchildren to the library. He shared he was a 37-year military veteran. He stated background checks for story-time readers had not been discussed because it was assumed that background checks were already being done. He observed that for his children, going to the library had been like going to Disneyland. He reported his pastor had volunteered to read from the Bible after DQSH but was turned down. Mr. Edwards was told the reason for this was because it was too radical. He spoke about exclusion and opined that a statement was being made that DQSH was okay but reading from the Bible was not. He asserted DQSH was not needed without something equally opposite to balance it.

Mr. Herman Manriquez declared he was a resident and taxpayer in Washoe County. He shared he had been living in the area for more than 20 years and Commissioner Clark was his representative. He reported he had moved from Southern California to pursue a better life for him and his family. He stated his children were registered members of the library. He said he and his wife had a vested interest in the library program and in the safety of their children. He read from the Bible. He stated he did not want DQSH to be held at taxpayer-funded libraries and did not want taxpayer funds to be used for the program. He read the Washoe County mission statement and requested everyone abide by it. He read a quote from Commissioner Clark and requested DQSH be placed on a future agenda or be defunded.

Mr. Wesley Griffin said he was thankful to live in a Country that guaranteed people the right to have and express their own opinions. He declared he had been a Washoe County resident for 63 years, was a library member, and served four years in the U.S. Air Force (USAF). He was opposed to tax dollars being spent on DQSH and requested this be placed on an agenda so both sides of the issue could be heard. He alleged allowing DQSH in a public facility exposed the County to liability. He reiterated he wanted the issue to be placed on an agenda to allow people to express their opinions.

Marshall Delbecq informed they were a second-generation Belgian-American, a resident of Washoe County, and Commissioner Garcia was their representative. Marshall declared being homosexual or transgender was not a choice. They pointed out that most of the women in the room were wearing pants and the Country's founding fathers wore lace, tights, and wigs. Marshall said they came out as queer when they were 17 and said they were belittled for expressing their physical boundaries growing up. Marshall expressed condolences to Ms. Patterson and thanked her for unconditionally loving her daughter.

Ms. Cathy Reyes stated she was a library member. She reported she grew up watching Wonder Woman and opined the new generation could not define a woman. She thought Vice Chair Hill was excited to hear comments from Mr. Colton. Ms. Reyes reported she was a federal agent for 21 years. She declared she did not support DQSH and wanted it placed on an agenda. She claimed she did not mind if people wanted to dress up but she did not want children exposed to it. She spoke about Kirk Cameron being denied the opportunity to read his books at libraries but the libraries were forced to rescind the denial. She asserted members of the community would take this to court and there were people who would fund it. She mentioned the public commenters who were in support of DQSH.

Vice Chair Hill interjected to remind commenters they were to address the Board, not the audience.

Ms. Shannon Castaneda informed she resided in District 14. She asserted she did not hate people based on who they were attracted to, how they dressed or their lifestyle. She opposed DQSH at public libraries. She reported she was a mother, a taxpayer, an educator, and a regular patron of the library. She opined DQSH was not an appropriate use of taxpayer-funded facilities. She said it was not representative of the general public. She believed it was not a proper use of facilities as it was offensive to some and discriminatory to taxpaying citizens who supported those facilities. She declared libraries should be reserved for education and learning for families.

Ms. Valerie Wade said she was a life-long citizen of the City of Sparks and showed her library card. She thanked the County for the remodel of the Sparks Library. She reported her oldest brother took his own life because he did not believe there was a place in this world for him. She opined one child could attend DQSH and see that there was a place in the world for them. She stated her parents would have given anything to ensure their son felt there was a place he belonged. She asked how it was harmful to others for a child to know there was a place in this world for them. She implored others to mind their own business.

Mr. Dennis Dybicz stated he had been a resident of Washoe County for 45 years. He reported he purchased the Goldfield Hotel when he first moved to Nevada, and his wife wrote a book that was published in 1992. He stated schools had requested them to visit so students could meet the authors after reading their book. He commented many of those he spoke with had not even known where Goldfield was; they were surprised to find out that Goldfield was once the largest city in Nevada and the greatest gold camp the world had ever known. He believed the students enjoyed meeting him and his wife after reading their book. He declared the school board now wanted to teach critical race theory (CRT). He opposed DQSH. He said the Board represented the people and he thought it was obvious what the people wanted. He stated funds needed to go where they belonged and declared Sun Valley needed money for restorations.

Mr. Mike Fiannaca shared he was a long-term resident of Washoe County in precinct 7417 and Chair Hartung was his representative in District 4. He said he was a business owner and an active community member. He requested DQSH be agendized. He assured he did not hold any animosity toward the LGBTQ community. He wondered why inclusion did not apply to him as an older male. He opined tax dollars should not fund DQSH. He spoke about the opioid crisis and reported he lost his son to drugs 11 years prior. He suggested allocating tax dollars to address the opioid crisis.

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

23-0128 **AGENDA ITEM 4** Announcements/Reports.

Vice Chair Hill clarified County funds were not spent on drag queen story hour (DQSH). The program was funded by the Friends of the Washoe County Library which was a non-profit group that supported the County libraries. She reminded that the Board of County Commissioners (BCC) did not have oversight of the programming through the Washoe County Library System according to Nevada Revised Statutes (NRS) 379.027, Powers and Duties of the Librarian. She read the statute and stated all questions or comments regarding any programming decisions should be directed to Library Director Jeff Scott.

Vice Chair Hill informed that during that day's meeting, the Board would be looking at ways to make Board-appointed positions more accountable to the BCC. She noted this was under Agenda Item 12.

Commissioner Herman understood what the NRS stated but believed there were adjustments this Board could make for other advisory boards. She asked Assistant District Attorney Nathan Edwards for confirmation. Attorney Edwards responded the statutory references Vice Chair Hill mentioned were correct. He added that according to NRS 379.010, this Board did have the discretion to determine how much funding the County library would receive and whether to continue providing that funding. Commissioner Herman recounted a time when she offered to purchase the Rush Revere books for all the libraries, but her offer was refused on the grounds that it was inappropriate. She asserted she would still have to deal with the person who deemed it to be inappropriate in order to get a change made such as the one brought before the Board that day. She declared she did not like inequality and inquired if there was anything the Board could do. Attorney Edwards reiterated that the Commission had financial power over the library system. Commissioner Herman asked if the Board could add an agenda item to discuss DQSH. Attorney Edwards informed there could be discussion regarding the public comment that had taken place, but no deliberation or action could be taken on those matters.

Commissioner Herman disclosed she had been receiving calls from seniors who were shocked by their property assessments. She thought it was important that the Board address the assessments soon and wondered if there was anything the BCC could do to give relief to some of the seniors who requested assistance. Attorney Edwards replied

there was a whole system set up for people to file challenges with the Board of Equalization (BOE). People could challenge or make claims that the assessments on their property were inaccurate. He reminded the Board that Commissioner Clark was a former Assessor who had knowledge about the way the systems worked. He noted Commissioners Herman and Clark had spoken in the past about items that affected a particular community. He stated he would like the District Attorney's (DA) Office to research further if there was additional action the Board could take to provide relief.

Commissioner Herman reported the Sierra Sage Golf Course was having a difficult time due to its water usage costs reaching \$120,000 annually. She inquired if there was anything the Board could do to help.

Commissioner Herman requested that Item 8C1 be removed from the agenda that day. Vice Chair Hill requested confirmation that Commissioner Herman wanted to table Item 8C1 to which Commissioner Herman responded yes. Vice Chair Hill indicated the Board could discuss tabling Item 8C1 once it got to the Consent Agenda.

Commissioner Clark wanted to know if Item 8C1 was simply bookkeeping and if any of the residential units were built.

Commissioner Clark inquired how advertisements for bids were conducted as Item 8C2 only received one bid. He compared this to the issues with obtaining applications for boards and commissions and wanted to know how the County could find more people who were interested in applying for bids or serving as volunteers.

Regarding Item 8D1, Commissioner Clark asked what the records retention schedule was to reduce the risk, liability, and expense to the County and if it was uniform throughout the County.

For Item 8E1, Commissioner Clark observed there were eight members on the Washoe County Open Space and Regional Parks Commission, five of whom were men and three were women. He observed that with the new appointment, the board would be comprised of six men and two women. He declared he would like to see more diversified boards. He questioned who made the appointment decisions for advisory boards and opined appointments were placed on agendas without him having a chance to review all the applicants.

Commissioner Clark highlighted Item 8F1. He thought it was great and asserted people did not realize how difficult it was for foster children aging out of foster care. He stated it was important to support them as much as possible.

Regarding Item 6, Commissioner Clark asked why the Board was voting on the settlement agreement between Washoe County and the Washoe County School District (WCSD) that day as the deadline for claims was not until May 1, 2023. He understood the WCSD had a pending appeal at the Nevada Supreme Court and wondered if the Board was getting ahead of the appeal.

Commissioner Clark discussed Item 9, the replacement of the elevator at the downtown library. He referred to the Staff Report noting the elevator was installed in 1965. He asked who owned the downtown library building, and who owned the parking garage across the street. He wondered if the parking garage was owned by the County, and if so, what revenue the County received from patrons of the parking garage.

For Item 12, Commissioner Clark asserted the entire Board should be notified of complaints lodged against appointed officials rather than just the Chair and Vice Chair.

Commissioner Clark addressed the public comments and pointed out that approximately 40 percent of the comments were opposed to DQSH, and three or four individuals were in support. He declared the primary concern was that people did not want children involved with this; people were not vilifying anyone's lifestyle. He opined children should not be mixed up in adult-themed ideas and a discussion about DQSH should be placed on a Commission agenda. He mentioned the comments made by Mr. Bruce Parks about the vacancy on the library board and agreed it needed to be filled. He thought it should be advertised properly to ensure enough people who were passionate about the library were involved in its management. He reiterated children should not be involved in DQSH.

Commissioner Clark requested the Board hold another moment of silence for the recent death of a North Valleys student.

Commissioner Garcia spoke about the Regional Emergency Medical Services Authority (REMSA) Care Flight incident. She reminded traumatic events could cause a wide range of emotions and it was important to check on each other. She remarked Washoe 311 could be contacted for resources. She disclosed she had taken a tour of the REMSA facility the prior week and mentioned what a tight-knit group that team was. She commended REMSA staff for continuing to report for duty and responding to emergency calls despite feeling grief and loss. She offered condolences to the families impacted by the incident. She acknowledged REMSA President and Chief Executive Officer (CEO) Barry Duplantis for his leadership and reiterated Washoe 311 could be contacted for community resources.

Vice Chair Hill commented on the treacherous winter weather and thanked first responders from the Truckee Meadows Fire Protection District (TMFPD) and Storey County for their rapid response to a tanker spill on the USA Parkway over the weekend. She relayed that TMFPD rendered aid to the driver who was then transported to Storey County with minor injuries. She declared this could have had a detrimental impact on the environment as the tanker was carrying both unleaded and diesel fuel and a little less than 100 gallons of fuel had spilled. She informed there were multiple accidents on Interstate 580 (I-580) over the weekend and crews responded to 36 vehicles involved and provided shelter to victims. She implored residents to drive slowly and cautiously.

12:46 p.m. **The Board went into recess.**

1:15 p.m. **The Board reconvened with Chair Hartung absent.**

Commissioner Clark acknowledged public comments regarding voter rolls. He asserted the offices of both the County Treasurer and the Assessor kept great records. He asked why the County did not keep better track of voter rolls and opined it would be easy to correlate existing County functions and compare them to the voter rolls to make sure they were right. He declared that American people were resilient if they felt they were being treated fairly; problems arose when people lost that feeling. He observed there were a lot of people in the County who believed the voter rolls were not clean. He thought all the County needed to do to diffuse that belief was show the people that the voter rolls were clean. He felt the voter rolls should be audited, and information should be shared with the public to prove the County's records were accurate.

Commissioner Clark reported he recently toured the Cares Campus (CC). He requested to see an audit of all the money used for the CC and homelessness and expressed concern about the condition of the facilities at the CC. He recommended that someone with experience and knowledge about how to run such a facility should oversee the campus to ensure it was kept clean and safe for its patrons.

Commissioner Clark read an email that was sent to him by a County employee. The email indicated that the prior Friday, the Office of the County Manager (OCM) sent all its staff home at noon due to weather conditions without informing any of the other departments that the OCM was closed with people working from home. The inclement weather policy stated employees who wanted to leave could do so if minimum staffing levels were maintained, but the OCM completely closed and put up a sign informing the public to call the main business line or Washoe 311. The issues addressed in the email were that the OCM should have let the other departments know it would be closing the office but could be reached by phone, and other departments should have been educated that minimum staffing meant entire offices could close with staff working from home and no payments would be taken at the front counter. The employee contended that normally, the County Manager sent out an email informing department heads they could send their staff home as well. The employee compared this situation to the Korn Ferry study and opined the OCM was sending a message about who was the most valuable in the organization. Commissioner Clark divulged he would be sharing the email with the legal department and expressed concerns about the optics of the situation. He declared the rank-and-file individuals who worked at the County were not happy and that the County was nothing without its employees.

County Manager Eric Brown announced there would be a business impact statement done to reassess the Enhanced 911 (E911) charges. He informed the public notices to start the process would likely happen within the following week and the matter would be brought before the Board on April 18, 2023, for action probably in June. He relayed that the surcharge for E911 may need to go up \$0.10 to \$0.15 per line to cover

expenses, bringing the surcharge from \$0.85 to \$1. He informed there would be a public workshop on March 27, 2023, to obtain public input.

Vice Chair Hill inquired if Manager Brown wanted to address any of Commissioner Clark's questions regarding agenda items or if he wanted to wait until those items were heard. Manager Brown said he could respond to the questions if it was the right time in the meeting to do so. Vice Chair Hill asked Attorney Edwards for guidance. Attorney Edwards requested clarification about what was being contemplated. Vice Chair Hill responded Commissioner Clark had asked questions regarding upcoming agenda items and she thought Commissioner Clark may not want to pull the items if his questions were answered. Commissioner Clark confirmed that was correct and stated one of his biggest questions involved contracts and how they were advertised. He wanted to make sure the County had a fair shot at getting the best practices and the best prices. He observed there were numerous contractors in the area looking for work and only one bid was received for the park project. Manager Brown declared there was an employee in Chambers who could address Commissioner Clark's questions. Attorney Edwards clarified that if the questions Commissioner Clark had asked pertained to items on the agenda, it was okay to answer them. Manager Brown believed Commissioner Clark was referencing Item 8C2, to which Commissioner Clark confirmed that was correct.

Division Director of Engineering and Capital Projects Dwayne Smith informed the County advertised bids in accordance with NRS 331.355 which required advertisements to be published in a local newspaper. He stated the County went further than that by reaching out to Sierra Contractor's Source which sent the bid out for further advertisement to maximize the number of bids received. He pointed out that in the case of Item 8C2, there was a mistake in the advertisement that was put out by his office which was why staff recommended the rejection of the single bid that was received. He declared upon catching the mistake, his office went through the appropriate process to withdraw that bid. He reported staff noticed a trend of only single contractors bidding on projects. To help alleviate that, his department was extending bid periods, combining projects of the same type, and holding pre-bid meetings to answer questions from contractors. He noted larger bids received more interest. He indicated he shared Commissioner Clark's concerns about maximizing the number of bids received. Commissioner Clark inquired if contractors who had done work for the County in the past could be contacted directly. He acknowledged the newspaper advertisements were required but noted readership for newspapers was down and he wanted to get the word out to more people. He suggested sending out a mass email to companies that had done work for the County in the past to make them aware of upcoming bids. He thought that might yield more opportunities. Mr. Smith remarked when the Board approved the capital program for the following year, his department conducted outreach, such as attending meetings of the Associated General Contractors (AGC), to share upcoming projects. He hoped the County was able to obtain more bids as it moved forward and continued its efforts.

Vice Chair Hill asked Commissioner Clark if he wanted Manager Brown to address his other questions to which Commissioner Clark responded yes.

Manager Brown introduced the County's former Internal Auditor, Samantha Turner, to respond to Commissioner Clark's questions about Item 8D1. Ms. Turner informed she was the previous Internal Auditor and had completed the audit of the Public Administrator's (PA) Office. She shared that the recommendation in the audit was to follow the record retention policy on case files. She declared that while she was there she observed case files that were over a decade old. This caused the County to need additional storage and put the County at risk if the documents were to be misplaced. She relayed she provided the PA's Office with the record retention policy, which was provided to the Board as an exhibit in the Staff Report. She asserted the County should keep the case records no longer than seven years after a case was closed. Commissioner Clark asked if the seven-year requirement was according to NRS or if it was a County policy. Ms. Turner replied it was per NRS and pointed out there were legal citations in the exhibit's summary.

Regarding Item 8E1, Manager Brown believed the Commission Support Team had worked with Commissioner Garcia to identify the path forward. Vice Chair Hill added many of the boards came to the Commission with recommendations for appointments, but some of the boards called upon the Commission liaison and asked for their recommendation. She mentioned Commissioner Garcia interviewed all the candidates for the Washoe County Open Space and Regional Parks Commission to make her decision. Commissioner Garcia clarified she did not interview each candidate, but she reviewed all the applicants and conducted a phone interview with the individual she deemed to be the top candidate. Commissioner Clark stated he was on several boards as well and was not offered the opportunity to unilaterally select appointees for those boards. He asked for clarification about how the appointment process worked. Vice Chair Hill explained that each board had a different set of bylaws and rules. She provided the Senior Services Advisory Board (SSAB) as an example, noting it made recommendations to the Commission for open positions. The Open Space and Regional Parks Commission, she observed, was a Commission liaison recommended position. She expressed a desire to respect Commissioner Garcia's recommendation since she had been chosen to be the liaison for that board. She reminded that the Commission had decided to bring back the SSAB appointments for a future BCC meeting. Commissioner Clark asked which boards he was allowed to make unilateral appointments to. Vice Chair Hill responded County staff could help Commissioner Clark navigate the appointment processes of his boards. Manager Brown informed Program Assistant Alex Wilson would provide a presentation at a future meeting to inform the Board about different board and commission bylaws. He indicated Ms. Wilson could answer any questions regarding board appointments and bylaws. Commissioner Clark said he would like to see a matrix, to which Manager Brown responded one would be provided.

Manager Brown asked Vice Chair Hill if he should wait to answer questions about Item 12 until it was time for that item to be discussed. Vice Chair Hill responded yes. Manager Brown thought Deputy District Attorney Herbert Kaplan could address the

question about Item 6 when it was time for that item to be discussed. Vice Chair Hill confirmed that was correct.

Manager Brown mentioned there was a question about whether Item 8C1 would be tabled. Vice Chair Hill recalled Commissioner Clark had questions about the buildout of that project. Commissioner Clark restated he wanted to know if it was simply bookkeeping and if any of the residential units were built. Planning Manager Trever Lloyd responded there were fewer than 100 units constructed, and all had been built in the city following annexation. Commissioner Herman reiterated she wanted to pull Item 8C1. Vice Chair Hill affirmed the discussion to pull this item would come when the Board got to the Consent Agenda.

23-0129 **AGENDA ITEM 5** Presentation by Amber Howell, Washoe County Human Services Director, of the Opioid Use Community Needs Assessment conducted to identify trends, gaps, and needs pertaining to opioid use in Washoe County. The presentation will provide detailed information and recommendations for future discussion on intervention approaches related to the harms of opioid use in our community. This assessment is a funding requirement of SB 390 (2021) related to the Opioid Litigation Funding. Human Services Agency. (All Commission Districts.)

Human Services Agency (HSA) Director Amber Howell conducted a PowerPoint presentation and reviewed slides with the following titles: The Purpose of the Needs Assessment; Guiding Principles for Opioid Litigation Funding; Community-Based Participatory Practice (CBPP); Acknowledgements; Non-fatal opioid related EMS incidents; Drug-related Deaths in Washoe County; Documented Characteristics of Deaths; Opioid-Related Deaths in Washoe County 2010-2021; Opioid Related Deaths in Washoe County by Age; Unique Count of Substance Exposed Infants; Percent of Children Under Age 1 Removed to Foster Care; Percent of Children Removed to Foster Care; Key Strengths; Gaps; Trends; Qualitative Data; Key Experiences with Fentanyl; Services in Washoe County; Services and Resources in Washoe County currently; Services and Resources in Washoe County (continued); Feedback of Future Solutions; Survey; Race/Ethnicity of Survey Respondents; Identities of Survey Respondents; Disproportionately Impacted Populations; Respondents' Perception of Fentanyl in Washoe County; Knowledge of Opioid-Related Initiatives; Top 5 Gaps Barriers & Challenges; Top 5 Priorities Overall; Top 5 Recommendations for Washoe County; In Conclusion.

Ms. Howell introduced Program Specialist Lisa Lee who spearheaded the needs assessment and thanked her for her hard work on the project. She forewarned some of the information would be difficult to absorb but the assessment had provided the opportunity to locate priority areas. She apprised that to utilize opioid litigation funding the County had to perform a needs assessment to determine how the funds would be spent. She outlined the five principles for the use of litigation funds and notified that legislation had been enacted in response to poisoning and overdose deaths throughout the nation.

Ms. Howell declared Senate Bill (SB) 390 suggested the use of a Community-Based Participatory Practice (CBPP) method for research which was used to inspire participation and collaboration amongst the community and displayed a list of the community partners that participated in the assessment. She showed a map that depicted the top five zip codes with emergency medical service (EMS) incidents that involved non-fatal overdoses and correlated that the top three of those five zip codes were also the highest ranking for child welfare calls. She displayed a bar graph with data from the Medical Examiner's (ME) Office that illustrated drug-related deaths and revealed that most of them involved multiple substances. She showed a graph that represented the characteristics of deaths in Washoe County and noted that 80 percent of them occurred in a home setting. Over half of these had a bystander present and only one-third had Naloxone, a prescription medication used to treat overdoses, administered.

Ms. Howell displayed a line graph of opioid-related deaths by age in Washoe County and observed that the highest age range for deaths in 2019 and 2020 was 55 to 64. She noted a shift in 2021 resulted in the 35 to 44 age range being the highest and noted that over a five-year span, there had been a significant spike in the number of opioid-related deaths in younger age groups.

Ms. Howell pointed out there had been a 154 percent increase from 2011 to 2020 in substance-exposed infants. There was a slight drop in 2021 bringing the percentage of increase to 110 percent. She depicted a line graph of the percentage of children under the age of one removed to foster care due to parental substance abuse which showed a 58 percent increase from 2012. She indicated the total number of children aged 1 to 17 that were removed due to parental custody drug use was trending at 51 percent, which was higher than the State average. She informed that over 50 percent of the children removed to foster care were under the age of five.

Ms. Howell highlighted the key strengths, gaps, and trends discovered by the survey. She provided information about services and resources throughout the County as well as feedback for future solutions. She recounted the final phase of the project was a survey conducted by stakeholders which was live for 30 days and outlined demographic information for the respondents. She asserted there was a wealth of knowledge available to help mitigate the opioid epidemic and provided a list of the top five priorities determined through the study. She concluded the first allocation payment from the settlement with Johnson & Johnson had been deposited to the County the past July.

Vice Chair Hill thanked the team for their commitment and for reaching out to the community to ensure the Board knew where to allocate settlement money.

Commissioner Garcia commended the team for its ability to provide a comprehensive study to the Board. She noted 40 percent of the top five zip codes with EMS incidents involving non-fatal overdoses were in District 3. She stated it was important to address gaps in services and she thought the provided recommendations covered them. She was supportive of the five recommendations to the County.

Ms. Lee observed that her team was looking for feedback on the five recommendations and advised that the next steps required were to create a County plan for opioid remediation and abatement.

Vice Chair Hill asked if there was research being done on a law enforcement diversion program. Ms. Lee relayed she had recently received the contact information for the Law Enforcement Intervention for Mental Health and Addiction (LIMA) program. She had relayed the contact information to Washoe County Sheriff's Office (WCSO) Chief Deputy Corey Solferino who was planning a trip for the WCSO to travel to the Las Vegas Metro Police Department (LVMPD) to learn more about the program. Vice Chair Hill inquired if the County could use settlement funds to support those types of programs. Ms. Howell informed the use of settlement funds was allowable. She disclosed that the State of Nevada might have assisted Clark County with some of its funding for Law Enforcement Assisted Diversion (LEAD) programs and Washoe County would be asking for the same level of assistance. Vice Chair Hill declared it was important to provide people with treatment instead of booking them in jail, especially once the treatment facilities were operational.

Ms. Lee recounted they were able to provide the five recommendations through an intense methodology which determined how the County would allocate funds. The needs assessment was conducted to be able to request funds through the State's allocation and it was important to look at priority areas. She mentioned law enforcement and the Bureau of Justice Assistance (BJA) were included in those priorities. She said she was working with the WCSO to take advantage of other funding sources.

Vice Chair Hill clarified money would be allocated to the top recommendations presented to the Board and the County would continue to seek out other important programs through the State. She expressed support for the five recommendations and queried if a formal motion was required. Assistant District Attorney Nathan Edwards responded the Board did not need to give a formal recommendation but did need to open for public comment.

On the call for public comment, Ms. Janet Butcher imparted planning for the long-term was a necessity. She restated previous comments regarding a personal situation that resulted in her grandchild requiring 18 years of psychiatric help and ultimately falling victim to the opioid crisis. She relayed that after a five-day detox, patients were discharged and given information about rehabilitation centers; however, those centers required 30 days of sobriety for admittance. She discussed the Delancey Street Foundation in San Francisco, California, which provided a 24-month treatment program but would not admit patients who were on psychiatric medications. She hoped the Commission would address the long-term care of addiction patients and opined that Narcan was just a quick fix. She wondered when the root of the problem would be reached and suggested the closure of the United States (U.S.) border.

There was no action taken on this item.

23-0130

AGENDA ITEM 6 Presentation, discussion, and possible action to approve a proposed settlement agreement between Washoe County and the Washoe County School District, the terms of which will result in dismissal by Washoe County School District of the appeal of the District Court's decision in Washoe County School District v. Washoe County, in Case No. CV21-00683 in the Second Judicial District Court in Washoe County, Nevada, Supreme Court case no 83592. If approved, this settlement will additionally result in a compromise of Washoe County's withholdings of only the portion of property tax distributions to the Washoe County School District's Debt Service Fund, the approximate amount of \$2,500,000, but not to exceed \$2,992,000. Also if approved, direct the Washoe County Treasurer to cease, as of the effective date of the agreement, the withholdings from the Washoe County School District's Debt Service Fund and authorize the Chair to execute the proposed settlement agreement. District Attorney. (All Commission Districts.)

Commissioner Garcia disclosed she was an employee of the Washoe County School District (WCSD), but her position did not involve top-level budget-making authority, oversight, direction, creation, or expenditures for the WCSD, nor did she have any commitments one way or another to the WCSD concerning the matter before the Board. She asserted her position would not affect her judgment on this item and after consultation with legal counsel, she concluded that Nevada Revised Statutes (NRS) 281A.420 favored participation by elected officials in decision-making on matters within the realm of their offices, and this was not outweighed by the general interests of her school district job. Rather, the benefit or judgment to herself regardless of which way she chose to vote on this matter was no greater or lesser than any other person in the general group to which she belonged, namely, employees of the WCSD. She chose, out of an abundance of caution, to make the disclosure but not to recuse herself from participating in the consideration of the matter at hand.

Deputy District Attorney Herbert Kaplan responded to Commissioner Clark's previous questions. He stated this item was before the Board as a matter of procedure. The case was appealed to the Nevada Supreme Court where the County had a pending case that was fully briefed in June or July of the prior year and was set for oral argument in December. During that time, discussions on a settlement were continued and a basis for an agreement was established. The oral argument was continued with the blessing of the Nevada Supreme Court for a period of 60 days last November. On January 22, 2023, the 60 days expired. The County requested an additional 60-day extension, which would expire on March 22, 2023, for the County to either resolve or reset the case. The Nevada Supreme Court had been clear that any additional extensions would not be favored.

Attorney Kaplan informed that between the time of the original discussions and the Board meeting that day, there were additional reviews of the settlement agreement that created the version that was currently before the Board. He apprised he did not know what the bottom line was as there was still time for claims to be submitted and paid.

However, at that point, the approximate dollar amount of potential refunds was \$56 million with close to \$40 million already being refunded.

Attorney Kaplan reiterated the claim period was extended for another year and while it was not anticipated, there could be claims submitted at the end of the year that he was prepared for. He anticipated anywhere from 75 to 90 percent of the total dollar amount would be paid out. He divulged the figures were only for the WCSD's debt service fund as the other entities had already agreed to pay 100 percent and had not challenged the County's authority to authorize withholdings. The WCSD was allowing the County to withhold 100 percent of two-thirds of the funds which went through a different avenue. The WCSD's debt service fund distributions went directly to the WCSD.

Attorney Kaplan informed if 100 percent of the funds were paid out, the total amount would be \$6.8 million. He remarked the agreement provided for a split of a small chunk of the \$56 million and he said the WCSD would be responsible for 56 percent of whatever was paid. The County would be responsible for the remaining 44 percent. He outlined that if 80 percent of the dollars were paid out, which would amount to \$5,440,000, then the WCSD would be responsible for \$3,046,000 and the County would be responsible for \$2,393,000. He highlighted if the payout was 90 percent, which he opined to be a conservative estimate, \$6,120,000 would be withheld. The WCSD would be responsible for \$3,427,000, and the County would be responsible for \$2,692,000. Assuming a 100 percent payout, he said the most that the County would be responsible for would be \$2,992,000. He advised there was a risk in waiting until all claims were filed to settle because it could result in the County being responsible for all \$56 million. He concluded the compromise would allow for finality and risk aversion.

Commissioner Clark asked how many years Attorney Kaplan had been working on the project. Attorney Kaplan responded that he had been directly working on the project for ten years. Commissioner Clark noted the issue started with a situation in Incline Village and had been ongoing for at least 16 years. Attorney Kaplan corrected the situation had been ongoing for 20 years. Commissioner Clark declared he understood why the case was before the Board at that time. He clarified in the worst-case scenario the County would be paying \$2.9 million. Attorney Kaplan confirmed.

Commissioner Clark inquired if the issue would be closed after the settlement. Attorney Kaplan replied it should be closed and that the case had been around for a long time, predating his employment. He stated he had worked on it during his time with the Board of Equalization (BOE) and the case had gone to the Nevada Supreme Court and back several times. He said it was finally resolved in August 2020 when the Board agreed to settle the case based on the claim-based process to issue the refunds. Commissioner Clark disclosed he had first met Attorney Kaplan on the BOE. He commended Attorney Kaplan for his hard work.

Vice Chair Hill thanked Commissioner Clark for his work on the project. She hoped the WCSD would also approve the resolution so both entities could move on and continue to work together as a region. Attorney Kaplan informed the school board

would be hearing this item that same day. Vice Chair Hill appreciated the resolution would be concurrent.

Commissioner Herman thanked Attorney Kaplan for his patience while working with the Board to resolve this item. Attorney Kaplan maintained it was a team effort and expressed appreciation for the Board's cooperation.

Vice Chair Hill conveyed the Board wanted to ensure that the WCSD felt supported while also doing the right thing for the taxpayers of Washoe County.

There was no response to the call for public comment.

On motion by Commissioner Clark, seconded by Commissioner Herman, which motion duly carried on a 4-0 vote with Chair Hartung absent, it was ordered that Agenda Item 6 be approved, directed, and authorized.

DONATIONS

23-0131 **7A1** Recommendation to accept donations of [\$1,435.24] from various businesses, organizations and individuals and in-kind donations [estimated value \$200.00] from Ray and Barbara Fretz for Regional Parks and Open Space programs and facilities; and direct the Comptroller's Office to make the appropriate budget amendments. Community Services. (All Commission Districts.)

Commissioner Garcia read Item 7A1.

There was no response to the call for public comment.

On motion by Commissioner Garcia, seconded by Commissioner Herman, which motion duly carried on a 4-0 vote with Chair Hartung absent, it was ordered that Agenda Item 7A1 be accepted and directed.

CONSENT AGENDA ITEMS – 8A1 THROUGH 8F1

23-0132 **8A1** Approval of minutes for the Board of County Commissioners' regular meeting of January 17, 2023. Clerk. (All Commission Districts.)

23-0133 **8B1** Recommendation to 1) approve roll change requests, pursuant to NRS 361.765 and/or NRS 361.768, for errors discovered on the 2019/2020, 2021/2022 and 2022/2023 secured and unsecured tax rolls 2) authorize Chair to execute the changes described in Exhibits A and B and 3) direct the Washoe County Treasurer to correct the error(s). [cumulative amount of decrease to all taxing entities \$34,543.10]. Assessor. (All Commission Districts.)

- 23-0135** **8C2** Recommendation to reject the single bid, per NRS 338, for the Ellen’s Park Playground Improvement Project located at 12450 Creek Crest Drive, Reno. Staff recommends rejection of the single bid, as the instruction to bidders was not included with the advertised bid, therefore the only responding bidder was unable to comply with the bid requirements. Community Services. (Commission District 2.)
- 23-0136** **8D1** Recommendation to acknowledge receipt of the audit completed for the Public Administrator’s Office from the Internal Audit Division to verify completeness of casefiles and proper documentation on disbursements of decedent’s property as scheduled by the Audit Committee and the Board of County Commissioners. Finance. (All Commission Districts.)
- 23-0137** **8E1** Recommendation to approve the appointment of Miles Gurtler to fill a current vacancy with the term beginning February 28, 2023 and ending on March 2, 2026, for the Washoe County Open Space and Regional Parks Commission. Applications for this vacancy include: Michaelangelo U. Aranda, Larry E. Chesney, Matthew Demartini, Barbara S. Fenne, Miles Gurtler, Joseph Hanek, Matthew B. Kaempfe, Alicia A. Lindsay-Dietrich, Denise Myer, Charles (Mark) Neumann, Cheryl Olson, Kenji Otto, Gerald Rasmussen, William Robinson, Cynthia "Cindy" T. Welch, Shanna Wexelblatt. Manager's Office. (All Commission Districts.)
- 23-0138** **8F1** Recommendation to accept a FY23 Independent Living Subsidy Supplemental Payment subgrant award from the State of Nevada, Department of Health and Human Services, Division of Child and Family Services in the amount of [\$59,195.98; no county match], retroactive from October 1, 2022 to June 30, 2023 to support youth aging out of the foster care system with achieving their goals for greater independence; authorize the 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.)

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

On motion by Commissioner Herman, seconded by Commissioner Clark, which motion duly carried on a 4-0 vote with Chair Hartung absent, it was ordered that Consent Agenda Items 8A1 through 8F1, with the exclusion of 8C1, be approved.

- 23-0134** **8C1** Recommendation to terminate the Declaration of Covenants and Conditions (“Declaration”) by and between the Lemmon Valley Land Company, Inc. and the County of Washoe, State of Nevada, which was entered into on December 8, 1998, and recorded on July 1, 1999, as Document No. 2357639, as this agreement is no longer valid. The Declaration concerns land-use and development standards for 47 parcels

owned by the Lemmon Valley Land Company, Inc. as of December 8, 1998, which have been subsumed or mooted by regional plan and/or master plan amendments, regulatory zone amendments, annexations by the City of Reno, and changes to the Washoe County Development Code since the Declaration's adoption over 24 years ago. Community Services. (Commission District 5.)

This item was tabled.

There was no public comment or action taken on this item.

BLOCK VOTE – 9, 10, 11, AND 13

23-0139 **AGENDA ITEM 9** Recommendation to award a bid and approve the Agreement to the lowest responsive, responsible bidder for the Reno Downtown Library Elevator Modernization Project [staff recommends Kone, Inc., in the amount of \$354,890.00]; and approve a separate contingency budget of \$25,000.00 for a total estimated project budget of \$379,890.00. The planned elevator modernization project at 301 S. Center Street, Reno, will ensure the safe function of the single elevator and reduce maintenance costs over the lifetime of the facility. Community Services. (Commission District 3.)

There was no response to the call for public comment.

On motion by Commissioner Garcia, seconded by Commissioner Herman, which motion duly carried on a 4-0 vote with Chair Hartung absent, it was ordered that Agenda Item 9 be awarded and approved.

23-0140 **AGENDA ITEM 10** Recommendation to: (1) Accept Amendment #1 to the Nevada Division of State Lands Fund to Protect Lake Tahoe Project Funding Agreement for the Lower Wood Creek Phase II Water Quality Improvement Project which increases the award amount by \$478,743.00; reduces the Washoe County cost share by \$48,753.00; and extends the agreement through March 31, 2024; (2) direct the Comptroller's Office to make the necessary budget amendments; and (3) authorize Assistant County Manager, Dave Solaro, to execute Amendment #1. Community Services. (Commission District 1.)

There was no response to the call for public comment.

On motion by Commissioner Garcia, seconded by Commissioner Herman, which motion duly carried on a 4-0 vote with Chair Hartung absent, it was ordered that Agenda Item 10 be accepted, directed, and authorized.

23-0141 **AGENDA ITEM 11** Recommendation to: 1) approve a Grant of Easement between Washoe County (“Grantor”) and NV Energy (“Grantee”) on a portion of Assessor’s Parcel Number (APN) 008-211-50, 1775 East 4th Street, Reno, to provide for 24 hour unrestricted ingress and egress to the easement area, including a meter room and associated facilities; and 2) approve a Grant of Easement between Washoe County (“Grantor”) and NV Energy (“Grantee”) on a portion of APN 008-211-47, 1498 East 7th Street, Reno, and on APN 008-211-51, 1800 Threlkel Street, Reno, to provide a perpetual right and easement for removal, construction, operation and maintenance of electrical and communication facilities through a new electric service connection in support of the County’s Safe Camp and the Nevada Cares Campus. Community Services. (Commission District 3.)

There was no response to the call for public comment.

On motion by Commissioner Garcia, seconded by Commissioner Herman, which motion duly carried on a 4-0 vote with Chair Hartung being absent, it was ordered that Agenda Item 11 be approved.

23-0142 **AGENDA ITEM 13** Recommendation to award Request for Proposal (RFP) 3196-23 to Naphcare, Inc. to provide competency evaluations, mental health evaluations, risk assessments and other evaluations for the Second Judicial District Court, the Public Defender’s office, the Alternate Public Defender’s office, Conflict Attorneys and the District Attorney upon Court Order, or request of one of the Departments effective March 1, 2023 through June 30, 2026, for the amount not to exceed [\$1,000,000.00] per fiscal year; and if approved authorize the Purchasing and Contracts Manager to execute the Agreement. Manager's Office. (All Commission Districts.)

Commissioner Herman polled if the Board was satisfied with the way NaphCare was providing supplies to the Washoe County Sheriff’s Office (WCSO). She discussed a tour she took of the jail and recalled it was having trouble getting certain supplements for inmates.

Assistant County Manager, Kate Thomas informed the request for proposal (RFP) was for a different service than what NaphCare was already providing. She stated the contract was a universal contract through NaphCare to include doctors, psychiatrists, and psychologists to provide mental competency evaluations requested by the court, the alternate public defender, and conflict counsel. She declared the contract was not the medical provision that was currently provided at the jail despite it being the same company. She stated NaphCare was utilizing its national network of doctors to provide the competency evaluations and reminded that NaphCare was the only bidder for the RFP.

Vice Chair Hill reported there was a delay in medication services because NaphCare went through a national organization for medication and there were extenuating weather circumstances. She opined there may be a future opportunity for NaphCare to go outside its contracted prescription providers to obtain medications locally. She was unsure if that idea had been approved. Ms. Thomas assured her team would investigate if there was any movement with getting local medications for the jail. She explained that sometimes there were delays due to the organization being global.

There was no response to the call for public comment.

On motion by Commissioner Garcia, seconded by Commissioner Herman, which motion duly carried on a 4-0 vote with Chair Hartung being absent, it was ordered that Agenda Item 13 be awarded and authorized.

23-0143 **AGENDA ITEM 12** Recommendation to acknowledge an updated list of unclassified management employees and approve the process for the recruitment, appointment, evaluation, investigation, and discipline of non-elected, unclassified management employee with the changes requested by the Board to include, but not be limited to:

- 1) notifying unclassified management group of at-will employment status;
- 2) having that a member of the Board of County Commissioners sit in on the second interview of a candidate for a position appointed by the Board,
- 3) requiring positions appointed by the Board to provide an annual report to the Board in an open meeting;
- 4) requiring, as part of the evaluation process, input from department employees;
- 5) notifying the Chair and Vice-Chair of complaints made against department heads appointed by the Board. No fiscal impact. Human Resources. (All Commission Districts.)

Director of Human Resources (HR) and Labor Relations Patricia Hurley restated there were several changes recommended by the Board and requested that the Board acknowledge the list of unclassified management employees that had been provided. Based on feedback received, she informed that the HR department would be making changes to the recruitment process including notifying the employee that they were at-will, serving at the pleasure of the Commission.

Ms. Hurley informed a member of the Board would sit in the second interview of any candidates for an appointed position. She reported there would also be an update to the performance evaluation process which would require the supervisor of any position appointed by the Commission to solicit input from department employees. She reminded certain positions, including the Public Defender (PD) and the Alternate Public Defender (APD), were required to provide annual reports to the Board. She recommended that all positions appointed by the Board be required to provide an annual report to the Board in an open meeting.

Ms. Hurley advised caution related to notifying the whole Board about complaints made against appointed employees. She explained upon the receipt of a complaint, there had not yet been an investigation. She said it was imperative to maintain confidentiality during that time which included limiting the number of individuals alerted when a complaint was filed. She added an additional consideration could be retaliation because during an investigation, any participants, including the accused, could cite retaliation even if the investigation proved that there was no wrongdoing by that individual. If a Commissioner was accused of retaliation, they could be personally liable and subject to removal from the Board. She reiterated the best practice would be to limit the informing of complaints to the Chair and Vice Chair of the Board as well as the County Manager and HR.

Commissioner Clark asked who would select which Commissioner would sit on the interview panel. Ms. Hurley responded she imagined soliciting the Chair for a recommendation. Commissioner Clark mentioned he would be willing to sign a non-disclosure agreement (NDA) so the entire Board could be notified of complaints against appointed officials. He suggested it was important that the whole Commission knew about issues that were taking place. He expressed consternation about not learning things in a timely manner.

Commissioner Herman expressed an interest in being able to see candidate applications and participate in interviews. Ms. Hurley stated the process was designed to have the Commissioners participate in the second interview and informed that this item was stylized for changes to be made at the Board's discretion. Commissioner Herman remembered when she was a new Commissioner, candidates would come to the meetings and interview before the Commission for an appointed position. She opined to make good decisions it was important to have the opportunity to get to know the candidates better. Vice Chair Hill asked Commissioner Herman if her desire was to be part of the first interview as well as the second. She expressed hesitation towards candidates being required to interview in a public meeting as it could create uncomfortable situations for them. Commissioner Herman recounted when County Manager Eric Brown was appointed and each Board member had a chance to speak with him before they appointed him. She alleged it was difficult to get to know candidates when the Board did not have any face time with them prior to being appointed. Vice Chair Hill expressed the County Manager was subject to a public interview because of the high level of pay the position received. Commissioner Herman recalled public interviews were conducted for the Wildlife Commission. Vice Chair Hill noted that interview was for a position on a public board but the positions in question were for professional appointments. She stated Program Assistant Alex Wilson would be providing an overview of best practices for each advisory board at a later meeting. She requested Commissioner Herman to confirm if she was comfortable with only being part of the second interview for appointed positions. Commissioner Herman postulated that one Commission member on the interview panel was not enough.

Commissioner Garcia declared she trusted the HR department to do the recruiting, evaluating, and investigating and was supportive of the changes provided. She stated she was okay with a Board member sitting in on the second interview of the

candidates. She suggested providing flexibility to allow for emailed department updates from those positions required to give an annual report. She agreed with Ms. Hurley's opinion not to inform the entire Board about complaints prior to an investigation to mitigate the possibility of retaliation. Vice Chair Hill clarified Commissioner Garcia's only suggested change was to include email as an option for providing annual reports to the Board and contended she was also open to that change.

Commissioner Clark clarified the word "Board" in this item referred to the Commission and opined that he wanted to know about allegations made against department heads when they happened. He responded to Vice Chair Hill regarding interviews during public meetings and asserted that if someone wanted to be a department head, they needed to be able to appear before the Board and answer questions. He reiterated he did not want just the Chair and Vice Chair to be notified of complaints. He pointed out Commissioner Herman had served on the Board for eight years and had never been the Chair or Vice Chair and he wanted transparency.

Ms. Hurley restated it was up to the Board to make changes to this item. Commissioner Clark suggested all the Board members should be present to vote on this item and that they should all be aware of everything that was happening in the County. Vice Chair Hill declared she wanted to get this item approved during the current meeting rather than wait for Chair Hartung because there were open positions to be appointed. She wanted the new process to be in place before the positions were filled.

Commissioner Clark announced he wanted at least three members of the Board to sit in on the second interview and for all five Commissioners to be made aware of any complaints made against appointed department heads. Vice Chair Hill reminded that having three Board members on an interview panel was a violation of Open Meeting Law (OML). Commissioner Clark corrected his recommendation to have two members sit on the interview panel on a rotating basis. Vice Chair Hill accepted Commissioner Clark's corrected statement. Assistant District Attorney Nathan Edwards added that having two Board members sit on an interview panel would create a subcommittee that would require adherence to OML. He confirmed it was acceptable for all Board members to be notified of complaints, but an interview panel would entail discussions and could create an OML violation. Commissioner Clark amended his suggestion to having one Board member serve on the interview panel on a rotating basis and reiterated that Commissioner Herman had served on the Board for eight years and had never been the Chair or Vice Chair.

On the call for public comment, Ms. Tracey Thomas suggested all Board members should receive the applications for employment from the candidates for an opportunity to give their input to the Commissioner sitting in on the interview. She recalled department heads used to go to the Board to provide an annual report in an open meeting. She pointed out that a current department head for the County did not reside in the State of Nevada and opined his lack of presence impeded the function of the department. She said she was not interested in her tax dollars being sent out of the community. She suggested the department head was a friend of Manager Brown and that his hiring lacked

transparency. She requested that the department head be removed from his position and reported she had a list of recommendations for new candidates.

On motion by Commissioner Clark, seconded by Commissioner Herman, which motion duly carried on a 4-0 vote with Chair Hartung absent, it was ordered that Agenda Item 12 be acknowledged and approved, changing item 2 to allow one sitting Commissioner on the interview panel on a rotating basis, allowing an annual report via email, and all five commissioners be informed of complaints against a department head.

23-0144 **AGENDA ITEM 14** Discussion and direction to staff regarding legislation or legislative issues proposed by legislators, by Washoe County, Truckee Meadows Fire Protection District, or by other entities permitted by the Nevada State Legislature to submit bill draft requests, or such legislative issues as may be deemed by the Chair or the Board to be of critical significance to Washoe County. Pending legislative bills can be located here: <https://www.leg.state.nv.us/Session/82nd2023>. Manager's Office. (All Commission Districts.)

Government Affairs Liaison Cadence Matijevich pointed the Board to the report provided and announced that the report had been uploaded for the public to view as well. She declared she had flagged bills of interest and that she was not recommending or requesting the Board to take a position on any of them; they were only being brought to the attention of the Board. She highlighted a bill flagged by Vice Chair Hill from Storey County requiring the Nevada Department of Transportation (NDOT) to perform a study of the Interstate 80 (I-80) corridor. She observed that the State Legislature had called several recent snow days which was unprecedented and would lead to a busy end of the week.

Vice Chair Hill acknowledged it was still early in the legislative session, and she knew that bills would change and evolve as time went on.

Commissioner Herman pointed out there seemed to be a lot of Open Meeting Law (OML) bills and requested clarification on them. Ms. Matijevich stated the bills covered a broad range of items such as noticing requirements, determination of quorums, vacancies, and clarifications on provisions for virtual and remote meetings. She declared that her team had not identified any bills that would have a financial impact on Washoe County.

Commissioner Garcia disclosed she received an email from a constituent regarding Assembly Bill (AB) 162 which would govern the restricted use of pesticides and asked for an update. Ms. Matijevich informed she had a remote meeting with the bill sponsor, Assemblywoman Michelle Gorelow, who advised she would be presenting an amendment. Ms. Matijevich said there was a proposed widespread restriction on neonicotinoid pesticides, which were toxic to pollinators, and that the amendment would limit the restriction to ornamental uses and would not affect its use for agricultural purposes. Commissioner Garcia asked for clarification on whether ornamental meant “for residential use.” Ms. Matijevich responded yes, noting the restriction would apply to

hobbyists. She explained the main concern was that neonicotinoid pesticides were widely available, and consumers may not have been aware of the potential impact on pollinators.

There was no public comment or action on this item.

23-0145 **AGENDA ITEM 15** Introduction and first reading of an Ordinance pursuant to Nevada Revised Statutes 278.0201 through 278.0207 adopting a development agreement as required by the Warm Springs Specific Plan (WSSP) at WSSP.8.1, to utilize the regulatory zone designation specified on the Warm Springs Specific Plan - Land Use Plan for:

Tentative Parcel Map Case Number WTPM22-0012 (Feickert) - Which is a tentative parcel map dividing a 40.43-acre parcel (APN 077-560-05) into four parcels of 10.02 acres, 10.04 acres, 10.07 acres, and 10.30 acres.

In order to develop any property in the WSSP more densely than General Rural (1 dwelling unit/40 acres), the specific plan requires that a development agreement be approved. Among other things, the development agreement adopts development standards for the property in conformance with the Warm Springs Specific Plan Development Standards Handbook Framework, a component of the Washoe County Master Plan, such as standards relating to uses, accessory structures, building requirements, setbacks, heating and fireplaces, architecture, landscaping, fencing, lighting, utilities, and other matters concerning the development of the land. Further, the development agreement provides for the participation of future property owners in any assessment district or general improvement district providing services, facilities and/or maintenance for the specific plan area.

The applicants and property owners are Gene and Tara Feickert. The subject site is approximately 40.43 acres in size and is located at 5870 Whiskey Springs Road. The Assessor's Parcel Number is 077-560-05. The Master Plan Category is Rural Residential (RR), and the Regulatory Zone is Medium Density Rural (MDR); and

Set the public hearing and second reading of the ordinance for March 28, 2023. Community Services. (Commission District 5.)

Vice Chair Hill inquired if the Board wished to receive a presentation on the Ordinance. Commissioner Herman requested a staff presentation.

Senior Planner Chris Bronczyk conducted a PowerPoint Presentation and reviewed slides with the following titles: Request; Vicinity Map; Background; Site Plan; Background, Analysis (2 slides); Recommendation and Possible Motion. He outlined the public hearing requirement for the development agreement and gave a brief background of the project. He explained that the applicants were planning to subdivide their 40-acre parcel into four 10-acre parcels with an access road and cul-de-sac through the center. He affirmed

the development agreement met all the minimum requirements. He recommended approval of the project and directed the Board to page 4 of the Staff Report for the motion language.

Vice Chair Hill opened the public hearing by calling on anyone wishing to speak for or against adoption of said Ordinance. There being no response, the hearing was closed.

County Clerk Jan Galassini read the title for Bill No. 1890.

Bill No. 1890 was introduced by Commissioner Garcia, and legal notice for final action of adoption was directed.

23-0146 **AGENDA ITEM 16** Introduction and first reading of an ordinance amending Washoe County Code Chapter 2 by adopting Supplement 17 to the Washoe County Code and all clerical and technical corrections made therein; and if supported, set the public hearing for second reading and possible adoption of the ordinance on March 28, 2023. If passed, Supplement 17 will codify ordinances 1687 (Parks & Recreation), 1690 (Administration & Personnel; County Finances; Purchasing), and 1692 (Dangerous & Vicious Dogs). This supplement does not include amendments to the Washoe County Development Code (Chapter 110), which is published separately from the general Washoe County Code. District Attorney. (All Commission Districts.)

Vice Chair Hill opened the public hearing by calling on anyone wishing to speak for or against adoption of said Ordinance. There being no response, the hearing was closed.

County Clerk Jan Galassini read the title for Bill No. 1891.

Bill No. 1891 was introduced by Commissioner Garcia, and legal notice for final action of adoption was directed.

22-0147 **AGENDA ITEM 17** Public Hearing: Regulatory Zone Amendment Case Number WRZA22-0009 (800 RZA). Consideration of Planning Commission's recommendation to approve a regulatory zone amendment to the Southwest Truckee Meadows Area Plan Regulatory Zone Map to change 19.2 acres of General Rural (GR - 1 dwelling unit per 40 acres) to Medium Density Rural (MDR - .2 dwelling units per acre) on a 22.34-acre parcel (APN 041-140-20). If approved, authorize the Chair to sign the resolution to that effect. Community Services. (Commission District 2.)

Vice Chair Hill opened the public hearing.

Commissioner Clark informed the project was in District 2 and he had met with the applicant's representative who explained the plan to him. He disclosed he asked

the applicant if there was any opposition to the project to which they responded no. Commissioner Clark recommended approval of this item.

There was no response to the call for public comment.

On motion by Commissioner Clark, seconded by Commissioner Herman, which motion duly carried on a 4-0 vote with Chair Hartung absent, it was ordered that Agenda Item 17 be approved and authorized.

23-0148 AGENDA ITEM 18 Public Comment.

Mr. Roger Edwards spoke about a water situation in Golden Valley. He mentioned community meetings had been held with Director of Engineering and Capital Projects Dwayne Smith who had promised that he would have a proposal to the Commission by September 2022 to change the rules regarding the water system in Golden Valley. Mr. Edwards disclosed there was a \$22.66 monthly fee for the program which totaled \$14,276 per month from the 635 property owners in that area. He proclaimed the program had been shut down for six years. He asserted he wanted to bring a lawsuit against the County. He revealed that since September there had been a total of \$71,380 paid by the community. He opined there was no reason for the homeowners in the community to pay for a project that had been shut down.

23-0149 AGENDA ITEM 19 Announcements/Reports.

Commissioner Clark implored Mr. Edwards to stay in Chambers for a response to his public comment. He recalled he had previously heard about this matter and wanted to get the issue on an agenda for discussion as soon as possible. He opined the Commission could not allow the situation to carry on any longer. He inquired how constituents could support a tax increase or bond issue in good conscience if the County was charging them for services that were no longer available. He asserted he wanted the charges to stop and the community should be reimbursed for any overcharges they had previously paid. He asked County Manager Eric Brown when the item could be placed on an agenda. Manager Brown responded that the County would bring the issue forward.

* * * * *

3:22 p.m. There being no further business to discuss, the meeting was adjourned without objection.

VAUGHN HARTUNG, Chair
Washoe County Commission

ATTEST:

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

*Minutes Prepared by:
Taylor Chambers and Lauren Morris, Deputy County Clerks*