

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

TUESDAY

10:00 A.M.

JULY 18, 2023

PRESENT:

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

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

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, Deputy County Clerk Lauren Morris called roll and the Board conducted the following business:

23-0479 AGENDA ITEM 3 Announcements/Reports.

Commissioner Andriola shared she was contacted by constituents with questions about the process of contesting a library book. She informed that people could go to the Washoe County Library System (WCLS) website (www.washoecountylibrary.us) to review library policies. She stated the webpage explained book management criteria and hosted links to the Library Bill of Rights. The site also contained the American Library Association's (ALA) Freedom to Read and Freedom to View statements. She noted the form to contest library books was available on the WCLS website and she was happy to assist anyone who needed additional information. She commended Collection Development Manager Debi Stears for her wealth of knowledge and dedication to the WCLS. She thanked County Manager Eric Brown for scheduling time for Ms. Stears to give a presentation to the Board of County Commissioners (BCC) on the process of contesting a library book.

Vice Chair Herman praised the health department for its work on mosquito mitigation.

Commissioner Clark said he and Commissioner Garcia exchanged emails following the previous BCC meeting. He spoke about his difficult campaign for County Commissioner. He called for personal attacks against Board members to stop so the community could come together and build a stronger Washoe County. He announced he hosted bicycle ride-along events every other Sunday where he and a group of community

members rode near the Truckee River and had open discussions. He recalled a conversation with Mr. Scott Myer who thought the current meeting decorum issues stemmed from a buildup of frustration over the past 24 months, a general mistrust of the Board, and people feeling like their voices had been taken away. Commissioner Clark asked Chair Hill to extend leniency during public comment to allow people to have their voices heard. He challenged the Board members facing re-election in 2024 to support his endeavor to return early public comment to the meeting agendas. He recalled a comment made by Commissioner Garcia that many constituents in District 3 had jobs restricting them from attending morning meetings. He referenced conversations he had with Vice Chair Herman, noting that people in District 5 faced the same challenges. He requested a discussion item be placed on an agenda to consider hosting one evening meeting per month that would start at 6:00 p.m. He mentioned a press release issued by the County that stated the Cares Campus was open from 6:00 a.m. to 6:00 p.m. and had beds available 24 hours per day. He explained the senior center had extended its hours of operation and was currently open from 8:00 a.m. to 6:00 p.m. He pointed out there were shuttles that could transport patrons from the Cares Campus to the senior center. Commissioner Clark wondered what people were supposed to do after public buildings closed and inquired if there were additional plans for senior citizens.

Commissioner Clark claimed not many people in the community knew how to challenge a book and he thought the Library Board of Trustees (LBT) should educate the public on the process. He thought library books should make people think and expose them to new ideas, but he drew the line when the material became offensive. He remarked that the conservative members of Washoe County did not feel they were represented on the LBT. He reported he reached out to Assistant District Attorney (ADA) Nate Edwards to inquire if the Commissioners could each appoint one trustee to the LBT. ADA Edwards had responded no.

Commissioner Garcia appreciated Commissioner Clark's comments that personal attacks should not be tolerated in the Chambers. She spoke about a one-on-one meeting she had with an individual who expressed frustration while at the podium the previous week. She stated they had a respectful conversation and left knowing that they could talk to each other. She encouraged those present to remember that regardless of religious beliefs, political stance, or geographic location, everyone could act with respect and decorum. She was hopeful the community and the Board could work together as respectful, professional adults. She recalled the BCC workshop in January when the Board directed staff to work on improving the regionalization of dispatch, sustainability, equity, elections, and housing. She reported there had been some headway over the last couple of weeks that she wanted to highlight. She congratulated Sustainability Manager Brian Beffort and his team for being awarded the Energize Rural Communities prize. She commended Chief Information Officer (CIO) Behzad Zamanian and his team for completing the installation of fiber optics at the Gerlach Library. She thought those two

projects were excellent examples of how hard staff worked to ensure directions from the Board were adhered to.

Commissioner Clark thought if constituents disagreed with the ideas or policies of Board members, they should speak out against the item, not the person. He spoke about his contentious race for County Assessor and the way he and his opponent worked together after the race was over. He wondered how common it was for a tense political race to end with the victor hiring the runner-up. He mentioned an individual had applied for a job in the Registrar of Voters (ROV) Office and was turned down. Chair Hill interjected to remind Commissioner Clark that the Board did not control staffing decisions. Commissioner Clark asked Chair Hill to allow him to finish his comment. Chair Hill wanted to ensure Commissioner Clark was clear on the role of the BCC. Commissioner Clark stated Ms. Tracey Hilton-Thomas applied to be the Assistant ROV and was turned down. He asserted Ms. Hilton-Thomas was a qualified candidate who previously worked in the ROV Office. He thought she likely had more institutional knowledge than ROV Jamie Rodriguez and Manager Brown combined. In response to a request from Chair Hill, Commissioner Clark declared he did not intend his statement to be an attack, he intended it to be factual. He alleged Ms. Hilton-Thomas' politics, comments, and associations kept her from being considered for the position. He declared there was a small percentage of people who had worked in an ROV Office in Nevada, making Ms. Hilton-Thomas uniquely qualified. He opined the County should work towards hiring people who understood the problems and challenges of positions instead of focusing on their political backgrounds.

Manager Brown informed that the Board would hear a presentation from library representatives at the August 15 BCC meeting. He noted staff planned to address protocols for the selection and rejection of books. He encouraged Commissioners to reach out if there were other library topics they wanted to learn about. He thanked Commissioner Garcia for recognizing the hard work of County staff. He pointed out the Gerlach community would have broadband for the first time in its history and there would be a ribbon cutting to celebrate that accomplishment on July 25. He expressed gratitude to the Reno-Sparks Convention & Visitors Authority (RSCVA) for coordinating with County staff to ensure the Reno-Sparks Convention Center was available from 12:00 p.m. to 8:00 p.m. Saturday and Sunday to serve as a community cooling station. He stated that multiple times per year the County set up cooling or warming stations and places for people to get away from heavy smoke. He informed those stations were generally underutilized. He announced that the Cares Campus extended its hours of operation to be open until 8:00 p.m. through August. He continued to work with the ROV Office on recommendations from the Elections Group and hoped to have an implementation plan and timeline within the next week for the Audit Committee to review. He noted staff was also in contact with the Secretary of State's (SOS) Office which had helped review the County's scope of work when the Elections Group was selected.

Chair Hill thanked Manager Brown and his team for pulling together the cooling stations over the weekend. She knew staff worked late at night, early in the morning, and on the weekends to accomplish that.

Vice Chair Herman expressed support for everything Commissioner Clark said.

Chair Hill announced the Communications Team asked her to mention that the YouTube feed was down; however, people could watch online at www.washoecounty.gov or on Charter Channel 193.

23-0480 **AGENDA ITEM 4** University of Nevada, Reno President Brian Sandoval will showcase the expansion of the Mathewson Gateway District, developments at the University of Nevada, Reno at Lake Tahoe campus, and planning for the sesquicentennial of the University of Nevada, Reno.

University of Nevada, Reno (UNR) President Brian Sandoval conducted a PowerPoint presentation and reviewed slides with the following titles: Nationally Recognized; Fall Enrollment; photo; 2023 Legislative Session; Mathewson Gateway Parking Complex; photo (4 slides); University of Nevada, Reno at Lake Tahoe; Extension in Washoe County; Collegiate Academics; photo; Sesquicentennial Celebration; Go Pack.

Mr. Sandoval thanked the Board members for serving the community and their support of UNR. As a class of 1986 UNR graduate, he expressed his pride in the university. He explained that UNR was a Carnegie high research institution, which meant it was one of the top 120 research institutions in the Country. UNR was also a Carnegie community-engaged university, which meant its students, faculty, and staff actively participated in community service. He informed that UNR's student body was 24 percent Hispanic, and once 25 percent was reached, it would be a Hispanic-Serving Institution (HSI). He discussed UNR's growth, stating Fall 2022 enrollment included 16,653 undergraduate students and 20,945 total students. He declared his enrollment goal was 23,000 students by 2025 and 25,000 students by 2030. He said 72 percent of students were from Nevada and 49 percent of the most recent freshmen class identified as students of color, while 44 percent of total enrolled students identified as students of color. He highlighted UNR's diversification of enrollment to match community and State changes.

Mr. Sandoval shared that UNR's commencement ceremonies on the quad were highly memorable and meaningful. He described a 2021 survey, stating 67 percent of UNR graduates were working full or part-time post-graduation and 90 percent of those individuals were full-time employees. Of those employees, 72 percent were employed in Nevada, and 64 percent were working in the greater Reno area. Of the 72 percent employed in Nevada, 83 percent were originally from Nevada, a fact they were proud of, as it highlighted the success of Nevada's education system.

Mr. Sandoval thanked Governor Joe Lombardo and the Nevada Legislature for their support of UNR, especially during the recent legislative session in which they obtained an \$8.5 million grant for Statewide graduate medical education. He asserted this would lead to increased residency opportunities and more Nevada doctors as it was 80 percent more likely for a physician to stay in the community in which they completed residency. He also expressed excitement for a \$10 million per year award for a Statewide nursing pipeline which would provide funds for more nursing students and address Statewide nursing shortages. He reported that \$18 million was also allocated to UNR's deferred maintenance to help modernize all university structures within Americans with Disabilities Act (ADA) compliance. He stated that UNR also received \$1 million for a Nevada Small Business Development Center (SBDC) and \$8 million to partner with Utah State University (USU) to expand the number of veterinary students. He expressed gratitude for the ability to provide a UNR faculty and staff cost-of-living adjustment (COLA) and an increase in graduate student stipends. He reported that 80 new graduate student positions were granted during the legislative session, which was critical to maintaining standing as a top research institution. As a measure to resolve some COVID-19 (C19) era budget cuts, 30 new faculty members were being added.

Mr. Sandoval announced the future groundbreaking of UNR's Mathewson Gateway and the forthcoming construction of UNR's new 120,000-square-foot business building, which was near a new hotel conference center. He explained the current Ansari Business Building was at maximum capacity and that the new business building would allow for improved education. He stated both the new hotel conference center and the business building would contain a restaurant or cafe, and the business building would also have a new 400-person auditorium. He explained this would allow for visitation to UNR by distinguished speakers. He conveyed his excitement for these additions and expressed wishes for continuous regional engagement.

Mr. Sandoval spoke about the Nevada State Public Health Laboratory (NSPHL), built in the 1970s, noting it was the site of both C19 and newborn testing. He posited Governor Lombardo saw value in a modern State laboratory; therefore, he helped appropriate \$75 million for a new laboratory, with construction beginning in early 2024. Mr. Sandoval mentioned the new laboratory would be constructed adjacent to the current NSPHL site. He stated the recent Nevada Legislature allocated \$3 million to turn the current NSPHL building into a public health school. He said Incline Village's (IV) Sierra Nevada University (SNU) had been acquired within the last two years and was now the UNR at Lake Tahoe campus. He indicated UNR would provide students the opportunity to complete a semester at Lake Tahoe, similar to a semester abroad. Sustainability, air quality, water clarity, and Lake Tahoe would all be featured educational topics. He advised interdisciplinary courses would be offered and the first UNR Lake Tahoe cohort would have approximately 100 students. He expressed excitement for UNR's faculty partnering with former SNU faculty. He referenced the Digital Wolf Pack Initiative (DWPI) in which every freshman and transfer student would receive an iPad Air, keyboard, and Apple Pencil. He mentioned every student attending UNR Lake Tahoe would also receive these items and announced a generous donation that enabled technical updates in every UNR Lake Tahoe classroom.

Mr. Sandoval informed summer programs at UNR Lake Tahoe had included the annual Nevada Tribal Food Summit from May 31 to June 2, 2023, the purpose of which was to increase food security and healthy food access, and the Nevada First-Gen Network from June 10 to August 23, 2023, which provided a community outreach program modeled after the Dean's Future Scholars (DFS) program. He pointed out Commissioner Garcia's involvement with DFS and remarked that 45 sixth, seventh, and eighth-grade students were being targeted from IV middle schools for participation in the Nevada First-Gen Network summer program. He mentioned a residency program beginning at UNR Lake Tahoe in fall 2023, which would allow faculty and students to utilize the campus for research and creative and entrepreneurial activities. He acknowledged some of UNR's highly recognized faculty would work at UNR Lake Tahoe, including professor Sudeep Chandra, who performed international water clarity research. He advised of Classical Tahoe's presence at UNR Lake Tahoe and remarked the campus would host the 2023 Lake Tahoe Summit, where both Nevada's and California's governors and congressional delegations would meet regarding the lake.

Mr. Sandoval advised of the upcoming presentation about UNR's Cooperative Extension and Nevada Agricultural Experiment Station. He referenced UNR's Desert Farming Initiative, where UNR faculty researched effective desert agricultural methods. He reported there were more than 12,000 4-H participants through UNR's Cooperative Extension and mentioned his life-changing participation in 4-H as a youth. He shared there were 1,000 participants in the Cooperative Extension's horticultural classes and 3,000 participants in its Living With Fire program, including over 900 Washoe County School District (WCSD) students. He invited people to visit the community garden at UNR Lake Tahoe, managed by UNR's Cooperative Extension.

Mr. Sandoval observed that UNR's Collegiate Academy provided high school students the opportunity to achieve dual high school and college credits, especially for first-generation and underrepresented students. The Academy provided foundational college writing and math skills for a rate of \$75 per class. He explained high school graduates could complete one year of college credits if they began this program as a high school junior. He advised that 26 high schools in Nevada would offer this program. The following six schools would begin the program in fall 2023: Edward C. Reed High School; Galena High School; Robert McQueen High School; Damonte Ranch High School; Coral Academy of Science; Academy of Arts, Careers and Technology. He noted that 18 Clark County high schools, one Churchill County high school, and one Elko County high school would have over 4,000 participating students. The class curriculum was consistent regardless of location.

Mr. Sandoval reported on athletic renovations completed at UNR, including dedicated locker rooms for women's sports teams in accordance with Title IX. He mentioned Mackay Stadium's refinished track and new softball turf, and updated locker rooms for UNR's cross-country, soccer, track and field, golf, and tennis teams. He thanked Chair Hill for her support via the Reno-Sparks Convention & Visitors Authority (RSCVA) for funds to construct a new indoor track for UNR. He stated that UNR's medical school

affiliation with Renown Health had allowed Renown increased eligibility for Medicaid funds.

Mr. Sandoval announced UNR's sesquicentennial celebration on October 12, 2023, and invited people to attend both the new business building's groundbreaking and the October 14 football game between UNR and the University of Nevada, Las Vegas (UNLV). He stated the Legislature and Governor Lombardo issued approval for a UNR sesquicentennial license plate, the proceeds of which would benefit UNR's on-campus food pantry. He thanked UNR alumnus and Nevada System of Higher Education (NSHE) Board of Regents Vice Chair Joseph C. Arrascada for his presence at the meeting.

Chair Hill thanked Mr. Sandoval for his presentation. Vice Chair Herman also commended Mr. Sandoval's presentation and thanked him for his service to the Lemmon Valley community. Mr. Sandoval acknowledged their shared love of Nevada and their community.

Commissioner Andriola thanked Mr. Sandoval for the work being done on UNR and USU's veterinarian school partnership, acknowledging most students had to attend out-of-state schools for veterinary education. She expressed her wish to have an in-state four-year veterinary school in the future.

Mr. Sandoval mentioned UNR's Artown partnership. He invited people to attend musical performances on UNR's quad and expressed wishes for the community to engage with UNR's campus.

Chair Hill stated she received her Master of Public Administration (MPA) from UNR and was on the alumni team for the Political Science department. She thanked Mr. Sandoval for opening additional full-time positions. She expressed enthusiasm for collaboration opportunities at UNR Lake Tahoe and highlighted the opportunity to invest in transportation and workforce housing.

County Manager Eric Brown pointed out the C19 pandemic had demonstrated both the NSPHL's expertise and lack of capacity to support the community. He was happy to see the funds allocated to the new State health lab.

Mr. Sandoval recognized UNR Vice President of Community and Governmental Affairs Michael Flores for his dedication, assistance, and work at the Legislature. He also recognized Austin Brown, Coordinator in the Office of Government Relations and Community Engagement.

10:53 a.m. **The Board recessed.**

10:56 a.m. **The Board reconvened with Assistant District Attorney Nate Edwards absent.**

23-0481 **AGENDA ITEM 5** Presentation by Holly Gatzke, Area Director of UNR Extension, on the UNR Extension's FY2024 University of Nevada, Reno Extension budget. Manager's Office. (All Commission Districts.)

11:02 a.m. **Assistant District Attorney Nate Edwards returned to the meeting.**

Area Director of the University of Nevada, Reno (UNR) Extension Holly Gatzke presented a memorandum of the 2024 UNR Extension budget that was placed on file with the Clerk. She provided a brief explanation of the Extension and noted it had a strong youth program that aimed to impart life skills and academic improvement to local adolescents. She announced she would appear before the Board again in the fall with a more in-depth explanation of UNR Extension programming. She reminded that the Extension was funded partially through property taxes which she assured staff took very seriously and they worked hard to ensure the UNR Extension benefitted the public. She expected the Extension's income to be just over \$2 million with approximately \$400,000 coming from State and federal entities. She pointed out that revenue listed as "Sponsored Projects and Other" were grant-sourced funds which were major sources of income for the Extension. Each year staff conservatively estimated the program's income and built the budget off that approximation. She explained if the income went above the initially projected amount, the UNR Extension accumulated those additional funds into a reserve. She highlighted that the Extension planned to spend around \$1.9 million of its revenue on salaries and \$500,000 of reserve funds on short-term projects in 2024. She mentioned other budgeted items were for travel and basic operations. She directed the Board to the last page of the memorandum for an explanation of costs that fell under the contingency category. She declared the first two contingency line items were committed to personnel and operations. Extension staff had to ensure there was enough money set aside to keep the program operational in the event of an economic downturn. She noted staff was working on a needs assessment to establish a building fund as the program was outgrowing its current location and would have to renovate the space to keep up with growing capacity needs. She explained the "Back-up for grant risk" account kept the UNR Extension's grants operational. She stated it was common for grant funding to take multiple months to flow in and this fund was used to prevent any discontinuity of services during that waiting period.

Chair Hill thanked Ms. Gatzke for her work to support and educate the community. She looked forward to learning more about UNR Extension programming.

Vice Chair Herman thanked Ms. Gatzke for her hard work and hoped the Board would continue to work with the UNR Extension.

DONATIONS

23-0482 **6A1** Recommendation to accept the donation of eight (8) Stryker Lifepak CR2 Automated External Defibrillators (AED) [estimated value of \$10,800.00] in an "as-is - where is" condition from the Leona and Harry Helmsley Charitable Trust to the Washoe County Department of

Alternative Sentencing (DAS) as a part of its Nevada First Responder AED Project for use by DAS officers in the field. Alternative Sentencing. (All Commission Districts.)

- 23-0483** **6B1** Recommendation to accept donations [\$300,000.00] from the Wilbur May Foundation: \$200,000.00 restricted for Fiscal Year (FY) 24 general operating support of the Wilbur D. May Center, excluding all County overhead; and \$100,000.00 restricted to support FY24 temporary exhibits at the Wilbur D. May Museum. Community Services. (Commission District 3.)

Commissioner Garcia read the donations. She observed the Leona and Harry Helmsley Charitable Trust had been a leader in the efforts to place an automated external defibrillator (AED) unit in every first responder vehicle in Nevada. She stated that Rancho San Rafael and its program would not be the same without the contributions of the Wilbur May Foundation over the past four decades. She noted Mr. Wilbur May was deeply committed to bettering the lives of children. His reach went beyond parks and open space and he left a significant legacy in education, mental health, and recreation.

There was no response to the call for public comment.

On motion by Commissioner Garcia, seconded by Vice Chair Herman, which motion duly carried on a 5-0 vote, it was ordered that Agenda Items 6A1 and 6B1 be accepted.

CONSENT AGENDA ITEMS – 7A1 THROUGH 7C1

- 23-0484** **7A1** Recommendation to approve the three-year schedule of audits for the Internal Audit Division, which is required to be presented to the Board of County Commissioners for their approval pursuant to Washoe County Code 15.560. Finance. (All Commission Districts.)

- 23-0485** **7A2** Recommendation to acknowledge the Annual Report from the Internal Audit Division for the fiscal year ending June 30, 2023. Washoe County Code 15.569.4 requires the Internal Auditor to submit an annual report to the Board of County Commissioners each fiscal year indicating the following audits were completed with the findings and recommendations: Public Administrator's office, Minimum Accounting Standards Audit of the Courts - Second Judicial District, Sparks Justice, Reno Justice, Wadsworth Justice, Incline Justice, and County-wide travel expense and processes. Also required is whether the corrective actions have been taken or if the areas of concern are still outstanding. Finance. (All Commission Districts.)

- 23-0486** **7A3** Recommendation to acknowledge receipt of the completed audit for County-wide travel expense and process from the Internal Audit Division. The purpose of this audit was to evaluate the travel expense and process for

efficiency and effectiveness, and to verify compliance and completeness of submitted travel forms. Finance. (All Commission Districts.)

23-0487 **7B1** Recommendation to approve and accept Federal 2022 Library Services and Technology Act (LSTA) Grant-In-Aid Award Funds from the State of Nevada to the Washoe County Library System in the amount of \$75,000.00 [no local match required] for a retroactive term of July 1, 2022, through September 30, 2023, for the purchase of modular office spaces to support virtual workforce needs of Washoe County residents and small businesses; to direct the Comptroller's Office to make the necessary amendments to the Washoe County Library System's Fiscal Year 24 budget to reflect the receipt and use of the grant funds; and to authorize the Library Director to sign the grant award documents necessary to receive the funding. Library. (All Commission Districts.)

23-0488 **7C1** Recommendation to approve, pursuant to NRS 244.1505, Commission District Special Fund disbursement in the amount of [\$10,000.00] for Fiscal Year 2023-2024; District 1 Commissioner Alexis Hill recommends a [\$10,000.00] grant to the Clean Tahoe Program-- a nonprofit organization created for religious, charitable or educational purposes - to aid the organization in improving the visual environment for Washoe County portions of Incline Village and Crystal Bay through proper litter and trash management and public education; approve Resolution necessary for same; and direct the Comptroller's Office to make the necessary disbursement of funds. Manager's Office. (Commission District 1.)

On the call for public comment, Ms. Janet Butcher said she was pleased to see the Audit Committee put the library finances on the audit agenda. She inquired about the two vacant positions noting the County was aware the positions would be vacated. She questioned why they were not filled before they were vacated. She mentioned the eComment platform and inquired why it had not been presented before implementation.

Ms. Kathleen Sheehan, Executive Director of the Clean Tahoe Program (CTP), thanked the Board for its contribution. She mentioned the CTP cleaned 762 animal and trash messes around the lake the prior year, cleared 345 illegal dumps, and had four field crew members cleaning around the lake five days per week. She said the CTP was the spirit of community and recreation stewardship at the same time. She shared that the CTP's Program Field Supervisor Jeff Pollitt walked Highway 28 and cleaned up many car parts, extinguished a fire in a cigarette bin, and worked with other public agencies to help remove carcasses from the streets. She stated that watching five agencies working together to establish this program and address a big issue around the lake had been an honor.

Ms. Penny Brock requested the first public comment be reinstated on meeting agendas. She objected to having the Consent items grouped together and opined it prohibited freedom of speech which would allow commenters to speak for three minutes on each item. With regard to Item 7A1, she mentioned she attended the Audit Committee

meeting the prior month and requested the Cares Campus (CC), Karma Box (KB), and Safe Camp (SC) be audited but they were not on the audit schedule. She asserted that taxpayers were very concerned about the allocation of funds going to the CC, SC, and KB. She referred to Item 7A3 noting not all the budgeted travel funds were used and questioned why the budgeted funds were increased for each successive year. She asked where the unused funds had gone, stating the Audit Committee could not tell her and she inquired who could provide that information. She believed increases in property taxes were not justified. She objected to the library item being in Consent and claimed it would add to the national debt.

Ms. Nichelle Hull indicated she would provide comment on the approved three-year audit schedule. She mentioned a number of community members attended the Audit Committee meeting the prior month and she encouraged the public to attend those meetings. She stated the community members who attended were treated with respect and consideration at the meeting. She said the committee members voted to conduct the Washoe County Library audit on the types of books being purchased and on the library's finances, specifically how much was spent on advertising events. She mentioned she attended the drag queen story hour (DQSH) at the Sparks Library the prior Saturday and observed that only nine children were in attendance. She understood that \$6,000 was spent on advertising for the event. She asked for the Washoe County School District (WCSD) libraries to be audited because they had many books with inappropriate content. She said she would appreciate it if Chair Hill did not prioritize golf events in Incline Village (IV) over the audits.

On motion by Commissioner Garcia, seconded by Commissioner Andriola, which motion duly carried on a 5-0 vote, it was ordered that Consent Agenda Items 7A1 through 7C1 be approved. Any and all Resolutions pertinent to Consent Agenda Items 7A1 through 7C1 are attached hereto and made a part of the minutes thereof.

23-0489 **AGENDA ITEM 8** Presentation and discussion by Erick Willrich, Assistant to the County Manager, on SpeakUp <<https://washoe-nv.granicusideas.com/>>, a platform for the public to leave written eComment with position and/or Register to Speak in-person at an upcoming Board of County Commission meeting. Written eComment would be separate from and in addition to required public comment under Nevada's Open Meeting Law and would be designed to create an additional vehicle for the public to communicate their views on county matters to the Board.

Assistant to the County Manager Erick Willrich conducted a PowerPoint presentation and reviewed slides with the following titles: SpeakUp Washoe; Introduction; What is SpeakUp; Constituent Experience (6 slides); Engagement/Outreach; In Conclusion.

Mr. Willrich explained SpeakUp was a new platform through Granicus that would allow electronic comment and provide constituents with the opportunity to register to speak in person during the Board of County Commissioners' (BCC) meetings. He said

eComment offered the ability to provide electronic comment in lieu of participating in a BCC meeting. He noted that comments had been made many times about the inconvenience of attending meetings in person and this platform would provide another option for constituents. He clarified that commenters were required to create a personalized profile, comments would be public and immediate, comments would be posted on the agenda immediately, and commenters would be allowed to provide a position on their comment. He indicated users had the option to change the language on the page through Google, so the platform met accessibility requirements and would reach a larger population. He elaborated that constituents would be required to provide their name and address as they did in the Chambers, which allowed Commissioners to identify and respond to comments if they chose.

Mr. Willrich said constituents had two options: they could comment on an item, or they could register to speak. Comments would be limited to 2,250 words which was approximately equivalent to the three minutes allotted for public comment in the Chambers. The constituents would receive confirmation after they submitted their comment. Constituents who wished to speak could register prior to the meeting but they would still need to be present in person to speak in the Chambers. He stressed that this was not a virtual option, it was a way to register to speak on a specific item in the Chambers. Constituents would receive confirmation after they signed up to speak and would be expected to appear in the Chambers.

Mr. Willrich spoke about outreach efforts that began two weeks prior, noting he had visited six Citizen Advisory Boards (CAB). He said the previous Thursday was the soft launch for the agenda. The intent during this meeting was to announce to the public the option to share their voice in an electronic format. He concluded by stating that staff would continue outreach efforts with a media platform announcement from the BCC.

Chair Hill expressed appreciation for Mr. Willrich's work on this item which would allow people to further address the Board on agenda items. She encouraged the Commissioners to look at their iPads which showed that individuals were already participating in the program for Items 13 and 14. She thanked Mr. Willrich for his initiative and for making Washoe County part of this program, which she knew was part of a leadership program he was working on with the State of Nevada. She said her constituents were very excited about the program because many of them were unable to attend meetings. She appreciated the public having more accessibility to the BCC.

Vice Chair Herman mentioned she heard the presentation several times because she attended several CAB meetings. She expressed curiosity about why the program was not brought before the Board before it was implemented. She thought Mr. Willrich had presented the program to the public well. She said she heard some concerns from constituents, some people did not like the program and others did. Some comments she received from people indicated they felt they were being discouraged from attending meetings and she hoped that was not the purpose of the program. She spoke about a constituent who was unaware that her emails to the Board were not read during meetings. She noted that emails were not included in the minutes. She wanted to ensure transparency

with this program. She shared that another comment she received was about whether an individual who signed up to speak online would be called to make a public comment before people who were present in the Chambers all day, which the constituent thought was unfair. She thanked Mr. Willrich for the work he put into the program and for his presentation.

Commissioner Clark referred to a comment made earlier in the meeting about the YouTube feed not working at the start of the BCC meeting. He asked whether people would be able to access a broadcast from the start of the meeting. County Manager Eric Brown replied the broadcast was available on Charter and the County website feed. He confirmed the video would be available after the meeting.

Commissioner Clark thought that having people in the Chambers was important. He wanted to hear voice inflections and see body language, and he opined this program would reduce people's voices. He reiterated he wanted to see people, see what they had to say, and hear their voices.

Commissioner Garcia commended Mr. Willrich for being able to implement the project. She agreed this program was not meant as a replacement; she thought it would help to investigate more options. She said the County wanted to continue moving forward in terms of access and equity as outlined at the beginning of the year. She thought the program was incredible and very easy to use. She observed it used the existing Granicus platform so nothing needed to be purchased, although she acknowledged some staff time was required for implementation. She highlighted the icons next to each agenda item, noting how easy it was to see what people had to say. She recognized the importance of email because it gave constituents an opportunity to contact the Commissioners directly to ask questions. She mentioned phone calls and text messages were also an option. She summarized all these communication methods were a way for the Commissioners to hear and see more and be aware of the latest community developments.

BLOCK VOTE – 9 THROUGH 11

23-0490 **AGENDA ITEM 9** Recommendation to 1) approve roll change requests, pursuant to NRS 361.765 and/or NRS 361.768, for errors discovered on the 2019/2020, 2020/2021, 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 \$385,788.44]. Assessor. (All Commission Districts)

Vice Chair Herman commended the Assessor's Office for being fair and transparent by returning money that was overpaid and keeping the books sharp and up-to-date.

There was no response to the call for public comment.

On motion by Vice Chair Herman, seconded by Commissioner Andriola, which motion duly carried on a 5-0 vote, it was ordered that Agenda Item 9 be approved, authorized, and directed.

23-0491 **AGENDA ITEM 10** Recommendation to accept an American Rescue Plan Act (ARPA) - ACT/FACT sub-grant award through the Bureau of Behavioral Health Wellness and Prevention in the total amount of [\$918,000.00; no county match] effective upon approval through March 31, 2024 to provide coordinated services to individuals with Severe Mental Illness (SMI), Substance Abuse Disorders (SUD), and/or Co-Occurring Disorders (COD) through an Assertive Community Treatment (ACT) program; authorize the Division Director of Human Services Agency to retroactively execute the subaward and related documents; and direct the Comptroller to make necessary budget amendments. Human Services Agency. (All Commission Districts.)

Vice Chair Herman appreciated that the American Rescue Plan Act (ARPA) funds were going toward mental health.

On the call for public comment, Ms. Janet Butcher displayed a document that was placed on file with the Clerk. She thought the Staff Report for this item should look more like the document she displayed than what the staff provided. She spoke about Northern Nevada HOPES. Chair Hill interjected to inquire if Ms. Butcher wanted to speak on Item 10 or if her comments were for Item 12. Ms. Butcher stated she would come back for Item 12.

On motion by Vice Chair Herman, seconded by Commissioner Andriola, which motion duly carried on a 5-0 vote, it was ordered that Agenda Item 10 be accepted, authorized, and directed.

23-0492 **AGENDA ITEM 11** Recommendation to approve contract with Allied Universal Security Services for armed and unarmed professional security services, from July 1, 2023 through June 30, 2024. Estimated expenditures are anticipated as [\$4,655,449]. If approved, authorize the Purchasing and Contracts Manager to execute the agreement. Manager.

Vice Chair Herman thought job creation was good, but she believed the metal detectors outside the Chambers were overkill.

On the call for public comment, Ms. Penny Brock expressed consternation that the Board was taking a Block Vote as she thought it was an infringement of the people's First Amendment rights. She requested to comment on Item 8. Chair Hill informed Ms. Brock that Item 8 was not a public comment item, and she was signed in to speak on Item 11. Ms. Brock declared she was in support of Item 11. She attended an event at the library

over the weekend and opined people felt safer with Allied Security staff present. She remarked people from Our Place attended the event and acted out aggressively. She expressed appreciation to the Sparks Police Department (SPD) and the Washoe County Sheriff's Office (WCSO) for scheduling officers to be present at the library event. Chair Hill urged Ms. Brock to keep her comments on topic with this item. Ms. Brock pointed out that security guards could not arrest people should things get out of hand, but police officers could. She encouraged the Commission to approve this item.

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

23-0493 **AGENDA ITEM 12** Recommendation, in accordance with NRS 244.1505, to approve allocation of American Rescue Plan Act (ARPA) funds through the Coronavirus State and Local Fiscal Recovery Fund (SLFRF) in the total amount of [\$6,231,494], approve associated resolutions, and authorize the County Manager to sign necessary award documents, for the following 20 projects awarded to government entities or nonprofit organizations created for charitable, religious, or educational purposes:

1. Northern Nevada HOPES, a federally qualified health center, in support of construction of a new public health clinic to provide services in the community in the amount of \$1,500,000 and approve Resolution 23-48
2. Children's Cabinet in support of the Oddie Blvd Project to enhance childcare capacity in Washoe County in the amount of \$1,000,000 and approve Resolution 23-49.
3. Raise the Future in support of the Intensive Recruitment Program for Washoe County foster children and youth in the amount of \$632,494 and approve Resolution 23-70
4. Truckee Meadows Fire Protection District in support of expanding its ambulance fleet in the amount of \$500,000 and approve Resolution 23-71
5. Tahoe Micro Transit Pilot Project in support of increasing public transit options in North Lake Tahoe the in the amount of \$400,000
6. Tahoe Lending Locals Project to incentivize Lake Tahoe homeowners to provide long-term rentals to residents rather than short-term vacation rentals in the amount of \$350,000.
7. Community Health Alliance, a federally qualified health center, in support of on-site health care services at the Washoe County Our Place facility in the amount of \$314,000 and approve Resolution 23-50
8. Nevada Museum of Art in support of expanding art research and education in the community in the amount of \$250,000 and approve Resolution 23-74.
9. Bristlecone Recovery Center in support of residential treatment services in the amount of \$250,000 and approve Resolution 23-51
10. ReBuilding Together Northern Nevada in support of rehabilitating homes owned by Washoe County residents with priority to seniors and

veteran homeowners in the amount of \$200,000 and approve Resolution 23-52

11. Keep Truckee Meadows Beautiful in support of cleaning up public lands in Washoe County and educating the public on waste in the amount of \$200,000 and approve Resolution 23-75

12. Economic Development Authority of Western Nevada in support of Start-Up Week and entrepreneurship initiatives in the amount of \$150,000 and approve Resolution 23-53

13. Truckee River Improvements Project in collaboration with the City of Reno to develop a Truckee River Master Plan and support project implementation in the amount of \$100,000.

14. Incline Village and Crystal Bay Community and Business Association (IVCBA) in support of Incline Mainstreet Initiatives in the amount of \$75,000 and approve Resolution 23-76

15. Black Community Collective in support of Entrepreneur Literacy and Financing programming for minority-owned businesses in Washoe County, in the amount of \$75,000 and approve Resolution 23-54

16. The Generator, a community arts makerspace, in support of expanding children's arts programs in the amount of \$60,000 and approve Resolution 23-115

17. Soulful Seeds in support of the garden at Our Place in the amount of \$50,000 and approve Resolution 23-78

18. Tahoe Prosperity Center in support of the Envision Tahoe program to diversify and strengthen the economy in Lake Tahoe in the amount of \$47,500 and approve Resolution 23-81

19. Reno Air Races Association in support of operations for the annual air races event in the amount of \$40,000 and approve Resolution 23-116

20. Tahoe Transportation District for Washoe County's FY24 annual contribution in the amount of \$37,500 and approve Resolution 23-77 And, if approved, direct the Comptroller's Office to make the necessary net zero cross-fund and/or cross-functional budget appropriation transfers. Manager's Office. (All Commission Districts.)

Commissioner Garcia disclosed she would recuse herself from this item. She said she was a former board member of the Children's Cabinet which was slated for specialized funding under this item. Although her role as a board member ended the previous year, she wanted to disclose her connection due to its recency. Additionally, she disclosed she had a personal, private relationship with Mr. Oscar Delgado who was the Chief Executive Officer (CEO) of Community Health Alliance (CHA) which sought funding through this item to provide on-site healthcare services to the children, women, and families at Our Place. She informed that Mr. Delgado would indirectly oversee the use of these funds if approved. She reiterated she would recuse herself from this item out of an abundance of caution.

11:45 a.m. Commissioner Garcia left the meeting.

Chair Hill disclosed that she sat on the Tahoe Transportation District (TTD) board and the Tahoe Prosperity Center (TPC) board in her role as a County Commissioner. She informed she did not have a commitment to either organization in a personal or pecuniary capacity. She pointed out that the end of the agenda indicated she formally sat on those boards as a County representative.

Commissioner Clark thanked Chair Hill for her disclosure and pointed out that County Manager Eric Brown sat on the Children's Cabinet board. He clarified he did not want to accuse anyone of wrongdoing, but he thought this item had the appearance of impropriety since both Manager Brown and Chair Hill were involved with organizations that would receive funds if this item was approved. He noted the Children's Cabinet recently received money from the State and was asking for \$1 million under this item to purchase and rehabilitate a new building. He wondered what would happen to the \$1 million from this item if the organization was unable to raise the rest of the funds it required for this project.

Community Reinvestment Manager Gabrielle Enfield declared the County had a sub-recipient agreement with performance measures and a clear scope of work. She mentioned that all the funds under this item would be reimbursements; therefore, the organizations would not receive any money from this item until the projects were implemented.

Commissioner Clark reiterated his concerns regarding Manager Brown and Chair Hill's affiliations with organizations seeking funds through this item. He mentioned he had a meeting with representatives from the CHA and toured the organization's medical van. He thought the CHA did great work and he was in support of the County allocating funds to it. He opined the Nevada Museum of Art served the public well and he thought the County should allocate more money to that organization. He noted he met with the chairman of the Black Community Collective and he appreciated that the funds from this item would be used to grant micro-loans to help people in the community launch small businesses. He spoke about Soulful Seeds and wondered if any other local government entities had allocated funds to that organization. He suggested that in the future the Board allocate funds to non-profits that were generally overlooked instead of the more popular ones.

Ms. Enfield conducted a PowerPoint presentation and reviewed slides with the following titles: ARPA-SLFRF Update; If Approved; Milestones; Previously Allocated Funds (2021-Present); Allocations July 2023; Community & Regional Allocations – Final Round; Guiding Principles; Community & Regional Recommended (2 slides); Partnership with Nonprofit Organizations; Community Grant Oversight (ARPA-SLFRF Funds); Public Resources – Dashboard; Questions?

Ms. Enfield noted this was the final round of State and Local Fiscal Recovery Funds (SLFRF) awarded to the County. She recalled the County received over \$91 million in SLFRF two years prior and had allocated \$83 million for 88 projects to date. If this item was approved, the number of projects would grow to 107 and fund allocations would increase to \$90 million. She declared the remaining \$1.5 million from the SLFRF would be saved to allow for any unforeseen cost increases. She reported that 16 current projects were scheduled for completion in the next month. She displayed the “Milestones” slide and explained it depicted the project’s timeline. She thought the graphic accurately displayed the complexity of this process. She provided a history of the project and noted it began six months after the SLFRF funds were received by the County. The first round of funding was allocated to 23 urgent internal projects that addressed various needs in the County. After those initial needs were met, the County opened a competitive application process for 501(c)(3) non-profit organizations. Through that process, 23 additional projects were recommended for approval. She observed many of those projects focused on meeting the needs of underserved populations. She remarked non-competitive community grants were also awarded including a regional wastewater surveillance research award with the Cities of Reno and Sparks, a collaboration with the Boys and Girls Club of Northern Nevada to add 200 childcare slots, and several general improvement district (GID) projects.

Ms. Enfield stated this item was a request for an allocation of \$6,231,492 for 20 new projects that addressed critical needs in the community not fulfilled through the competitive grant process. In determining which projects would be selected, staff followed the guiding principles set by the Board. For the principle “addressing health disparities,” the Northern Nevada HOPES (HOPES) and the CHA projects were selected. Under “addressing the root causes of homelessness,” the Bristlecone Recovery Center’s project was chosen. She said staff would be back before the Board in the fall with addiction recovery projects that fell under this principle and those would be funded by the opioid settlement. The projects under the “bolstering economic recovery” principle were from the Economic Development Authority of Western Nevada (EDAWN), the Black Community Collective, the Incline Village and Crystal Bay Community and Business Association (IVCBA), the TPC, and the Reno Air Races Association (RARA). The projects under “enhance childhood environments” were from the Children’s Cabinet and Raise the Future. The “building stronger neighborhoods” focused projects were from the Truckee Meadows Fire Protection District (TMFPD), the Tahoe Micro Transit Pilot Project, the Tahoe Lending Locals Project, the Nevada Museum of Art, ReBuilding Together Northern Nevada (RTNNV), Keep Truckee Meadows Beautiful (KTMB), the Truckee River Improvements Project, Soulful Seeds, and the TTD.

Ms. Enfield observed the funds from this item all went to non-profit or community organizations. She displayed the “Partnership with Nonprofit Organizations” slide and declared that in her experience, it was best practice to partner with non-profits for grant-funded programs. She addressed the “Community Grant Oversight” slide and explained the money for this project came from federal funds which had strict guidelines.

She asserted the Community Reinvestment Team worked diligently to ensure these projects complied with federal guidelines. She displayed the “Public Resources – Dashboard” slide and mentioned she heard a lot of public concerns regarding what the funds for this project were allocated to. She informed that staff updated the dashboard quarterly to provide more information on the status of projects and how the money was used.

Commissioner Clark thanked Ms. Enfield for her presentation. He appreciated the information regarding oversight.

Commissioner Andriola recognized Ms. Enfield and her team for all their hard work. She stated there were no restrictions more stringent than those on federally funded grants. She pointed out that organizations could lose their non-profit status if they misused federal funds. She commended the Community Reinvestment Team for its work with these organizations to ensure they remained compliant with federal standards. Commissioner Andriola expressed appreciation to Ms. Enfield for meeting with her to answer her questions on this item.

On the call for public comment, Ms. Dee Schafer Whitten informed she was the co-founder of Soulful Seeds. She thanked the Board of County Commissioners (BCC) for its support of the organization’s contract to run the Our Place community garden. She declared Soulful Seeds was dedicated to supporting food security in the community. She asserted construction of the garden took longer than expected due to engineering requirements. Those requirements caused the organization to incur substantial expenses for the improvement of the State-owned, County-leased space. Despite those issues, Soulful Seeds was able to make a significant impact on people residing at Our Place. She informed the garden was open six days a week, three of which were reserved solely for Our Place patrons. She noted that Soulful Seeds offered gardening and beekeeping therapy which were shown to have positive impacts on people who had traumatic experiences. She announced that in the following month, staff would implement nutritional classes at Our Place to teach guests how to cook and create cost-effective menus with food from the garden. She reported that in the previous year, Soulful Seeds donated 5,475 pounds of food to Our Place and planted 80 fruit trees. She stated the funds from this item would help offset the construction costs she mentioned previously. She did not doubt this garden would support and improve the lives of people at Our Place for years to come.

Mr. Colin Robertson introduced himself as the Charles N. Mathewson Senior Vice President of Education and Research at the Nevada Museum of Art. On behalf of the museum’s CEO David Walker and its board of trustees, he expressed thanks to the Commission for its consideration of this item. He asserted the Nevada Museum of Art was the only accredited art museum in the State of Nevada. The 92-year-old museum was internationally recognized for its exhibitions, programs, collections, and original research. In 2015, EKAY Economic Consultants determined that the museum had a positive economic impact on the community totaling more than \$16 million. He reported the

museum was in the process of investing \$60 million into the community by constructing a 50,000-square-foot education and resource center at the south end of the museum. To date, the museum and its board raised \$46 million to support the expansion. He mentioned the museum hosted Hands ON! Second Saturday events, which were free family days that took place monthly and attracted anywhere from 800 to 1,300 people. He stated the museum waived admission fees for students from Washoe County high schools, the University of Nevada, Reno (UNR), and Truckee Meadows Community College (TMCC). The museum also had a free educator program for all K-12 Washoe County teachers. He thanked the Board for its consideration of this item and its commitment and service to the County.

Ms. Wendy Miller informed she was a Peer Recovery Specialist at Bristlecone Family Resources. She thanked the Board members for their service to the community. She asserted that if approved, this item would help the organization reach more people with substance abuse issues.

Dr. Travis Walker stated he served as the Chief Medical Officer for the CHA. He thanked the Board for considering this item. He introduced CHA's Population Health Director Holly Long. He asserted that in addition to his medical training, he also possessed a Master's in Public Health (MPH). Together he and Ms. Long had deep consideration for the community and the individuals they served. The CHA had been housed at Our Place since 2021 and met the behavioral health and medical needs of over 600 individuals. He declared the CHA did not turn anyone away regardless of ability to pay, meaning it provided medical care to the uninsured, underinsured, insured, and homeless members of the community. He spoke about the societal impact of providing medical care to the residents at Our Place. He asserted access to primary care had a ripple effect throughout the community as it alleviated pressure on emergency rooms and urgent care facilities. He remarked he chose to work for the CHA because of its mission to provide outreach to everyone, especially those who would otherwise go without. He believed the CHA's collaboration with Our Place served a pivotal role in primary care access for those in need. He informed the funding from this item would allow the CHA to double its services for the community.

Ms. Kim Young, CEO of the Children's Cabinet spoke about the organization's Oddie Project which was a collaboration between the Children's Cabinet and the Food Bank of Northern Nevada (FBNN). She asserted the project allowed the organizations to provide critical services in a high-need area. She stated the Children's Cabinet and the FBNN were in the process of purchasing a property for their project. She noted there was a childcare center on the property that could provide 100 new openings to the community. She declared access to quality, licensed, and affordable childcare was a key component of a parent's ability to seek and maintain employment or education. She reported only about 40 percent of childcare needs were currently met in Washoe County. She claimed the Oddie Project would provide jobs, access to food, and wrap-around case

management services in the community. She thanked the Board for its consideration of this item.

Ms. Nicole Lamboley, President and CEO of the FBNN, stated the organization was celebrating 40 years of serving people facing food insecurity in the community. She expressed excitement about the opportunities the Oddie Project could bring. She asserted the project was an opportunity for FBNN and the Children's Cabinet to come together to harness their passion, expertise, and commitment to the community. She hoped the Oddie Project would help the organization towards its goal of ending hunger in Washoe County.

Ms. Sandee Tibbett asked what the Board had against seniors. She thought the Commission saw seniors as a poor investment with a low rate of return. She spoke about the areas of the community that were slated to receive funds through this project. She alleged the Board members focused on injecting money into organizations that would help get them re-elected. She opined the RTNNV project was great, but it needed more funds than it was allocated to help more senior citizens. She alleged the County failed to provide necessary resources to improve the quality of life of senior citizens in the community. She thanked Ms. Schafer Whitten for her transparency and for taking the time to explain where Soulful Seeds would use the money it received from this item.

Ms. Katherine Snedigar appreciated the commenters who expressed gratitude for the funds from this item. She wanted to see the memorandum of agreement from the federal government that outlined how the Board was allowed to spend these funds. She wondered what the Board had done for the businesses that had to shut down due to COVID-19 (C19). She did not think any of the funding in this item would improve her quality of life.

Ms. Sharon Chamberlain, President and CEO of HOPES, thanked the Commission for its consideration of this item. She noted the Hope Springs project was underway and was set to open its doors in spring 2024 to provide care for over 12,000 individuals. She declared many people in Northern Nevada faced challenges accessing medical and mental health care, substance abuse treatment, and other essential services. She noted HOPES had successfully removed many barriers which reduced emergency room visits and incarcerations and saved taxpayers' money. She explained this project would address a pressing need for increased medical and mental healthcare. She pointed out that HOPES worked diligently to obtain new market credits and garner support from private foundations, individuals, and corporations. As a federally qualified health center, HOPES received reimbursements from Medicaid which she projected would make operations profitable in three years. In addition to increasing health outcomes, the new community health center would contribute to long-term cost savings. She reported every dollar of federal investment into HOPES generated \$5.34 in economic activity in the region. Therefore, the County's \$1.5 million investment would create a return of over \$8

million. Cost savings would be in the form of decreased usage of community resources and the stabilization of costly chronic health conditions such as diabetes and high blood pressure. She provided a brief history of the HOPES program and highlighted how the organization had grown over the past 25 years. She declared the funds from this item would allow HOPES to continue to build a healthier, more equitable community. She thanked the Board for its consideration.

Ms. Penny Brock asserted almost \$91 million would be added to the national debt through this item. She postulated that the organizations would continue to ask for money which would result in an increase in property taxes. She spoke about seniors on fixed incomes and the burden property tax increases caused them. She thought these funds should go towards seniors, veterans, and community members who lost their businesses because of C19.

Mr. Andy Chapman said he was the President and CEO of Travel North Tahoe Nevada. He claimed it was the official destination management organization for Lake Tahoe. He appreciated the Board's commitment to the Tahoe community. In an attempt to mitigate transportation issues in the Tahoe Basin, Travel North Tahoe Nevada and other organizations in the area came together to help fund the Tahoe Micro Transit Pilot Project. He did not want public comments to cloud the Board's decision. He urged the BCC to seek out the facts from individuals directly involved in this work.

Ms. Jessica Roe, Vice President of Raise the Future, stated C19 reminded people of the power and need for human connection. She thought C19 made people feel alone and isolated. She asserted that feeling was magnified and coupled with uncertainty and fear for youth in the foster care system. Raise the Future believed every young person deserved to go through life knowing someone cared about them. She noted one of the primary functions of the organization was to collaborate with the Dave Thomas Foundation for Adoption through its signature program Wendy's Wonderful Kids. Raise the Future provided trauma-informed training and support services to adult caregivers and child welfare professionals using an evidence-based model called Trust-Based Relational Intervention (TBRI). Through this model, caregivers were empowered to understand the impact of trauma and could gain tools to address associated behavioral challenges. These tools equipped caregivers to meet the needs of children experiencing complex developmental trauma. She explained the funds from this item would increase the number of children served from 25 to 45 and provide intensive recruitment services and TBRI-infused family support to help youth maintain stability and heal from trauma.

Ms. Alysia Dynamik shared she was the Executive Director of The Generator, a non-profit community makerspace that had existed in Sparks since 2013. The Generator was best known for large-scale sculptures produced for Burning Man (BM). She noted the organization currently hosted 50 full-time artists and 200 local members who utilized its resources regularly. She noted The Generator had a youth education program

that focused on building a sense of confidence and agency in local children through creative expression and play. She listed the various methods the organization employed to reach children in the community. She explained C19 forced the organization to vacate its previous location and after 18 months of working with local regulatory authorities, The Generator was able to convert a former big box store in the Oddie District into a fully functioning makerspace. If approved, the funding from this item would increase the organization's capacity for programming services for youth. She stated the project would include a tech lab for digital design, a ceramics studio, and equipment for a building workshop. She expressed gratitude for the BCC's consideration.

Mr. Tony Logoteta remarked he was a board member and the Chief Operating Officer (COO) of the RARA. He thanked the Board for its time and consideration of this item. He reminded that 2023 would be the final year of air racing at the Stead Airport. He stated air racing was a unique event that attracted fans from all over the world. He noted the association had been a local non-profit for over 60 years. During its existence, the association developed a science, technology, engineering, and math (STEM) program to inspire children to pursue careers in aviation. He highlighted that the organization's scholarship program had awarded scholarships of \$10,000 to 20 students, several of whom went on to achieve private pilot's licenses. In addition to scholarships, the RARA was able to make large contributions to other non-profit organizations throughout the community. He expressed regret that 2023 would be the organization's last year of air races but assured that the final event would be vast as patrons would travel from all over the world to celebrate. He declared funding from this item would help the organization make its last air race event as large and successful as possible. He alleged the event would have both an economic and cultural impact on the community.

Ms. Katie Pace of RTNNV informed she was the founder and former Executive Director of the organization. She reported the first round of ARPA funds the organization received allowed it to help 6 homeowners with 42 repairs. With the funds from this item, the organization planned to help 20 households with 100 or more repairs.

Ms. Meg Shea introduced herself as the new Executive Director of RTNNV. She was honored to succeed Ms. Pace and continue the work she had done for the community. She stressed the importance of people's ability to age safely in their homes. She appreciated the Board's time and consideration of this item.

Mr. Doug Erwin stated he was the Vice President of Entrepreneurial Development for EDAWN. He declared this grant would help the organization launch the community's first start-up week which he hoped would help create more entrepreneurial-led companies in Washoe County. He noted the organization would also develop an advisory board to help grow start-ups and provide training and support to new businesses regarding best practices. He said the primary objective of start-up week was to foster a spirit of innovation, creativity, and collaboration within the community. He added the event

would also celebrate the success of local start-ups. He thanked the Board for its consideration.

Mr. Ron “RJ” Bath spoke in favor of the RARA. He pointed out the organization had hosted successful events for the past 59 years. He reported approximately 1,200 people volunteered with the organization to help put on the air races event. He opined Washoe County was a great area and he thought the projects in this item helped to weave the fabric of the community.

Ms. Darcy Phillips, Executive Director of KTMB, thanked the Board for its consideration of this item. She shared that KTMB was one of the few Keep America Beautiful (KAB) affiliates in the Country that was not housed within a municipality. Through this item, KTMB would identify hot spots in Washoe County for illegal dumping, green waste collection, and native plant vegetation. The organization would also increase outreach and education to reduce blight and fire risks caused by illegal dumping. She reported the annual litter survey conducted by the organization indicated there was a dramatic increase in litter and illegal dumping during C19.

Ms. Tracey Thomas opined seniors were valued less than art. She suggested the Commission reduce the funds for the Nevada Museum of Art to \$150,000 and increase the Innovative Senior Project to \$300,000. She thought the \$1 million for HOPES should be shared with Our Place because Our Place had proven results in improving the homeless community. She did not understand why the BCC continued to allocate money to Soulful Seeds and thought the Board should give the organization one lump sum of funding. She clarified she was not against the allocation of funds to Soulful Seeds; she wanted transparency about how much money the organization would receive in total. She spoke about neighborhood security and thought the Washoe County Sherriff’s Office (WCSO) patrol was not keeping up with the community. She mentioned the movie *Sound of Freedom* and declared there was a human trafficking issue in the community that needed to be addressed.

Ms. Janet Butcher displayed a document that was placed on file with the Clerk. She requested financial information be presented in the Staff Report in the format she displayed. She said she could not find websites for three of the organizations in this item. She agreed with the comments made by Ms. Tibbett, Ms. Snedigar, Ms. Brock, and Ms. Thomas. She thanked Mr. Logoteta for his comments regarding the Reno Air Races. She thought it was a shame that 2023 would be the last year the organization held air racing as it had been hosted in Washoe County for 60 years. She acknowledged growth was essential in the community but suggested there be more thought put into where the growth was going.

Ms. Val White believed a good portion of these recipients were worthy causes and she commended their missions. She opined some of the recipients had political agendas. She spoke about the Black Community Collective and thought similar organizations should be established for other ethnic groups. She pointed out some of the organizations from this item disclosed on their websites that they donated to causes such as the pride parade, Our Center, and more. She suggested non-profits that received money from the County refrain from donating to other non-profits.

Commissioner Clark thanked everyone who came to the meeting to represent their organizations. He thought it was good to hear what the organizations planned to do with the funds they received. He acknowledged many public commenters requested more funds be allocated to services for senior citizens. He requested the Board take a photo with those present in representation of a non-profit slated to receive funds from this item.

Chair Hill agreed that if there was an affirmative motion, the representatives of the non-profits could take a group photo with the Board and the Community Reinvestment Team.

On motion by Commissioner Andriola, seconded by Commissioner Clark, which motion duly carried on a 4-0 vote with Commissioner Garcia abstaining, it was ordered that Agenda Item 12 be approved and authorized. The Resolutions for same are attached hereto and made a part of the minutes thereof.

1:07 p.m. **The Board recessed.**

1:43 p.m. **The Board reconvened with County Manager Eric Brown absent.**

23-0494 **AGENDA ITEM 13** Public Hearing: Reconsideration of the Board of County Commissioner's grant of an appeal of the Washoe County Director of Planning and Building's partial approval of Short-Term Rental Administrative Review Case Number WSTRAR22-0013 (Gupta), which sought a Tier 2 short-term rental (STR) administrative review permit for a maximum occupancy of 14 persons at 1447 Tirol Drive, Incline Village, Nevada 89451. The Tier 2 STR permit was approved by the Director of Planning and Building for a maximum occupancy of 12 persons in accordance with Article 319, Short-Term Rentals (STRs), and Article 809, Administrative Review Permits, of the Washoe County Development Code. On May 9, 2023, the Board granted the appeal based on a factual finding that the subject property has two parking spaces, which limits the occupancy to 8 persons in accordance with WCC 110.319.15(b)(3).
The applicant and property owner are Sanjay and Geetika Gupta. The property is located at 1447 Tirol Drive, Incline Village, Nevada 89451. The Assessor's parcel number is 126-560-33. The parcel of land is 0.001 acres

in size with a master plan designation and regulatory zone of Tyrolian Village, within the Tahoe Area Plan. The appellants are Linda L. Smith and Paul E. Smith.

The Board should consider the record from the May 9, 2023, public hearing and any additional evidence presented during this public hearing and may confirm, reverse or modify the appealed action based on its interpretation of the required standards in accordance with WCC 110.809.20(e) and WCC 110.912.20. Virtual Public Comment Eligible. Community Services. (Commission District 1.)

1:45 p.m. County Manager Eric Brown returned to the meeting.

Chair Hill opened the public hearing. She noted the applicant asked for 15 minutes so the appellants and applicants would receive 15 minutes each. She said she would open public comment after the staff presentation and then request a reminder from Assistant District Attorney (ADA) Nate Edwards about what the Board was considering for this item before taking a vote.

Planning Manager Trevor Lloyd conducted a PowerPoint presentation and reviewed slides with the following titles: Appeal – Gupta; Vicinity Map; Background; Enforcement of CC&Rs; Reasons for Appeal (2 slides); Possible Motion for Appeal - Approval; Possible Motion for Appeal – Denial.

Mr. Lloyd indicated this was a repeat presentation from May 9, 2023, and was essentially a reconsideration. The appeal was to determine the number of parking spaces allotted to 1447 Tirol Drive in Tyrolian Village (TV) in Incline Village (IV). He reviewed the background on this issue and stated the Board requested a reconsideration following the May 9, 2023, meeting. In furthering the discussion of the County's role in the enforcement of covenants, conditions, and restrictions (CC&Rs), he stated the position of staff remained that the County was not a party to CC&Rs. He informed the CC&Rs were a private agreement and local governments were not a party to such agreements. The County did not have jurisdiction to enforce restrictions which was the reason County staff did not deny or revoke a short-term rental (STR) on the grounds that it might violate a homeowners association's (HOA) CC&Rs.

Mr. Lloyd observed Development Code 110.319.10 H3 provided a disclaimer that an STR permit did not relieve property owners from complying with any applicable private restrictions on the property such as CC&Rs or HOA rules. Per the Washoe County Code (WCC), staff relied on the HOA to interpret its rules and regulations. He said the letter received by the County on January 2, 2023, was a parking verification from the TV Association which identified an allotment of three parking spaces for the property. He noted the association had not changed the interpretation although there had been communication back and forth. He reiterated that the appellants contended the allocated parking spaces for the STR did not meet Washoe County parking requirements. He explained that County planning staff based their calculations on the number of designated parking spaces allotted to the unit in accordance with Development Code

110.319.15 B2. He noted the appellants argued the director ignored a letter from the HOA's legal counsel when determining the three-parking space allocation. The HOA's legal counsel discussed that one parking space per unit was allocated. He provided possible motions for the Board's consideration.

Ms. Linda Smith conducted a PowerPoint presentation and reviewed slides with the following titles: 2nd Appeal STR Case No. WSTRA22-0013 (2 slides); History of STRs in Tyrolian Village (3 slides); Illegal Tier 2 STRs; list of STRs in Tyrolian Village; Background on HOA Parking Letter; Unique Garage Construction Program; HOA Rules on STRs; Further Amended June 1, 2023; Equity for 1447 Tirol and Community (3 slides); What Washoe Commissioners Can Do; Language for Possible Motions; Concerned Neighbors; HOA Parking Verification Letter-Attachment A.

Ms. Smith said she represented concerned neighbors of TV who were requesting the Board reverse the Tier 2 permit and revise the Tier 1 permit to a maximum of four occupants at 1447 Tirol Drive. She stated the Board's decision on May 9, 2023, was a compromise but did not follow the WCC which indicated STRs only used their allocated parking space for occupancy determinations. She spoke about an HOA letter regarding allocated parking and a letter from the HOA's attorney reaffirming the one parking space allocation and explained why the driveway could not be used for STR parking. She indicated the letter also superseded any previous emails and letters that were sent from the HOA to the STR office. She said she would explain the steps the HOA had taken to ban Tier 2 and Tier 3 STRs.

Ms. Smith provided a review of the history of STRs and TV stating she was asking the Board to follow the law. She asserted the appeal was not discrimination, it was equitable and fair. She mentioned Washoe County was the only county at Lake Tahoe that did not cap STRs which put pressure on IV where there were approximately 900 STRs. She shared that all the homes purchased in TV in the last year except for one had been converted into an STR. She indicated two of the 32 STRs in TV were operating without permits which demonstrated the inadequacy of enforcement. She mentioned the official and unofficial complaints filed by neighbors during the past year and a half. She declared TV never had a legal Tier 2 permit issued prior to this one although STR owners had ignored permit limits. She thought illegal STRs should not be used to justify granting Mr. Sanjay Gupta's permit. She provided a listing of the 32 STRs in TV, the number of parking spaces claimed by the owners in their applications, and the actual number of allocated spaces, noting there was a significant difference.

Ms. Smith said a former property manager provided parking verification letters that were not always accurate and were not reviewed and approved by the HOA board or the HOA's legal counsel. She referred to the letter sent by the HOA's legal counsel on July 15 which stated that the letter sent in January was not legally sufficient to set parking for 1447 Tirol Drive. She asked the Board to recognize that the July 15 letter from the HOA's attorney should be used to make the determination. She mentioned a letter sent by the HOA reaffirming that each unit in TV had one parking spot. She reviewed TV's

unique garage construction program, stating that 1447 Tirol Drive forfeited any right to an exterior space when the garage for that property was built.

Ms. Smith spoke about the HOA's rules for STRs, including prohibiting Tier 2 and Tier 3 STRs as of June 2023. She said she personally observed cars parked in front of 1447 Tirol Drive encroaching into the roadway as of the current week. She asked the Board to respect the HOA Tier 2 prohibition, recognize that the driveway and the garage were on common land, and ensure the permit specified that only the allotted parking space could be used. She informed that the HOA CC&Rs stated garages constituted the allotted parking space; therefore, the STR occupancy for 1447 Tirol Drive should be no more than four people. She observed that Mr. Gupta confused access determinations and easements with a revocable license and clarified that access and a license was not a parking permit for STR cars. She said a claim to the Nevada Real Estate Division (NRED) was inappropriate because it did not issue STR permits, and a case was already pending before the NRED for STR parking in TV.

Ms. Smith displayed an aerial map showing parcel number 126-540-34, which was TV common land, highlighted in blue. Every homeowner who had a garage on common land had to use an access easement to access their garage.

Mr. Sanjay Gupta displayed a document that was placed on file with the Clerk. He commended Chair Hill for the comments she made during the May 23 meeting. He noted the HOA's attorney argued that the driveway of his home was an access easement. He referred to TV's CC&Rs and highlighted the end section which stated that access over any common element to an approved garage may be permitted by the application to the board of directors, the granting of which shall vest in the owner a revocable license for limited use and shall not constitute an easement. He mentioned the May 9 Staff Report which indicated that staff looked at the recorded map for 1447 Tirol Drive and the map did not show any access easements on the subject property. The recorded map was used for all STRs throughout Washoe County to assess whether there was an access easement or not. He stressed that the easement specified in the HOA attorney's letter was not recorded in the map of Tirol Drive, hence it constituted a private clause in the CC&Rs and was between the HOA and the homeowner. He said the CC&R clause made sense because it allowed him a limited-use license through which he was able to use the space in front of his garage. He noted he paid for snow clearing and repairs for the space, which he asserted essentially gave him a use license from the HOA to use the space.

Mr. Gupta said everyone in TV parked cars on their driveways and questioned why he should be treated differently. He stated an easement definition per the recorded map could be very different than the easement definition inside the CC&Rs. He asked whether the appellant was asking for all STR permits issued in Washoe County where the garage or driveway could not be used to park vehicles be reversed. He thought the Commissioners had to decide whether they would consider private HOA documents such as CC&Rs and garage agreements. He thought that if the Board members considered the HOA documents, they needed to look at the clause in the CC&Rs that stated his driveway did not constitute an access easement in TV. He believed the CC&Rs should not

be considered because the Staff Report from July 18 stated the STR Code was developed so Washoe County would not be put in a position to have to interpret private covenants and contracts. He said the standard process of using recorded maps to grant permits should be followed consistently, and the recorded map for 1447 Tirol Drive did not show an access easement. He asked why the standard practice was not being followed and conjectured whether having it applied differently to his property could be considered discrimination. He mentioned a letter about STR parking standards signed by 21 STR owners in TV that he included in his presentation.

Mr. Gupta conducted a PowerPoint presentation and reviewed slides with the following titles: BCC July 18th Hearing; Thank you for reconsidering; Occupancy; Parking Allocation; Additional Confirmation; Should the BCC be interpreting; Letter to BCC; May 9 BCC Decision; Significant Impact; Conclusion; Additional Background; Disagreements; Significant Issues with Rule A.3.

Mr. Gupta reviewed the STR occupancy limits based on the building size and allocated parking. He said his property was limited to 12 people based on allocated parking. He stated his current parking allocation letter from the HOA allotted three parking spaces. He noted the parking letter was overridden based on internal HOA communication, pointing out that the parking letter went directly from the TV HOA board to the Planning Department. He said the parking letters were unique because TV had various parking situations. The parking letter was started because some people had two-car garages, some had a one-car garage, there were driveways, and there was open parking. He indicated the last parking letter received by the HOA board specific to his property gave him three parking spots. He mentioned he requested data from the County regarding STRs in TV and the information provided showed that HOA verification letters were used in every case to determine parking allocation.

Mr. Gupta indicated he spoke with the 25 active STR owners in TV and 21 of them signed a letter confirming that the parking allocation letter from the HOA was used to allocate parking for their properties. He shared that the previous owner had parked four cars on the property for six years prior to selling it, but now his parking allocation had been reduced to three vehicles. He said he was unable to host his family because the STR occupancy limits also reduced his personal use of the property. He reiterated his assertion that the HOA letter should be used to determine parking allocation for his property. He acknowledged he was obligated to follow the CC&Rs of TV and would be limited to ten occupants even if he was granted a Tier 2 STR permit.

On the call for public comment, Ms. Nancy Carlson said the permit for this property was limited to eight occupants in May when it was approved because there were only two parking spaces. She noted that on-street parking was not allowed because the roads were narrow, and it was not allowed per the CC&Rs. She stated that high-density housing had not been planned for TV and the ingress and egress road was narrow. She mentioned IV was the only community that did not limit STRs in the basin and the roads; the parking and infrastructure were not designed for high-density living. She asserted people who violated the parking requirements did not live in the community and did not

care. She believed many of the issues IV was experiencing could be traced to STRs. She asked the Board to deny the Tier 2 STR permit for 1447 Tirol Drive.

Ms. Marylou Kennedy asked the Board to reconsider the previous decision from May 9 on the appeal of the STR license for 1447 Tirol Drive and further reduce the allowed occupancy. She stated that by establishing STR regulations, the County acknowledged STR rules were not the same as for owner-occupants. She noted Nevada law required HOAs to follow all County ordinances. She spoke about parking standards within the Tahoe Regional Planning Agency (TRPA), asserting the garage was the only allowed parking for the unit. She asked the Board to consider that resident homeowners paid a disproportionate share of homeowner's fees covering water, sewage, trash, and road maintenance.

Ms. Penny Brock claimed workforce housing and bussing would be paid by Washoe County taxpayer money. She stated STRs should not be allowed at the lake and believed that would solve the issue of workforce housing. She expressed support for the homeowners of TV and thought it was wrong for the Planning Commission (PC) to approve STRs at the lake. She asserted the homeowners of TV had the right to private property ownership which should not be infringed on by rule changes.

Ms. Dianne Schmenk said the STR permit for 1447 Tirol Drive was about numbers: more renters, more money, and more profits, but finite parking allowances. She summarized that Mr. Gupta's original application request was for 14 renters, the permit was approved for 12 renters, and the final approval after the May 9 hearing was for 8 renters. She read a quote from an email she received from Mr. Gupta. She opined that Nevada had prioritized STR tax income and STR investor profits, which impacted Nevadans and their residential neighborhoods. She urged the Board to listen and respect the appeal. She mentioned a quote on www.FinanceBuzz.com regarding the tourism issues at Lake Tahoe.

Ms. Robin Richardson shared she lived several houses away from the unit in question. She said the HOA had already decided that a Tier 2 permit was not allowed. She displayed an image of the garage for 1447 Tirol Drive that showed one car in the garage and one in front of it partially obstructing the street. The image was placed on file with the Clerk. She asserted people did not follow the rules because it was not their community, and they did not care. She believed approving this appeal would encourage all other STR owners to appeal their permits. She observed many STR owners ignored the County's and the HOA's rules. She shared the results of her search on Airbnb the prior week during which she found five units that misrepresented the number of allowed occupants. She asked the County to uphold the rules that were put in place by the HOA and deny the Tier 2 permit.

Mr. Michael Richardson observed the unit had a detached garage, so people often parked on the street out of convenience. Based on his experience with STRs, he believed people would often exceed the occupant capacity and have too many cars. He said Mr. Gupta misrepresented his statement by saying that everyone parked on the street. Mr.

Richardson noted he was previously the President of the HOA, and he drove down the street regularly. He asserted street parking was not possible during the winter.

Mr. Paul Smith declared Mr. Gupta's presentation was devoid of any reference to the County regulations. He said the case relied on opinions, complaints, arbitrary decisions from the HOA and County staff, and the suggestion of discrimination. He observed Mr. Gupta's license for access over common land was not parking. He noted Mr. Gupta's garage was built under a County recognized HOA and TRPA coverage agreement which allowed property owners to replace their one allotted space with a garage on common easement land. He stated that 1447 Tirol Drive could not meet any County regulations for STR parking. He asked for the Board to vote consistent with the County regulations for STRs and HOA governing documents. He wanted the Board to direct staff to update and correct all STR permits in TV to ensure approved occupancy and parking limits were in conformance with existing regulations.

Ms. Kristina Hill requested the Board vote to confirm the appeal of the decision to allow for STR rentals with an occupancy of four people at 1447 Tirol Drive. She said the HOA board voted to prohibit Tier 2 and Tier 3 STRs, so there was an HOA regulation in place. She opined this item was a waste of time because the HOA rules were in effect and the HOA did not allow Tier 2 STRs. She stated that STRs were a revenue-generating commercial operation, not a residential operation. She shared an experience her husband had with an STR renter next door which she believed illustrated how unaware renters were of the residential neighborhood because they treated STRs like a hotel. She observed one of the County's objectives was to support a thriving community and opined that thriving could mean a quiet and peaceful community like TV.

Ms. Beverly Hughes said she chose the TV community with her late husband because it was quiet with friendly neighbors and beautiful scenery. She observed TV had experienced an unprecedented influx of STR renters which she believed was because Washoe County had not imposed a limit on the number of STRs, unlike other counties that bordered Lake Tahoe. She stated STR rentals were not long enough for people to read the rules about handling trash, the ban on outdoor fires, or respecting the quiet and solitude of the location. She asserted Mr. Gupta's noise monitors did not work, noting Mr. Gupta's next-door neighbors had been disturbed by noise from the STR occupants at night. She asked the Board to limit the occupancy for 1447 Tirol Drive to no more than four people.

Mr. Greg Erfani thanked the Commissioners for their service. He stated property owners received a deed from the County when they purchased their property and the deed clearly stated they received one parking spot. He noted that 225 owners had acknowledged and agreed with the one parking spot allocation. He observed that increasing parking for one resident would change the rules for everyone. He said the change would create a variance which would then encourage others to seek a greater variance. He indicated the amount of land in the HOA was limited and encouraged the Board to consider the County's own documents which allotted one parking space.

Ms. Mary Meeker, property manager for Mr. Gupta, said Mr. Gupta was fair, honest, and very concerned about his neighbors. She stated the parking requirements were included on all listings and in the educational materials provided to guests prior to check-in. She noted she monitored the property with remote cameras and was aware of the situation the prior weekend with a car parked inappropriately. She said she took every possible step to contact the guest and resolve the situation. She indicated that working with guests and neighbors was part of her role as property manager and she thought communication was important. She described an incident that occurred during a post-check-out walk-through during which a vehicle blocked her in the driveway while she closed the garage. She believed the individual was a TV resident who disagreed with STRs, noting that was the type of hostile situation she was trying to avoid.

Ms. Stephanie Lundstrom alleged that during the initial STR permitting in TV, 20 of the 30 STR applicants fraudulently claimed space in overflow guest parking, shoulder parking, and in snow push areas as their assigned parking, which was a violation of the CC&Rs and the County's STR Ordinance. She said TV became inundated with STR parking and over-occupancy issues. She noted a significant portion of Code Enforcement Officer Steven Oriol's time was spent on TV STR issues. She spoke about her experience living surrounded by STRs which included STR guests trying to enter her home late at night and law enforcement requesting security footage to make arrests. She asserted that IV desperately needed a code enforcement officer on duty during the weekends. She expressed appreciation for Chair Hill's efforts to evaluate a cap on STRs and consider an increase to STR permit fees. She said she would prefer that her tax dollars be used to support workforce housing rather than subsidizing for-profit businesses.

Ms. Kristyn McDougall voiced support for the TV residents who provided public comment. She said the STR matter was one of the most divisive issues she had experienced in her 30 years as an IV resident. She opined the STR situation had become unmanageable and created issues in the community. She spoke about detritus found on the beaches after weekends and traffic on the roads, both of which she attributed to STRs. She asked the Board to consider the bigger picture during its decision-making process.

Deputy County Clerk Lauren Morris advised the Board that 17 emailed public comments were received, which were placed on file.

Chair Hill asked ADA Edwards to remind the Board what was under consideration and the rules for this item. ADA Edwards said he had performed some research on issues that were considered when the STR Ordinances were being developed and adopted by the County. One issue was whether the County should require proof that an applicant's proposed use would conform with the CC&Rs of that particular neighborhood as part of the Ordinance. He stated the County rejected the approach of delving into the CC&Rs to make that determination. He thought the decision was largely based on the explanation provided to the Board about what CC&Rs constituted. He explained that CC&Rs were private covenants between individuals, usually within a community, enforced between those individuals, and overseen and governed by an HOA within the community. He noted those individuals had rights against each other with

respect to those CC&Rs, but the County was not the master HOA; it did not step in and overrule or give direction or implement the CC&Rs. He explained the long history of this concept and read a quote from a *Cornell Law Review* article that summarized trying to delve into CC&Rs. He said the decision that the County was ill-suited to delve into CC&Rs was determined when STR Ordinances were adopted.

ADA Edwards thought many of the arguments being put forth for this item hinged on the meaning of the CC&R provision that applied within this community. He noted that amendments concerning STRs within the community had recently been made and acknowledged that community members expressed valid interests. He said the code enforcement responsibilities of the County were not blind to the fact that property owners had those interests amongst themselves. He stated the Commissioners had received a memo from Deputy District Attorney (DDA) Jennifer Gustafson explaining CC&Rs and their background, and the fact that the County should not be interpreting or enforcing them. He said the Board was tasked with making a determination based on substantial evidence, meaning facts, in the record that would cause a reasonable mind to support a conclusion. He indicated that in Nevada, the courts would uphold the conclusion made by the Board if there were facts in the record even if there were also facts that would have supported the opposite conclusion. With regard to the number of parking spaces, the Board was free to simply consider the facts. He indicated the Board was free to assess the facts and make the determination about how many cars could park in the garage or the driveway assigned to the unit. He said the Board was not bound by the CC&Rs' calculation.

ADA Edwards observed many ideas had been referenced that were important to the debate about STRs but were not relevant to the Board's decision on this item. Some of those ideas included how much workforce was available, the number of STRs in the community, and the fact that other jurisdictions had caps or bans on STRs. He reiterated those ideas were important but were not part of that day's decision. He asked the Board to avoid those considerations, noting they would have gone into the formulation of policy at the outset, and those decisions had been made in the Ordinances in Article 319 of the Development Code. He mentioned some suggestions were made about Tier 2 permits being banned and explained the Board was not required to enforce that. He clarified that whether or not the Board approved an STR permit application, it would not exempt the owner from whatever CC&Rs provision applied to them. He said the neighbors would need to address any provisions in a lawsuit or something of that nature if they were motivated to do so. He noted Development Code 110.319.10 H3 stated an STR permit did not relieve the property owner from complying with CC&Rs that applied to the property. He observed that competing letters from the HOA's attorney had been received and noted the divergent analysis made sense because of the complexity of this area of law. He reminded the Board that the statements of an attorney should not be regarded as evidence. With regard to an access easement for interpreting parking provisions on this item, he highlighted Development Code 110.319.00, which indicated that STR rules were meant to reduce impacts on other properties. He suggested the Board consider that the purpose of the Article was to reduce impacts when deciding what access easement meant for parking purposes, whether the driveway constituted an access easement, or whether it was part of an area where the owner was allowed to park. He mentioned there had been some indication that

the owner could park in the area in question if he withdrew the STR application, which sounded like acceptance of a conclusion that in some contexts parking was allowed in the driveway. He thought the Board could make the determination based on the facts presented about whether the access easement referred to ingress and egress areas or whether it also included the driveway. He noted Mr. Gupta indicated he would be willing to reduce his request to an occupancy of ten, which would be less than what was listed on the agenda. He thought the Board could approve the lower occupancy so long as the determination was based on the facts in the record.

Chair Hill thanked ADA Edwards for the explanation, noting that the last time this issue was reviewed she found deeds and covenants confusing, so she wanted to follow County Code. She said the WCC indicated the HOA had to supply a letter, the letter provided by the HOA indicated there were two parking spots in the garage and one in the driveway. She was prepared to proceed with the recommended motion to agree with the Director of Planning and Building's partial approval of the Tier 2 permit and leave the rest to the HOA. She noted the HOA would need to discuss what it would approve which appeared to be a Tier 1 permit allowing up to ten occupants. She mentioned the Board would consider an item regarding setting a cap on STRs during a future meeting in August and would also discuss an increase in STR fees. She said she also gave directions to staff to consider increased enforcement for STRs because it was something the community needed.

Commissioner Clark said he believed in private property ownership, but he also believed in the people who had to live in the community. He stated this was an HOA issue. He observed the County could have STR Ordinances, but if someone wanted changes in the HOA, they would need to address that amongst themselves. He acknowledged the statements and concerns of the public commenters and questioned whether those issues would have arisen if the County did not have STRs. He expressed distress about conflicts between neighbors, noting the County was put in the position of referee.

Commissioner Andriola asked for confirmation from staff whether the letter dated January 4, 2023, was used to allocate parking spaces to which Mr. Lloyd responded yes. Commissioner Andriola asked whether the letter dated July 15, 2023, was not recognized by the County as an instrument to determine parking allocations. Mr. Lloyd said the letter received the prior weekend did not contain anything that rescinded the previous letter and was non-committal, so staff deferred back to the January letter. Commissioner Andriola asked if staff evaluated easements or if they only used the letter that stated the appropriate parking space allocation. Mr. Lloyd replied that parking within a space that was clearly an access easement would be a Code violation. Staff had not found anything in the recorded documents showing the driveway as an access easement or public right-of-way, so it was considered a common area.

Commissioner Andriola asked for confirmation that Mr. Gupta would be willing to consider an occupancy of ten people. Mr. Gupta replied there was a rule in the HOA that would limit the occupancy to ten even if the County approved three parking spaces which would allow an occupancy of 12. He acknowledged he was bound to honor

that limit, stating he did not want to do anything illegal or detrimental to the community. He mentioned that from a financial standpoint, an STR was not good business, and he would be better served by investing his funds in an SMP 500 Index Fund if his focus was to make money. He said that in most cases STR owners had a property they wanted to enjoy for 10 to 15 weekends a year and they rented it for the rest of the year for the purpose of cost avoidance. He reiterated he did not want to create issues for the neighbors, he wanted to follow the law, and he was receptive to feedback to prevent issues.

On motion by Chair Hill, seconded by Commissioner Garcia, which motion duly carried on a 4-1 vote with Commissioner Clark voting no, it was ordered to deny the appeal and affirm the decision of the Director of Planning and Building to partially approve the short-term rental administrative review case number WSTRAR22-0013 (Gupta) for a maximum of 12 persons. This motion was based on the finding that there were three designated parking spaces allotted to 1447 Tirol Drive, Incline Village, Nevada.

23-0495 AGENDA ITEM 14 Public Comment.

In response to a request from Chair Hill, Assistant District Attorney (ADA) Nate Edwards reminded those present of the rules regarding public comment.

Ms. Janet Butcher stated the June 13, 2023, Board of County Commissioners' (BCC) meeting was canceled without explanation. The community postulated the meeting was canceled because three Commissioners had travel plans to meet with the Porter Group in Washington, D.C. She recalled a comment from a Commissioner regarding unacceptable behavior toward Board members and their children in public. Ms. Butcher thought the comment was referring to her as she did approach that Commissioner while they were standing in line to enter the drag queen story hour (DQSH) at the Downtown Reno Library. Ms. Butcher recalled she did not see the Commissioner's children standing there. She declared she would never intentionally malign another mother in front of her children. She apologized if she startled the Commissioner's children. She asserted transparency was paramount and a lot of issues could be solved if the Board was more transparent.

Ms. Sandee Tibbett displayed a document that was placed on file with the Clerk. She wondered why the Board had not placed any of the items requested by Vice Chair Herman or Commissioner Clark on an agenda. She read from Article 5 of the *Washoe County Board of Commissioners Rules of Procedures Handbook* which explained that a Commissioner could place an item on an agenda by requesting it during a public meeting or contacting the County Manager. She recalled that during the June 27, 2023, BCC meeting, Chair Hill told Vice Chair Herman there would be a discussion item for the implementation of a Citizen Advisory Board (CAB) on elections. Ms. Tibbett wondered when that item would be agendized. She spoke about election fraud and requested the Board take action to ensure the elections were fair. She alleged the frustrated voices of the people fell on deaf ears.

Mr. Drew Ribar stated he was a local businessman. Out of frustration with local and State government, he began recording his interactions with them. On July 15, 2023, he arrived at a DQSH event and filmed his interactions with staff. He noted he sent Board members a Facebook message that contained a copy of the video he took. He alleged he was trespassed, assaulted, and battered by Library Director Jeff Scott for filming at the event. He thought the Board was liable for Mr. Scott's actions. He hoped the Board would reach out to him to mitigate the damage that had been done before he took further action. He asserted he filed a criminal complaint against Mr. Scott. He played a portion of the video depicting his interaction with Mr. Scott.

Ms. Penny Brock provided documents that were distributed to the Board and placed on file with the Clerk. She stated her handout regarded the July 19 Library Board of Trustees (LBT) meeting which was scheduled to be hosted virtually. She thought this was a violation of the people's freedom of speech and right to redress the government. She noted the email addresses of library trustees were not listed on the library's website. She asked the Commission if it was legal for the LBT to host its meetings virtually. She wanted the County to provide a location for the public to view the virtual meeting and have their comments heard. She reiterated that under the Open Meeting Law (OML) the people had a right to freedom of speech and to redress the government. She opined Chair Hill and Commissioner Andriola, who were facing reelection in 2024, should be upset that their voters were denied the right to an in-person meeting with the LBT. She thought the Friends of Washoe County Library would also find it troubling that the public's rights had been infringed upon.

Ms. Tracey Thomas read a Bible verse. She expressed frustration that Chair Hill interjected during public comments. She spoke about another Commissioner's comments to the public and thought the Commissioner should have reached out to members of the public personally rather than openly reprimanding them on the record. Ms. Thomas opined the removal of public comment from the beginning of the meeting was ill-natured. She recalled an email she sent to the Board in March 2021 regarding concerns she observed with the election process to which she only received one reply. She remarked she had distributed documents to the Board in the past, but stopped because she was informed the Commissioners threw the documents in the trash when leaving the Chambers. She suggested the Board schedule agenda items for specific times of day during meetings.

Ms. Katherine Snedigar opined the Board did not represent the people. She used expletives to convey her frustration, which Chair Hill asked her to refrain from doing while at the podium. Ms. Snedigar continued, and she was asked to leave.

23-0496 **AGENDA ITEM 15** Announcements/Reports.

Commissioner Clark requested a future agenda item to discuss 100 percent Zoom meetings. He asked for an attorney-client meeting regarding an issue with a County employee. He requested an agenda item to discuss renovating the senior center, stating he was unsure of the last time the center was painted or re-carpeted. He thought the center needed to be more inviting. He observed that a number of community members expressed

concern about the treatment of seniors and the need to improve the lives of seniors. He wanted to explore the possibility of having showers and laundry facilities, showing movies several times per week, and maybe opening a barber shop or beauty salon, in the senior center. He thought the County needed to concentrate more time, energy, and resources on seniors because they were the fastest-growing segment of the community's population.

Commissioner Andriola requested staff include information about short-term rentals (STRs) when the issue of STRs returned to the Board. She understood there might be a cost analysis in terms of STRs being able to pay for enforcement and staff time so they would not be funded by the general fund. She wanted supporting data on this issue. Chair Hill believed the issue would appear before the Board mid-August.

Vice Chair Herman said she agreed with all of Commissioner Clark's comments. She hoped the election Citizen Advisory Board (CAB) would be agendaized as well as the election integrity resolution.

Commissioner Garcia mentioned the County was going through a language access plan. She referred to Item 8 regarding the SpeakUp eComment platform and expressed approval after learning that any comment submitted through the platform in any language would be translated so everyone would have access to it.

Commissioner Clark thanked the security staff for being at the meeting, the Washoe County Sheriff's Office (WCSO) deputies for attending the past three meetings, and staff for all the staff reports for the meeting.

Assistant District Attorney (ADA) Nate Edwards referred to Ms. Katherine Snedigar's public comment during which she was asked repeatedly to stop cursing. He noted Ms. Snedigar's response was to yell and continue cursing, after which she was asked to leave the Chambers. He asked Chair Hill whether she would have made the judgment at that point that Ms. Snedigar was willfully disrupting the meeting to the extent that its orderly conduct was impractical. Chair Hill replied yes.

ADA Edwards observed that was the standard in Nevada Revised Statutes (NRS) 241.030. He stated it was understandably difficult to make a call based on NRS during that type of situation, but he wanted the Statute information and Chair Hill's assessment of the situation on the record before this meeting was adjourned. Chair Hill thanked ADA Edwards and said she would keep the NRS chapter information ready, although she hoped the situation would not happen again.

* * * * *

3:49 p.m. There being no further business to discuss, the meeting was adjourned without objection.

ALEXIS HILL, Chair
Washoe County Commission

ATTEST:

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

Minutes Prepared by:
Carolina Stickleby, Deputy County Clerk
Taylor Chambers, Deputy County Clerk
Kendra DeSoto-Silva, Deputy County Clerk