

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

TUESDAY

10:00 A.M.
SPECIAL SESSION

MARCH 31, 2020

PRESENT:

Bob Lucey, Chair
Marsha Berkbigler, Vice Chair
Kitty Jung, Commissioner (via telephone)
Vaughn Hartung, Commissioner
Jeanne Herman, Commissioner

Nancy Parent, County Clerk
Eric Brown, County Manager
David Watts-Vial, Assistant District Attorney

The Washoe County Board of Commissioners convened at 10:15 a.m. in special session in the Commission Chambers of the Washoe County Administration Complex, 1001 East Ninth Street, Reno, Nevada. Following the Pledge of Allegiance to the flag of our Country, the Clerk called the roll and the Board conducted the following business:

Chair Lucey said anyone watching the meeting live who wished to submit public comment could email their comment to be read on the record. He stated Zoom meeting participants could raise their hand during public comment periods and they would be placed in a queue to speak as if they were in Chambers. He thanked everyone for their patience with the new meeting process during the COVID-19 pandemic. He noted staff was working through technical difficulties which might result in delays, and he apologized in advance for any inconvenience.

Chair Lucey mentioned everyone in Chambers was practicing social distancing and hygiene with the use of hand sanitizer.

20-0162 AGENDA ITEM 3 Public Comment.

Nancy Parent, County Clerk, read a comment submitted in writing by Ms. Nicole Roberts. Ms. Roberts was a homeowner in Incline Village (IV) and agreed with the community about the need for an absolute ban on short-term rentals (STRs) during the COVID-19 (C19) outbreak. She mentioned four teenagers moved into an STR next door to her. She opined they were there to cause trouble since they smoked marijuana on the balcony and destroyed a snowman. She stated the teenagers were not practicing social distancing. She noted the cleaning service would be at risk if the STR renters had C19. She said homeowners would not discontinue renting their STRs on their own because they might rely on the income to pay their mortgage. She asserted the Governor needed to declare a short-term ban on STRs because residents were at risk.

Using the Zoom app, Mr. Will Adler said he submitted a written public comment and received confirmation from Washoe 311. He requested the written comment be added to the record. He stated he represented a few residents of IV through Silver State Government Relations. He mentioned IV residents expressed concerns about STRs during the C19 crisis. He believed the overall issue of C19 in the United States posed a greater concern. He thought leaders at all levels of government needed to take the spread of C19 seriously and take action because many people were not taking precautions on their own. He mentioned ads posted in the Bay Area encouraged people to escape the lockdown by renting STRs around Lake Tahoe. He suggested the County send a letter emphasizing the seriousness of the situation and the need to prevent the movement of populations. He thought the cold weather was beneficial but warned the lockdown might last longer than expected; leaders needed to send a clearer message for people to shelter in place.

Ms. Parent said she received Mr. Adler's written public comment from Washoe 311 and asked whether it should be read or just placed on the record. Chair Lucey said it should be placed on the record.

20-0163 **AGENDA ITEM 4** Announcements/Reports.

Commissioner Hartung thanked Chair Lucey for his efforts in arranging placement of mobile trailers at the Edison Way site. He thanked firefighters, police, and all first responders for their response to the pandemic. He asked for stores like Costco and Walmart to make their online presence more robust. He said he tried to order from Costco and was told deliveries were not available in his zip code, which forced him to go to the store in person. He expressed appreciation for the local medical community's efforts to combat the pandemic.

Commissioner Hartung said he received many questions about the water supply for the region. He stated the water supply outlook was very good and had improved over the last two weeks. He reported snowpack was at 69 percent of normal in the Lake Tahoe basin and 67 percent of normal in the Truckee Meadows basin as of March 27. The snowpack numbers for April 1 were expected to be between 60 and 65 percent. He stated normal Truckee River flows were expected for the following two years because the upstream reservoir storage was anticipated to be at 75 percent of maximum capacity. The capacity by the end of June was expected to be at 85 percent. He noted the Lake Tahoe water level was only down about 1.6 feet from the rim and was expected to rise about half a foot. That meant the Lake Tahoe storage capacity would only be down approximately 122,000 acre feet. He said Donner Lake and Independence Lake were expected to fill up this year and that would directly benefit the region.

Commissioner Hartung noted Environmental Protection Agency drinking water regulations required treatment for public water systems to remove or kill pathogens and viruses including COVID-19 (C19), which could not survive in disinfected chlorinated drinking water. He stated the Truckee Meadows Water Authority (TMWA) utilized conventional water treatment including filtration and disinfection processes at its surface water treatment plants. In addition, TMWA was able to operate 80 groundwater wells

which also used disinfection processes to provide safe drinking water. He said TMWA staff sampled and monitored water from all sources and distribution systems to ensure water delivered to customers met all standards and requirements. He noted TMWA's objective was to contain the pandemic by ceasing non-mission-critical functions and processes. Only staff who worked in support of facilities or in water treatment and distribution were permitted on site. He mentioned the operations and maintenance employees took their TMWA trucks home and would be dispatched to job sites directly from their residence whenever possible. Employees were working from home and the majority of their work could be performed independently, so there was very little interaction with others. He asserted the water supply was safe.

Commissioner Herman said there were great people in the County who worked hard. She noted the Manager's Office staff was working at full capacity, taking care of issues effectively. She mentioned some flood control equipment from Swan Lake had been stolen and sold. She expressed appreciation for the radio notice produced by staff which asked residents to watch for that type of activity.

Commissioner Jung thanked the regional subject matter experts for taking control of dispersing information to elected officials and the public. She wanted everyone to be mindful of people who were considered essential workers but who had incomes lower than typical essential workers. She wanted to ensure people were safe and protected in their homes. She was grateful the Governor put a stay on evictions. She expressed concern for people who were food insecure while working full-time and providing their own childcare.

Vice Chair Berkbigler spoke about concerns that short-term rentals (STRs) in Incline Village (IV) and Crystal Bay (CB) created additional risks for residents. She pointed out many IV and CB residents were seniors with underlying health issues. She quoted a news article which explained surges of C19 occurred in affluent, mountain-ringed ski and hiking hamlets with populations under 55,000. She stated the surges of C19 occurred because people were not sheltering in place. In response to the public comment about four teenagers renting an STR, she noted part of the issue was that a large percentage of homes in IV and CB were second homes. Owners who lived in other places were going to their second homes to play in the snow rather than sheltering in place as advised. She said the Incline Village General Improvement District had issued a request asking people not to go to IV. She noted ski resorts and major roads to the beaches were closed and golf courses were covered with snow, so golfing was not available. She said people were still parking and walking onto the snow with snowboards and back-country skis. She stated many of those people were day-trippers who drove up to IV and CB from towns like Auburn, Truckee, and Reno. She summarized not all visitors were due to STRs or vacation rentals.

Vice Chair Berkbigler said she had asked a number of property managers to send information about how they were dealing with rental properties. The property managers she spoke with had asked owners not to lease their properties during March or April and probably into May, so there was a decrease in rentals. She noted online rental listings had not decreased and there were advertisements in San Francisco specifically

about Nevada rentals. She spoke with Patrick Cates, the Douglas County Manager, who confirmed they had not ruled out rentals in that county for the same reason Washoe County had not: rentals were on the Governor's list of essential businesses. She explained the District Attorney advised that, as long as STRs were on the Governor's list, the Board had no authority to block online rental listings. She implored the Governor to remove STRs from the list of essential businesses for the sake of residents concerned about their health. She mentioned the Tahoe Regional Planning Agency closed all boat ramps, docks, and inspection stations to help prevent boating in Lake Tahoe.

Vice Chair Berkbigler said she received queries about whether there were C19 cases in IV. She stated that type of information was protected by the Health Insurance Portability and Accountability Act, so the Commissioners did not know whether there were cases in IV. She spoke with Chair Lucey and County Manager Eric Brown about what the County was doing for IV residents. She reported testing locations would be added in IV and that Chair Lucey and Mr. Brown were working aggressively to protect the community. She mentioned to Commissioner Herman that the same issue also affected Gerlach, noting there were more California vehicles in Gerlach than Nevada vehicles because people were scared and trying to get away. She believed the issue was in the hands of the Governor.

Chair Lucey acknowledged that many people were following the meeting from home, maintaining social distancing, self-quarantining, and truly taking the C19 health crisis seriously. He noted the Commissioners were conducting public meetings for the benefit of the community, but they were also working daily on a number of issues. He said their emails and phones were never off as they conducted business for the County and continued to do the jobs entrusted to them by their districts. He thanked Mr. Brown, County staff, and all department heads. He stated Mr. Brown acted immediately and in a professional manner to ensure the safety of all employees when C19 was declared a crisis by the County. Mr. Brown and department heads allowed staff to work from home in an effort to help flatten the curve of C19. He noted it was important to maintain social distancing and praised and thanked County staff for their ability to work from home in a professional manner.

Chair Lucey thanked all regional partners including: the Health District, whose staff worked tirelessly and were on-call 24-7; incident command as represented by fire protection agencies and the Regional Emergency Medical Services Authority; hospital partners; non-profit community partners including the Food Bank of Northern Nevada, Catholic Charities, and the Volunteers of America; the Sheriff's Office; all police departments, first responders, and dispatch employees; and State and federal officers. He said he was in contact with Governor Sisolak on an almost daily basis discussing how things were operating at the state level and how to work together cohesively. He thanked local County partners and sister counties across the state. He said it was truly one of the most amazing responses to an emergency he had seen, with everyone working together as one Nevada.

Chair Lucey mentioned many residents followed the updates online at covid19washoe.com. There were three reported deaths resulting from C19 in Washoe

County. He expressed heartfelt condolences to the family members of the three individuals. He reported there were 108 active cases in the County, with 10 people having already recovered from C19. He noted the Joint Information Center was disseminating this information in a timely manner to keep everyone updated. As mentioned by Commissioner Hartung, housing had been procured for people with no place to self-isolate and for the indigent population. Units with multiple beds would be set up. He said the Governor had the National Guard Operations provide assistance with logistics of supply chain issues in northern Nevada and across the state. He hoped the County would continue to work with Clark County and the State to reestablish supply chains and make testing available for everyone as soon as possible.

Chair Lucey knew the Incident Command Team was working on that. He said cooperation would also aid medical facilities with procurement of personal protection equipment (PPE). He anticipated PPE shipments for Washoe County in the near future, which would be made available to first responders and primary care individuals. He mentioned federal partners provided an update on Small Business Administration (SBA) loans for the business communities. He said the Board was working to determine how SBA loans would come about as part of the \$1 trillion economic stimulus package. Many of those dollars would go to local businesses to help the economy after the C19 crisis. He said a healthy community was the goal, but it was also important to be socially and economically strong when the C19 crisis was over. He asked everyone to visit covid19washoe.com for up-to-date information. He reiterated all Commissioners were working around the clock and available to answer questions about their district.

CONSENT AGENDA ITEM – 5A

20-0164 **5A** Recommendation to approve the reclassifications of a vacant Administrative Secretary, pay grade J, to Office Assistant III, pay grade G, and a vacant Office Support Specialist, pay grade H, to Program Assistant, pay grade K (County Manager’s Office), as evaluated by the Job Evaluation Committee; and authorize Human Resources to make the necessary changes. [Net annual fiscal impact is estimated at (\$1,658)] Human Resources. (All Commission Districts.)

County Manager Eric Brown stated the County was delaying any future hires including these positions due to the financial impacts of the COVID-19 pandemic. Staff requested the Board take action on Consent Agenda Item 5A to allow for greater hiring efficiency after the crisis. He said departments were evaluating open positions and delaying hiring for any position which was not mission critical.

Chair Lucey noted Consent Agenda items were not normally read during meetings but this one was for the benefit of the public watching or listening to the meeting remotely.

There was no public comment on the Consent Agenda item listed above.

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

20-0165 **AGENDA ITEM 6** Recommendation to receive and accept the Declaration of a State of Emergency declared by the Washoe County Manager, ratify the Declaration, and direct staff to publicize the Declaration as required by WCC 65.320. (All Commission Districts.)

On the call for public comment, Ms. Judith Miller thanked the Board using the Zoom app for addressing the needs of Incline Village and other places in Washoe County inundated with out-of-state visitors. She hoped the Board would urge the Governor to remove vacation rentals from the list of essential businesses unless they were needed as housing for emergency responders. She hoped the Commissioners all stayed well.

On motion by Vice Chair Berkbigler, seconded by Commissioner Hartung, which motion duly carried on a 5-0 vote, it was ordered that Agenda Item 6 be received, accepted, ratified, and directed.

20-0166 **AGENDA ITEM 7** Recommendation to receive, accept and ratify the Interlocal Agreement for Incident Command and Coordinated Response to COVID-19 entered into by the County Manager on or around March 20, 2020 which delegates certain authority and responsibility for operational control and management only of the COVID-19 response from Washoe County, the City of Reno, City of Sparks and the Washoe County Health District to Incident Commander Sam Hicks, describes and limits the duties and responsibilities of the Incident Commander, and provides for the negotiation of a cost sharing agreement between the Parties. (All Commission Districts.).

There was no response to the call for public comment.

On motion by Commissioner Herman, seconded by Commissioner Hartung, which motion duly carried on a 5-0 vote, it was ordered that Agenda Item 7 be received, accepted, and ratified. The Interlocal Contract for same is attached hereto and made a part of the minutes thereof.

20-0167 **AGENDA ITEM 8** Recommendation to accept a Grant Agreement between Washoe County and The William N. Pennington Foundation in the amount of [\$371,250] retroactively from January 17, 2020 in support of children in foster care for calendar year 2020; ratify the authority of the Director of the Human Services Agency to execute the agreement; and direct the Comptroller's Office to make the necessary budget amendments. Human Services Agency. (All Commission Districts)

There was no response to the call for public comment.

On motion by Commissioner Hartung, seconded by Vice Chair Berkbigler, which motion duly carried on a 5-0 vote, it was ordered that Agenda Item 8 be accepted, ratified, and directed.

20-0168 **AGENDA ITEM 9** Recommendation to accept a Grant Agreement between Washoe County and The William N. Pennington Foundation in the amount of [\$198,600] retroactively from January 17, 2020 to support the installation of a playground on the Our Place campus; ratify the authority of the Director of the Human Services Agency and Purchasing and Contract Manager to execute the agreement; and direct the Comptroller's Office to make the necessary budget amendments. Human Services Agency. (All Commission Districts)

Commissioner Hartung thanked The William N. Pennington Foundation. He thought Mr. Pennington would be proud of everything the Foundation did as it was a great community partner. Chair Lucey thanked the Foundation. He said the Our Place project would be a tremendous asset to the community when it was available to help vulnerable populations.

There was no response to the call for public comment.

On motion by Commissioner Hartung, seconded by Vice Chair Berkbigler, which motion duly carried on a 5-0 vote, it was ordered that Agenda Item 9 be accepted, ratified, and directed.

20-0169 **AGENDA ITEM 10** Recommendation to award Request for Proposal (RFP) #3130-20 for Facility Operator of Our Place Women and Family Shelter on the Our Place campus to Reno Initiative for Shelter and Equality (RISE,) for the term of fourteen (14) months commencing May 1, 2020 through June 30, 2021 with the provision for four (4), one (1) year renewals, in an amount of [\$1,983,333], plus up to [\$58,333] in possible reimbursements for hotels for the first fourteen months and an annual amount of [\$1,700,000], plus up to [\$50,000] in possible reimbursements for hotels; and if approved authorize the Purchasing and Contracts Manager to execute the Agreement. Human Services Agency. (All Commission Districts)

Vice Chair Berkbigler said several individuals shared their concerns to her regarding the Reno Initiative for Shelter and Equality (RISE), but she expressed confidence in Assistant County Manager Kate Thomas and Human Services Director Amber Howell. She asked how much experience RISE had running a complete operation and how many employees they would need to run the project.

County Manager Eric Brown advised there were technical difficulties with Ms. Howell's connection. While waiting for Ms. Howell's response, Commissioner Jung stated she worked with RISE for at least 12 years and they were one of the only

organizations that came forward when the downtown shelter was first opened. She felt they were more than qualified to undertake the operation of the Our Place facility, and the competitive RFP process demonstrated that. Vice Chair Berkbigler thanked Commissioner Jung for her comments.

Ms. Howell, able to connect to the virtual meeting, said RISE historically worked as a volunteer agency with more than 700 volunteers within their organization. She said they had helped for the past year to set up a nutrition site and worked on a variety of other policy committees. If the contract was approved, she said, RISE would hire 38 positions for the Our Place campus; they were excited to begin the process and had policies already drafted. She noted they had been responsive to all questions and Ms. Howell stated she was pleased to see what their expertise would bring to the process.

Vice Chair Berkbigler expressed appreciation for Ms. Howell's statements. She said that, as she had suspected, staff had done extensive research.

Commissioner Hartung added that he knew budgets were tight and the County's fiscal health was being watched carefully, but now was not the time to pull back because the population to be served by Our Place was so vulnerable. He stated he was very supportive of the RFP.

There was no response to the call for public comment.

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

20-0170 **AGENDA ITEM 11** Public Comment.

On the call for public comment, County Clerk Nancy Parent advised the Board she received three emailed public comments regarding Item 11, which said placed on the record and read aloud.

As read by Ms. Parent, Ms. Diane Heirshberg expressed concern about out-of-town visitors in short term rentals (STRs) which were still operating in Incline Village (IV) despite the risk to the local elderly population. She noted the emergency directives to close all non-essential businesses applied to licensed businesses, but STRs were not licensed businesses. She felt the intent of the emergency directives was to reduce the risk of the COVID-19 (C19) illness spreading within the community; STRs were not a type of activity that should be allowed to remain open since owners were not enforcing social distancing guidelines. She implored the local government to exercise its emergency powers under the Nevada Revised Statutes to protect the health and safety of the community.

As read by Ms. Parent, Ms. Carole Black noted her comments had also been sent to the Governor's office. She requested more intervention with regard to C19, recommending checkpoints at vehicle, airport, and train entry points with triage and

mandatory 14-day quarantines for incoming travelers. She requested closure of STRs with limited exceptions as needed for temporary healthcare. She felt more public announcements needed to be made regarding stay-at-home recommendations and other closures also needed to be implemented, noting the State of California had closed all of its State parks. She acknowledged enforcement was challenging, but the Centers for Disease Control and Prevention website recommended that all citizens avoid non-essential travel, as it would risk spreading the disease. Due to the length of Ms. Black's emailed comments, Chair Lucey advised the rest would be placed on the record.

As read by Ms. Parent, Ms. Pamela Tsigdinos thanked the Board for their work. She said residents needed the help and support of Washoe County leadership during the C19 pandemic to elevate the need for an STR ban to the Governor. She pointed out online booking companies were advertising IV and other mountain communities as vacation destinations. She said people trying to escape pandemic hotspots presented a hazard for full-time IV residents. She noted the IV hospital was a small facility with only four critical care beds. She stated she and other IV residents had underlying chronic illnesses and asked the Board to request STRs be removed from the Governor's list of essential businesses. She mentioned South Lake Tahoe had already taken action on this issue.

Using the Zoom app, Mr. Will Adler opposed other residents' requests for the Governor to enact a statewide ban on STRs. He stated statewide edicts were the baseline and local government could set greater restrictions. He pointed out that, based on County Code, STRs included hotels and other housing, so banning them would create other issues.

Ms. Parent brought up Commissioner Jung's comment that Mr. Adler had previously submitted a comment. Mr. Adler responded he submitted a written comment to Washoe 311 the prior day via the link on the meeting agenda. Ms. Parent asked for confirmation whether the email was captioned "SSGR public comment for Washoe County". Mr. Adler said yes. Ms. Parent noted Mr. Adler's email was received.

20-0171 AGENDA ITEM 12 Announcements/Reports.

County Manager Eric Brown thanked the employees of Washoe County who were rising to the challenge, being flexible, and showing willingness to work through this difficult time. He noted approximately one third of the County's workforce was working from home, conducting business where appropriate by email, phone, and online. He stated there were County employees whose positions did not lend themselves to working from home, but many of those employees asked what they could do to help County residents and businesses. He commended those individuals. He thanked IT Manager Paul Burr and Assistant to the County Manager Elizabeth Jourdin for helping with the special arrangements for this meeting. He hoped it was the first step to more virtualization.

Vice Chair Berkbigler asked Assistant District Attorney David Watts-Vial to provide a written explanation of why the District Attorney's office believed the Board was unable to order short-term rentals to close.

Commissioner Jung thanked Mr. Brown and his team of nearly 3,000 employees for taking care of County business almost seamlessly. She thought the importance of public servants was clearer than ever. She encouraged everyone to take care of each other. She said she was available if elected department heads, Commissioners, or citizens needed her. She thanked Chair Lucey for being the face and voice of the County, taking the situation more seriously than anyone else in the western region, and deploying the necessary resources.

Commissioner Herman wished everyone well and hoped everyone stayed safe. She said she would pray for everyone.

Commissioner Hartung said the current situation was uncharted territory. He expressed solidarity with the families, friends, and neighbors of individuals who succumbed to COVID-19 (C19). He asked everyone to stay safe through social distancing. He acknowledged the large number of people working to help others during the C19 crisis: the Health District; the Sheriff's Office; police; fire protection; emergency medical services; grocery store employees; truck drivers; UPS; FedEx; the United States Postal Service; elected officials at both regional and national levels; food bank employees; Meals on Wheels; and staff at elder care facilities. He suggested people perform wellness checks on seniors who sequestered themselves and had little outside contact. He thanked teachers in the region who were struggling with keeping children on track by developing new lesson plans and using new teaching methodologies. He expressed appreciation for the work being performed by Washoe County staff. He was grateful for everyone who was staying in place. He asserted the community would make it through the crisis.

Chair Lucey noted C19 was a faceless, invisible enemy, which we knew nothing about. Although more information was learned about C19 every day, it was a fight nobody had experienced before. He said the virus was indiscriminate when it selected a person to prey upon, and that it should not be taken lightly. He urged everyone on behalf of Washoe County to stay home for Nevada and stay safe. He advised people to adhere to social distancing if they needed to go out, follow hygiene recommendations, wear gloves, use hand sanitizer, and wash their hands.

Chair Lucey echoed the recommendation of the other Commissioners to be gracious and nice to one another. He said it was a time to pull together as Nevadans. He indicated pulling together as a community and a state made a difference during difficult times. He thanked everyone for joining the meeting and reiterated the most up-to-date information could be found on covid19washoe.com.

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11:21 a.m. There being no further business to discuss, the meeting was adjourned without objection.

BOB LUCEY, Chair
Washoe County Commission

ATTEST:

NANCY PARENT, County Clerk and
Clerk of the Board of County Commissioners

Minutes Prepared by:
Carolina Sticklely, Deputy County Clerk