

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

TUESDAY

10:00 A.M.

JULY 11, 2023

PRESENT:

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

Catherine Smith, Chief Deputy 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, Chief Deputy County Clerk Cathy Smith called roll and the Board conducted the following business:

23-0453 AGENDA ITEM 3 Announcements/Reports.

County Manager Eric Brown announced that there were upcoming openings for the Board of Equalization (BOE), the Carson-Truckee Water Conservancy District (CTWCD), the Washoe County Building Enterprise Fund Advisory Committee (BEFC), and the Washoe County Audit Committee. Members of the public interested in applying for open advisory board positions were encouraged to visit the County's website (www.washoecounty.gov) or call Washoe 311 for more information.

Commissioner Clark thanked Manager Brown for bringing those vacancies to the Board's attention. He thought the more citizen involvement in the County, the better. He declared the Commission was responsible for making sure the community knew about board openings. He spoke about a public comment at the previous Board of County Commissioners' (BCC) meeting when someone read from a Washoe County library book and Assistant District Attorney (ADA) Nate Edwards requested the commenter stop reading the book's contents into the record. Commissioner Clark asserted ADA Edwards was right to stop the commenter to protect the County and its staff. He recalled Vice Chair Herman asked ADA Edwards during the previous BCC meeting if the Commission could request an audit of the Washoe County library system. Commissioner Clark reported he contacted ADA Edwards to follow up on Vice Chair Herman's question. He asked ADA Edwards to explain what they discussed.

ADA Edwards said he had been asked to investigate if the BCC could request an audit of the library system's collection of materials. According to Nevada Revised Statute (NRS) 244.270, the Board had general authority over all County property. NRS 379.025 explained that the Washoe County Library Board of Trustees (LBT) held specific authority over library assets. Typically, when there were general and specific provisions on the same topic, the specific provision controlled the general provision. He was unaware if a court would determine that to be the rule because this case had not been tested in court. Therefore, he was unable to provide a definitive answer about whether an audit of the library could be directed by the Commission. He thought it would be worthwhile for the BCC to reach out to the LBT to see if the two could work together to go over the library's collection. He noted there had been two requests fulfilled for lists of materials in the library, one for the overall collection, and one for a list of titles in the children's section. He declared both of those lists were available to the Board if it wanted to review them. He noted there was a process available for anyone in the community to submit an objection to materials in the library. Book challenges would be reviewed by the Library Director who would decide whether a title was appropriately placed or if it should be in the system at all. If someone disagreed with the director's opinion, they could appeal to the LBT. He mentioned a newspaper article that discussed the process to contest a library book and noted the interviewee reported they had not seen a book contested in their four years working for the library system. He pointed out that the form to challenge a library book was available on the library's website at www.washoecountylibrary.us, and questions regarding the form should be directed to library staff.

Commissioner Clark declared he did not support book censorship; he thought adults should be allowed to read whatever they wanted to. His concern was with materials that minors had access to. He listed adult activities that children were prohibited from participating in. He wanted to ensure certain books were not available to children unless permitted by their parents. He expressed appreciation to ADA Edwards for his explanation of the process to challenge a library book.

Commissioner Clark reported there was a small amount of Mercury found outside the Spanish Springs Library on June 29, 2023. He said the Commissioners were emailed about the hazard and he replied to the message thread about some security issues he wanted to discuss with Security Administrator Ben West. During the discussion, Manager Brown asked Commissioner Clark if he knew more about the Mercury that was found. Commissioner Clark thought Manager Brown's question was accusing him of having information he was not sharing with County staff. He declared his job was to watch out for the taxpayers and their assets. If there was a security issue, he expected County staff to fix it and not question him. He wanted to guarantee the taxpayers and their assets were protected.

Commissioner Clark remarked that United States (US) Senator Jacky Rosen attended a Senior Services Advisory Board (SSAB) meeting the previous week. He asked if County staff knew ahead of time that Senator Rosen planned to attend the meeting, stating he wished he had been informed. He said he and Senator Rosen shared a common interest in helping the senior population. He noted Senator Rosen was a caregiver for her

parents and gave testimony about the struggles she endured trying to navigate their care. Commissioner Clark wanted the County to do better to assure that services were available to seniors and people caring for elderly family members. He said he reached out to a local senior activist regarding putting together a meeting with Senator Rosen's team about initiating a collaborative effort. He looked forward to receiving federal assistance for senior issues in the County.

Commissioner Clark spoke about Rancharrah and said there was a group of people who were concerned about what was taking place there. He said it was in the City of Reno but abutted Bartley Ranch Park. He pointed out strong advertising had been done to advise customers of the availability of the equestrian center and barn which could be rented by private individuals. He asserted Rancharrah was now trying to evict horse owners from the barn because the barn and equestrian center were not making money. Rancharrah wanted the horses out by the end of July so it could ask for the demolition of the barn and the development of more homes. He declared Rancharrah Holdings, LLC wanted to amend the existing Master Plan of six acres which was zoned parks, greenway, and open space, to suburban mixed-use. Various homeowners had been trying to save the equestrian center and barn but were threatened by an individual; it was unknown why this occurred or who the individual worked for. Commissioner Clark asked if Washoe County Regional Parks and Open Space had a long-term lease on six acres for use in the Bartley Ranch Park for the equestrian center and if the County was allowing Rancharrah to build on the equestrian center and the leased land. He wondered if discussions were taking place regarding the potential for 24 townhomes to be built on the six acres housing the equestrian center and up to 29 homes adjacent to Bartley Ranch. He declared the County needed to work with the City of Reno to consider the building and zoning changes and stop the demolition of the barn until the development was better understood. He believed the effects of things such as density and traffic on Bartley Ranch needed to be evaluated, and the current zoning needs should be agreed to by the City of Reno. He thought Washoe County should immediately set up meetings with representatives from Rancharrah and the City of Reno to reach an understanding.

Vice Chair Herman expressed concern regarding reports from residents in District 5 that they had seen large white balloons passing over the area. She informed that she and some other seniors formed a group they referred to as "the people's election group." She declared the group had put together the election integrity resolution that was submitted to the Board over a month ago. She felt the group was being ignored and alleged it was elder abuse. She wanted the resolution to be placed on an agenda. She reported that the Teamsters Local 533 Union was discussing a wage strike for the United Parcel Service (UPS) employees. She said that the Union prepared a food bank, and she thought the Board should offer aid to those people if the strike took place. She expressed confusion about an email she received regarding her uncashed payroll checks. She stated her standard procedure was to wait to deposit a check into her account when she needed the money. She had been saving the checks to buy hay for her livestock. She did not understand why it took four or five County employees to spend time trying to decide how she should put money in the bank. She recalled receiving an email about a food bank for seniors that the Cold Springs Community had organized. She noted a substantial number of seniors in the Cold

Springs area were on fixed incomes and commended the community for ensuring the seniors were cared for. She had asked during a previous meeting if the Board could prevent foreign companies from purchasing land in the County and had not received answers. She stated work was still being done to mitigate the issues that District 5 was experiencing with Waste Management (WM), and she hoped to have a resolution before the winter.

Commissioner Clark expressed his desire for public comment to be added back to the beginning of the agenda and reiterated his request for an agenda item to vote on the issue. He requested a list of County-owned properties in the area. He mentioned he spent some time at the senior center recently and opined it was a depressing place. He suggested the building needed to be remodeled to bring vibrancy to the center. He thought the County should install showers and a laundromat to give people a place to get clean. He appreciated that the Sun Valley Pool admitted seniors for free and suggested other attractions in the area should do the same.

Commissioner Garcia hoped everyone had a happy and safe July 4. She noted that as of July 3, she had served on the BCC for six months. She declared representing District 3 was the honor of a lifetime and she loved the County. She remarked the County was how she became a mom to her two children, and she had other family members who were employees of the County who loved their jobs and the organization. She appreciated the meetings she had with constituents, and she enjoyed the regional boards she was a part of that allowed her to dive into issues she was passionate about. She hoped to have the opportunity to serve her constituents for years to come.

In reflecting on the 15 Board of County Commissioners' (BCC) meetings she had attended, Commissioner Garcia noted things had not always been great. She declared the Board truly did want to hear from the public and cared about their concerns. She reported that in her six months of service, she had been yelled at, cursed at, called names, and recently cheered at when she returned to the Chambers from a restroom break. She found this behavior disrespectful, unprofessional, and disheartening. She believed the community was better than that. She reported incidents when people noticed her and her children in public and approached them making rude comments and filming her and her family. She believed this type of behavior was unacceptable. She asserted she was elected to represent District 3 and would continue to do so even on her toughest days. She stated not many of her District 3 constituents had the privilege of being able to come to the Chambers and share their thoughts, but they did a great job of reaching out to her in other ways. She spoke about recent public comments regarding the placement of flags in the Chambers and explained the process she went through to obtain more information about why the flags were arranged in the manner they were. She asserted there were ways people could proceed with collaboration, respect, and professionalism. She announced that after discussions with many members of staff, she would rearrange the flags by removing those for the Truckee Meadows Fire Protection District (TMFPD) and the County. She invited anyone that did not like the new arrangement of the flags to call or email her to discuss the issue further. She looked forward to continuing her work with the County.

Chair Hill responded to Vice Chair Herman's comments regarding the election integrity resolution. She noted the resolution was being reviewed by the District Attorney's (DA) Office which would provide the Board with information about whether the elements in the resolution were legal. She reminded that people could always submit public comments by contacting Washoe 311 or calling or emailing the Commissioners. She announced staff was working on a new method for public comment and would bring a presentation to the Board when it was ready. She declared she would move Items 5 and 6 to immediately follow this item because staff had worked to ensure Incline Village (IV) residents had the opportunity to participate remotely at the University of Nevada, Reno (UNR) library and she wanted to respect the time of the staff assisting remotely.

Commissioner Andriola thanked Washoe County Emergency Management for immediately notifying the Commission regarding the incident of Mercury found at the Spanish Springs Library. Upon learning about the incident, she followed up with the Emergency Manager who reported the Mercury had been contained and the situation was rectified. Commissioner Andriola reported no one was hurt or injured in the incident. To her knowledge, there was no residual Mercury in the area and staff was still looking to identify how the substance came to be in the parking lot. She thanked Emergency Management for responding immediately to keep everyone safe.

23-0454 **AGENDA ITEM 5** Recommendation to: (1) Provide direction to staff on initiation of regulations to allow for cannabis consumption lounges in unincorporated Washoe County as provided in Assembly Bill 341 (2021). Discussion and possible direction may include but not be limited to whether the Board of County Commissioners (Board) wants to allow for cannabis consumption lounges, the process for applications for licensing or permitting, locations where lounges would be allowable, site requirements for lounges, and limitations on approval of lounges; and (2) If the Board wishes to allow cannabis consumption lounges in unincorporated Washoe County, initiate amendments to Washoe County Code (WCC) Chapter 25 (Business Licenses, Permits and Regulations) and Chapter 110 (Development Code) pursuant to WCC Sections 2.030 and 110.818.05 to create the necessary code language to facilitate the Board's policy direction regarding potential cannabis consumption lounges. The amendments may include, but are not limited to, the establishment of definitions, standards, location limitations, permitting requirements, and fees associated with cannabis consumption lounges, as well as the resolution of discrepancies that may arise within existing WCC chapters as a result of any new code language; and direct the County Clerk to submit the request to the District Attorney for preparation of the proposed ordinances in accordance with WCC 2.040. Community Services. (All Commission Districts.)

Assistant County Manager (ACM) Dave Solaro conducted a PowerPoint presentation and reviewed slides with the following titles: Board of County Commission meeting June 20, 2023; Dave Solaro, Assistant County Manager; Cannabis History in Washoe County (2 slides); Cannabis Consumption Lounge Background (2 slides); AB

341/CCB Regulations; Retail Consumption Lounges; Location of Existing Retail Dispensaries; Independent Consumption Lounges; State/CCB Licensing Parameters; Question for Board.

Mr. Solaro stated the Staff Report was divided into two parts. The first half of the presentation would end by asking the Board if it wanted to make changes to the Washoe County Code (WCC) to create regulations for cannabis lounges. He suggested the Board could take public comment and discuss this item following his presentation. Depending on the outcome of that deliberation, he would deliver the second half of his PowerPoint. He indicated he and members of the Washoe County Sheriff's Office (WCSO) were available to answer questions from the Board.

Chair Hill clarified that this item was to determine whether the Commission wanted to allow cannabis lounges in unincorporated Washoe County to which Mr. Solaro responded yes.

Mr. Solaro provided a brief history of cannabis in unincorporated Washoe County. He explained it began with the adoption of an ordinance in 2014 when the Board of County Commissioners (BCC) directed staff to develop requirements for medical cannabis use within the unincorporated County. Those requirements were followed by legislation to include recreational marijuana establishments. On April 20, 2018, an ordinance was passed that made medical and recreational marijuana establishments licensed by the State of Nevada operational in unincorporated Washoe County. During that time, the discussion around cannabis consumption lounges began. In October 2022, the Board directed staff to initiate the process for Code changes related to cannabis consumption lounges in the unincorporated County. On December 6, 2022, the Planning Commission (PC) denied the Code adoption sequence, a decision that was upheld by the BCC in January 2023. He noted there was currently no avenue for consumption lounges in unincorporated Washoe County.

Chair Hill pointed out this item was brought back at the request of Commissioner Clark. She acknowledged that many community members wondered why the Board chose to reconsider this item since a decision had already been made. Out of respect for Commissioner Clark's request, this item was put on the agenda to allow the BCC another opportunity to discuss and vote on this matter.

Mr. Solaro appreciated Chair Hill's explanation. He read through the two slides titled "Cannabis Consumption Lounge Background" and outlined the regulations put in place by the Cannabis Compliance Board (CCB). He informed there were two types of recreational consumption lounges and highlighted the requirements for retail and independent consumption lounges. He listed the current retail cannabis dispensaries in unincorporated Washoe County which would qualify for retail consumption lounge licenses. He noted all 20 of the allowable independent consumption lounge licenses in Nevada were issued in Clark County. He touched on key licensing dates on the "State/CCB Licensing Parameters" slide. He clarified this item was not designed to create parameters for just one establishment. The CCB or the State could allow more cannabis consumption

lounges in the future; if that were to happen, staff wanted to ensure regulations were consistent across Washoe County. He displayed the slide “Question for Board” and suggested the Commission take public comment, discuss this item, and vote on the question before continuing with the presentation.

On the call for public comment, Ms. Ronda Tycer stated she was a 32-year resident of Incline Village (IV). She speculated cannabis businesses, users, and tax collectors would be the beneficiaries of cannabis lounges and she thought there would be no real benefit to IV residents. She recounted when cannabis businesses were initially approved, the citizens of IV were under the impression that the profits from sales would go back to the community. She claimed residents later learned that it was up to the Commission to decide whether to allocate those proceeds back to IV. She alleged cannabis lounges would endanger the community.

Ms. Pamela Tsigdinos thanked the Board for setting up the opportunity to participate remotely. She declared she was a full-time resident of IV and asked the Board not to approve this item. She noted there was a history of congestion and gridlock in IV from tourists. She opined public safety was already an issue for people who lived and worked in the community. She did not think there should be another reason for people to travel to IV and drive through the area while under the influence. She pointed out there was no way to travel to a cannabis lounge without using a car. She reported the National Highway Traffic Safety Administration (NHTSA) had not approved a roadside test for cannabis impairment. She listed the jurisdictions within Washoe County that declined to allow cannabis lounges. She suggested people who wanted to consume cannabis should do so in their own homes, so they did not have to drive anywhere.

Ms. Kathie Julian agreed with Ms. Tycer and Ms. Tsigdinos. She claimed she did not have an issue with people consuming cannabis in their homes; the problem arose when cannabis consumption became a tourist attraction. She believed IV would be one of the few, or the only, cannabis lounge locations in the Tahoe basin, which would attract more tourists. She urged the Board not to approve cannabis lounges until there were accurate assessments for police officers to determine if someone was under the influence of cannabis while driving.

Mr. Ed Alexander provided documents that were distributed to the Board and placed on file with the Clerk. He informed he was the founder of Sol Cannabis and wanted to provide insight, answer questions, and explain what a consumption lounge might look like. After hosting several town hall meetings and speaking with thousands of residents over the last four years, he believed there were misconceptions about cannabis lounges. He understood that Envision Washoe 2040 was designed to update policies, Codes, and programs needed for a diverse and dynamic community. He requested those updates be inclusive to all members of the community. He proclaimed there was nowhere for those looking to use cannabis as a treatment option to get the hands-on guidance they needed from trained professionals. He declared he could personally attest to the importance of this educational component as he provided end-of-life care for both of his parents, and he found cannabis was effective in their treatments. He asked the Board not to limit the

positive impact cannabis could have on the community. He requested his comment time be extended past three minutes to properly present his case as he was a representative of potentially the only business that would hold a consumption lounge license in unincorporated Washoe County. Chair Hill stated she could not indulge that request, but the Board had received his handout and would reference it. Mr. Alexander continued, stating the City of Reno had 80 public parks and Washoe County had 49 in which alcohol consumption was permitted. He said concerns over highway issues had been discussed by previous commenters and asserted data showed that cannabis consumption was not equal to that of alcohol.

Mr. William Naylor shared he was a 45-year resident of Washoe Valley. He spoke about various activities and events available in Washoe County that drew tens of thousands of visitors annually. He opined cannabis impairment was incompatible with large concentrations of people. He asserted Washoe County was a wonderful place to live and raise a family. He thought a business that intentionally altered the mental state, judgment, and actions of its customers conflicted with the community's way of life. He asked the Board to vote no on this item.

Ms. Maureen Collins provided a document that was distributed to the Board and placed on file with the Clerk. She noted the document listed the local jurisdictions that had opted out of allowing cannabis consumption lounges. She agreed with the previous public comments in opposition to this item. She pointed out public transportation was unavailable in many areas of unincorporated Washoe County. She thought a cannabis consumption lounge should not be allowed unless regularly scheduled public transportation was available to patrons. She alleged the owners of Sol Cannabis had demonstrated a blatant disregard for the quality of life of the residents who lived near the business. She claimed the facility used a water mist spray system to filter odors related to cannabis production which was ineffective. She reported that three to five times per year, strong marijuana odors engulfed the residential neighborhoods. She remarked residents previously complained to the County, but regulation of cannabis businesses was now under the CCB.

Mr. Doug Flaherty provided a document that was distributed to the Board and placed on file with the Clerk. He stated he was a resident of IV and a retired fire Battalion Chief. He urged the Board to oppose this item. He thought the decision to allow cannabis lounges in Washoe County without considering public safety data and injury trends was premature. He claimed Board members who voted in favor of this item would be indirectly responsible for future cannabis-related transportation injuries and deaths. He spoke about potential scenarios that could result from people driving under the influence of cannabis. He asked the Board to delay this item until more accurate data was available.

Ms. Cindy Schardt stated she agreed with all the public comments in opposition to this item. She thought the Board should draw a line as to how permissive it would be with the cannabis industry. She alleged when the law was passed to legalize recreational marijuana, the tax dollars were supposed to be allocated to the school system which she did not think was occurring.

Ms. Helen Neff provided documents that were distributed to the Board and placed on file with the Clerk. She stated she had provided a letter of objection to this item signed by 60 Washoe County residents. She remarked the signatures were obtained in three days as people understood the ramifications of not having a defined impairment level of tetrahydrocannabinol (THC). She relayed that citizens were concerned about impaired drivers on already unsafe roads. She thought cannabis consumption lounges should not be considered in Washoe County until standardized tests were adopted by the NHTSA. She suggested Washoe County could opt out like other jurisdictions such as the City of Sparks, Douglas County, and Carson City. She noted City of Reno staff recommended that their city council take no action. She outlined the other documents she distributed which included details of revenue received from cannabis taxes and fees, and the letter she sent the Board on June 20, 2023, that detailed her personal experience as a pedestrian crash victim. She asserted allowing cannabis consumption lounges would further occupy court time and funds. She asked the Board to save staff time and opt-out with the stipulation to reconsider after the NHTSA provided court upheld testing for cannabis impairment.

Mr. Cliff Low read the County's mission statement. He did not see how cannabis consumption lounges and the threat they posed to public safety fit with the County's mission. He recalled Mr. Solaro mentioned tourists and renters as beneficiaries of cannabis lounges. Renters had to deal with a lot of restrictions including smoking. He suggested the cannabis industry engage with the hospitality industry and perhaps the Reno-Sparks Convention & Visitors Authority (RSCVA) to allow tourists to consume cannabis products where they were staying. He remarked the Nevada Highway Patrol (NHP) had indicated it was too short-staffed to patrol the freeways in Reno from 2:00 a.m. to 5:00 a.m. and a WCSO representative told him it had one patrol vehicle to cover the area from Hidden Valley to the Carson City line. Mr. Low asserted the owner of Sol Cannabis sought to attract people from all over. If the Board members chose to vote yes on this item, he requested they explain how it fits the County's mission.

Ms. Marilyn Naylor provided documents that were distributed to the Board and placed on file with the Clerk. She read the County's mission statement. She declared that managing partners of Washoe Valley had worked with the South Valleys citizens for a long time to sustain a safe, secure, and healthy community. She was one of the many volunteers recruited by Washoe County in 2005 to work on the South Valleys Area Plan, and subsequently the scenic byway. After surveys and meetings to engage South Valleys residents, business owners, government agencies, and community organizations were conducted in 2013, a Federal Highway Administration (FHWA) grant was awarded, and the State of Nevada Washoe Valley Scenic Byway was designated. Through that process, community members were united in a shared mission to preserve the surrounding natural environment and open space while developing solutions for safe, multimodal highways. She remarked that representatives interfaced with the public at the annual Celebrate Washoe Valley event held at the Washoe Lake State Park. She noted Washoe Valley highways were used by cyclists, wildlife photographers, artists, residents, and visitors. She reported over 50,000 vehicles passed through daily. She thought the consideration of a business that promised to impair the concentration, coordination, and judgment of patrons

guaranteed that public health and safety would be jeopardized. She asked the Board to deny cannabis consumption lounges in Washoe County.

Mr. Cliff Nellis expressed discontent that Sol Cannabis was located near his home. He spoke about the history of laws surrounding cannabis. He asserted he was against this item as patrons of the cannabis lounge would drive past his house. He noted cyclists frequented his community and expressed concern that an impaired driver would hit one of them. He asked the Board to vote no on this item. He apologized to Board members for anyone who might have treated them disrespectfully and stated people did so because the Board did not listen. He mentioned materials available to children in the library system and Chair Hill interjected to request that he keep his comments on topic with this agenda item.

Ms. Janet Butcher stated people moved to unincorporated Washoe County to get away from activities in the surrounding cities. She recalled the Spanish Springs community had denied a request for a casino to be built in the area. She wondered who would benefit from cannabis lounges and did not think the community would.

Ms. Tracey Thomas pointed out this item was to consider cannabis lounges in unincorporated Washoe County. She assumed since this item only discussed unincorporated Washoe County, cannabis lounges were already provided by the incorporated areas of the County. She thought unincorporated Washoe County would only service a small portion of the population's cannabis users and she did not see the benefit of cannabis lounges. She claimed the profits did not outweigh the legal problems that could arise. She noted she read the Staff Report before the meeting and opined it was a well-thought-out plan. She appreciated that lounge operators would be responsible for the determination of whether patrons were too inebriated to leave the lounge or continue to be served, much like a bar. She suggested lounges should be located near a public transportation route, so people did not have to drive to them.

Mr. Fred Myer thought previous speakers had done a great job articulating his feelings about this item. He noted only one person spoke in favor of cannabis lounges, and that individual had a financial stake in this item. He remarked he had supported the decriminalization of cannabis, but he did not think this item was an evolution of that process. He alleged cannabis lounges would provide an opportunity for more inebriated people to get behind the wheel. He wondered if alcohol would be served at the lounges and did not think cannabis and alcohol were a good combination. He asked the Board to vote no on this item.

Mr. Anthony Turner spoke in support of cannabis lounges. He stated other commenters speculated about what could happen, but there had not been a chance for any issues to arise. He declared that as a teacher of over 20 years in Washoe County, he taught the facts. He asserted people were ten times more likely to be injured by a drunk driver than someone impaired by cannabis. He asked if Harvey's at Lake Tahoe provided public transportation because he had yet to go to a concert and not smell cannabis in the area. He asked if the Board was willing to acknowledge that alcohol killed more people than cannabis. He remarked cannabis was the most regulated industry in Nevada. He inquired

if the Celebrate Washoe Parks event would have alcohol on site and how regulated it would be. He noted over 2,000 people made phone calls and sent emails to the Board in favor of this item. He requested a WCSO representative speak about any training the department had received regarding field sobriety testing for cannabis. He noted there were currently no legal spaces to provide education and allow first-time or experienced adults to have a safe, regulated space for cannabis consumption in the community. He spoke about personal struggles related to travel restrictions as a consumer of medical marijuana.

Mr. Mark Neumann declared most of the public commenters were opposed to cannabis consumption lounges, but he was neither for nor against them. He recalled that at many public events in the County, cannabis was used whether it was legal or not. He opined if lounges were properly regulated, they might be beneficial.

Ms. Nichelle Hull stated she was not speaking on behalf of Wake Up Washoe County, which was a multi-partisan family advocacy group that served the County. She thanked Commissioner Clark for requesting this item. She noted there were a lot of people in Washoe County who did not want cannabis lounges. She speculated the lounges might serve food and alcohol to bring in additional profits. She suggested that bars, restaurants, and cannabis lounges have breathalyzers on hand to determine if people were safe to drive. She provided the names of businesses that provided breathalyzers for personal use.

Ms. Penny Brock agreed with commenters who spoke in opposition to this item. She commented on health issues that could arise from accidents caused by impaired drivers leaving a cannabis lounge. She opined dealers of illicit substances might congregate near cannabis lounges and she wondered if there would be an increase in fentanyl overdoses. She declared the community desired smart businesses that would create jobs, not social problems and addiction. Washoe 311 reported over \$1 million was brought in from cannabis taxes and Ms. Hull thought that money was allocated to the court system and homeless population. She claimed this item was not fair to the residents of unincorporated Washoe County as there was not enough law enforcement in the area to monitor for impaired drivers.

Ms. Valerie Fiannaca shared that her son passed away from an opioid overdose. She alleged marijuana was a gateway drug for her son and spoke about his struggle with addiction. She thought if the Board approved this item it would signal to young people that the consumption of illicit substances was acceptable. She suggested tourists purchase marijuana edibles and consume them while in their hotel rooms. She mentioned there was a roadside test to determine if someone was under the influence of alcohol while driving but the same could not be said for cannabis. She opined cannabis lounges were a bad idea.

Deputy County Clerk Lauren Morris advised the Board she received 15 emailed public comments which were placed on file. Chair Hill indicated the Board had also received those emailed comments.

Vice Chair Herman thought it was surprising that the Board was hearing this item. She stated her arguments were the same as before. She spoke about public safety issues surrounding cannabis impairment and asserted she would vote against this item.

Commissioner Clark noted Sol Cannabis was in his district. He relayed that Mr. Alexander felt he was treated unfairly when this item was previously brought before the Board. Commissioner Clark recalled he requested that Mr. Alexander host town hall meetings to try to change the viewpoint of the community. Commissioner Clark noted the citizens of District 2 had not changed their views on this item. He asserted he was not personally against cannabis lounges but would stand with the constituents.

Commissioner Andriola remarked she had learned a lot about the cannabis industry through this process. She declared that until there was a standard practice regarding testing for marijuana impairment, which she encouraged members of the cannabis industry to donate funds towards, she could not support this item. She said she discussed this item with law enforcement, and she did not think there were enough resources or training available to officers regarding cannabis.

On motion by Commissioner Andriola, seconded by Vice Chair Herman, which motion duly carried on a 3-2 vote with Chair Hill and Commissioner Garcia voting no, it was ordered that the Board of County Commissioners not initiate amendments to the Washoe County Code to allow Cannabis Consumption Lounges as an approved land use in Unincorporated Washoe County.

23-0455 **AGENDA ITEM 6** Recommendation to acknowledge the 2023 Washoe Tahoe Housing Partnership’s Housing Roadmap as a document identifying potential actions to address workforce housing challenges faced by residents and employees in the Incline Village / Crystal Bay area. Virtual Public Comment Eligible. Community Services. (Commission District 1.)

Tahoe Prosperity Center (TPC) Executive Director Heidi Hill Drum conducted a PowerPoint presentation and reviewed slides with the following titles: Community is the Key; Acknowledgements; Mission and Vision; How We Got Here 2021-2023; Why Housing is Needed in Washoe Tahoe; Washoe Tahoe Housing Needs thru 2026; Washoe Tahoe Housing Spectrum; 2022-2023 Housing Roadmap Schedule; Washoe Tahoe Community Input; Housing Roadmap Purpose; Who Needs Homes in Washoe Tahoe; Roadmap Strategic Framework; Housing Roadmap Goals; Housing Roadmap Priority Actions; Potential Application of Roadmap; Thank you.

Ms. Drum said the TPC was the regional partner for community and economic development and the neutral convener of issues at the lake, like expanding broadband workforce housing and alert wildfire cameras. She acknowledged TPC’s partners and the expert consulting team that worked on the housing roadmap. She reviewed the mission and vision for the housing roadmap and the timeline for the partnership. She indicated the TPC performed a needs assessment to accelerate local housing solutions for those who lived and worked in Lake Tahoe in 2021. She said the TPC worked hard to find

consensus-based solutions that worked for the community, noting the housing market became more challenging due to the pandemic. The vision was a thriving community with housing options to support local residents, workforce, and business. The TPC gathered data and performed analysis as well as community outreach. She explained the housing roadmap was a set of recommendations and a framework, not a rule book to be followed. She noted over 50 members were involved in the roadmap process and more than 500 community business owners and employees provided input in the initial survey. She observed that businesses were reducing their hours due to a lack of staffing and 65 percent of employees had to commute to work, which exacerbated traffic issues. She said that having core workers living in the community reduced traffic and allowed businesses to find the workers they needed. She indicated the focus was on the under-market rate units for community members who needed them. She observed the last study for the lake area was performed in 2009, so the 2021 data was a significant update. In 2009, it was recognized that the County had only built 285 homes in a decade, but approximately 700 units were needed. She recognized this had to be redevelopments and improvements to existing housing because building all the needed units was not feasible. She mentioned only 11 homes under \$800,000 were listed for sale when she looked on Zillow the prior day and they were all condominiums. She explained the housing spectrum graph and observed the roadmap focused on households in the middle-income range, which included nurses, teachers, firefighters, and restaurant managers.

Ms. Drum pointed out the schedule for the housing roadmap, which began the prior fall, noting that over 350 hours of community input were involved in the roadmap. She summarized the partnership framework was a set of recommendations and strategies. She reviewed the community groups the roadmap targeted that were unable to afford the median home price in Incline Village (IV) or Crystal Bay (CB). She spoke about the framework used to develop the housing roadmap and provided a snapshot of the roadmap recommendations. The recommendations were divided into priority, mid-tier, and long-term actions. She observed some community members would suggest banning short-term rentals (STRs) as a quick-fix solution, but that had not been the case in other resort communities. She noted there were many recommended solutions for the Board to consider while continuing to gather community input and decide what the priority for the region was. Details were included for each action listed on the roadmap including background information, the importance of the action, and the recommended steps. The recommendations were a starting point for staff to work with community members. She said some potential applications of the roadmap included having local community groups leading efforts moving forward, so as an example, the Incline Village Crystal Bay Community and Business Association (IVCBA) could work on community engagement. The roadmap had policy recommendations that staff would need to assess to decide which ones made sense for the County. She mentioned Placemate was a new option that had a local's program; it was an incentive program recommended during the research stage of the roadmap.

Chair Hill acknowledged that Planning and Building Division Director Kelly Mullin had been working with the TPC because they took charge of helping with workforce housing solutions around the lake. Chair Hill expressed her appreciation to the

Board for approving the funds for the roadmap study in past budget cycles. She asked Ms. Mullin for a staff perspective on future steps based on the report's recommendations. Ms. Mullin responded that staff was asking the Board to acknowledge the report which was based on significant research with the community and staff offered some potential solutions to address the housing challenges specific to the Tahoe area. She said they would then return to the Board with a future agenda item that would consider the report's recommendations as part of the overall affordable housing strategy based on the direction provided at the Strategic Planning Workshop in January. The future item would consider how some of those affordable housing initiatives could be implemented in the County.

Chair Hill understood that once the item returned to the Board, each component, such as Code changes and plan amendments, would require Board review and approval. There would be many opportunities throughout the process for community engagement. She stated she was deeply invested in this issue, noting she previously lived in IV and had been lucky to find housing when she worked for a non-profit organization. She heard from many professionals about their struggles to find employees. She said the housing roadmap was one component the County would be considering to support workforce housing solutions.

Vice Chair Herman asked how much time, effort, or funding the employers were willing to contribute. Ms. Drum replied that an employer partnership committee involving many employers from the local community conferred regularly to discuss solutions. Some current employer efforts were interim solutions, such as coordinating transportation to take employees from Reno to their place of work at the lake. Some of the larger employers had been housing their employees on-site. She summarized that the efforts varied but she hoped the employer partnership committee would continue to move forward.

Vice Chair Herman observed that finding affordable housing was very difficult. She asked if Ms. Drum saw a solution that would happen in the near future or whether there would just be temporary fixes. Ms. Drum replied she was involved in this work because she was an optimist, and she was hopeful the roadmap recommendations that made the most sense for the community would be prioritized. She noted each community was different and the solutions would be different. She brought people together at the TPC to discuss what mattered most to them so ideas with the most consensus could move forward. She spoke about her experience trying to buy a house for the past two years, noting she was part of a dual-income family and had been unable to find anything in her price range. She hoped for progress on the initial mission of the roadmap, which was to accelerate local housing solutions.

Commissioner Clark vehemently expressed his thoughts about why affordable housing was not feasible in IV, citing the following factors: the difficulty of building because of the mountainous topography, the high cost of property in IV, a short building season, the high costs for building materials, the influx of out-of-state home buyers with plenty of money driving up home prices, and interest rate issues. He stated he did not want to be involved in subsidizing affordable housing in IV. He believed employers

needed to address affordable housing for their employees. He expressed concerns about the traffic and infrastructure in IV and questioned the reasoning behind building more homes in a congested area.

Commissioner Garcia expressed appreciation for the report and Ms. Drum's optimism. She firmly believed in exploring possibilities and working with community partners to be innovative. She noted the roadmap would not solve the housing crisis, but the goals and priorities would create a path forward. She asserted the Board's job was to always move forward and not quit because of difficulties or complications. She appreciated the time, energy, and effort required to produce the report and looked forward to seeing it at an upcoming Board of County Commissioners' (BCC) meeting. She commended the County and the prior year's Commissioners for approving \$100,000 and Chair Hill for giving some of her district funds to support the assessment which she thought showed true leadership.

Commissioner Andriola indicated she spent time speaking with many people about this issue and the overwhelming agreement amongst the various groups was that something needed to be done. She heard for the first time about concerns from teachers, firefighters, and law enforcement officers who were fundamental to the infrastructure of a community. She said the leadership of various groups suggested a number of solutions. She thought the roadmap would lend itself to a framework for the County to meet with stakeholders, participate in discussions, and make people think about solutions. The roadmap project encouraged stakeholders to be solution driven so they could make contributions toward solving this issue. She felt optimistic after observing how committed the community was to solving this issue. She said the clarification from staff about their intent to continue engaging stakeholders was critical. She believed the roadmap was promising but the issue would not be easy to resolve. She thought employers had a responsibility to contribute and find possible solutions as stakeholders and as part of the community. She expressed appreciation for the work that went into this project and for the clarification about the roadmap appearing before the Board in the future.

Chair Hill felt optimistic about the Board potentially accepting the report and roadmap because she previously observed through the Mountain Housing Council and the City of South Lake Tahoe that when the government agreed to consider solutions, the community would also participate. She heard through many town hall community meetings and church groups that they had money and would contribute if they saw the County was committed to finding solutions. She appreciated the Commissioners' feedback because she thought this issue involved everyone and would require working together to find solutions.

Commissioner Garcia mentioned many of the people who did not attend public meetings worked full-time. The families she served in IV were often multiple family members and children who lived in one- and two-bedroom apartments. She said those were the people who needed to be advocated for because they worked every day and struggled to live where they worked.

Commissioner Clark stated every situation and concern mentioned about IV and the lake area could apply to every part of the County. He asserted affordable housing was non-existent anywhere in the County, noting that IV was the most expensive area to build and it presented more hurdles than anywhere else. He referred to Ms. Drum's comments about being optimistic, saying he wanted to be realistic about his assessment of this issue. He reiterated that all areas of the County were experiencing a housing crisis. He thought workforce housing could be built in any area and people could be bussed to IV if needed. He opined that people might want to look for another place to live if they were struggling to live in a particular area. He expressed disapproval of taxing the already burdened taxpayers to give one particular area an advantage. He said he participated in a Zoom meeting the prior day with some long-time residents who indicated they were not in favor of this. He conjectured the only people who seemed in favor of this were people who might benefit.

Chair Hill clarified that taxes were not being increased for this, it was simply policies and programs being considered Countywide. She said she took the initiative because her constituents had told her this issue was a priority. Commissioner Clark responded that although he said increasing taxes, he meant taking the limited resources of taxpayers and directing them to one area.

On the call for public comment, Ms. Pamela Tsigdinos observed that affordable housing was a complex issue in the Tahoe Basin and residents were acutely aware of the housing shortages. She said the issue accelerated greatly when STRs were allowed to become a lucrative business for real estate investors and non-resident operators. She shared that during the peak season, 800 to 1,000 STRs were advertised on STR platforms for IV and CB. She suggested the Board needed to revisit the County's Ordinance that favored STR operators if it wanted to prioritize worker housing and address long-term housing shortages. She recommended requiring STRs to be owner-occupied, limited, or phased out like in other communities. She asked why the County was asked to trust and approve a third-party organization to perform the roadmap. She said she sent an email to the Commissioners regarding the underlying assumptions that should be questioned and about the interests being served beyond those who needed affordable housing.

Ms. Ronda Tycer observed that Item 6 asked the Board to approve the housing partnership roadmap which she admitted included many good features. She asked the Board to consider that the roadmap claimed it was a comprehensive plan developed by community leaders backed by sound data, but about half of the 60 community leaders in the partnership did not live in IV so she wondered how they could claim to represent the community. She questioned the statement that the plan was backed by sound data because the roadmap was based in large part on the TPC 2021 housing study which had many unsupported conclusions. She said the study of IV and CB employee housing needs had not reported the number of employees, rather the authors estimated the number of employees based on pre-pandemic 2019 data. She wondered how the authors determined the number of housing units needed for employees and how the partnership recommended building new housing units when STRs comprised about 50 percent of all IV and CB condos. She believed STRs should be reclaimed before new housing was created although

IV and CB condos were likely too expensive for affordable housing. She mentioned some of the comments from the TPC study indicated most housing problems were caused by STRs.

Ms. Claudia Andersen, Chief Executive Officer (CEO) of the Parasol Tahoe Community Foundation, encouraged the Board to acknowledge the roadmap. She noted the IV and CB community faced unprecedented housing challenges like all communities in Nevada and the nation. Specific challenges varied by community, were urgent for each community, and required a collaborative effort to find solutions. The collaborative partnership process began in 2021 with the completion of the housing study, the goal of which was to collect baseline data to inform future efforts. She said the next step would be to compile options that might be developed to affect housing solutions. She stated the roadmap represented a collective voice and priorities of many stakeholders and community leaders, but it was not a binding policy document. She expected feedback and for the roadmap to evolve and change with possible solutions. She said the Board would provide encouragement to continue to work together to seek positive housing solutions for the community by acknowledging the roadmap. She thanked the Board and County staff for the ongoing support of this effort.

Ms. Kathie Julian said she was a member of the committee that prepared this roadmap. She noted she had no financial interest in the output of the roadmap although other community members did. She believed there was insufficient broad-based consultation through workshops with the public to inform the roadmap. She did not oppose the Board's acknowledgment of the roadmap, but with a caveat that it should undergo broad public consultation through workshops in the community. She opined the roadmap did not adequately target workforce individuals who made less than 100 percent of the Area Median Income (AMI). She echoed the comments made about STRs and thought the Board made decisions that adversely impacted workforce housing by encouraging them. She suggested more data was needed to support statements made by the roadmap, such as how accessory dwelling units (ADUs) would support workforce housing and the effectiveness of deep restrictions.

Mr. Doug Flaherty submitted a document that was distributed to the Board and placed on file with the Clerk. As president of the Tahoe Sierra Clean Air Coalition (TSCAC, www.tahoecleanair.org), he requested the Commissioners require the Washoe Tahoe Housing Partnership (WTHP) to conduct at least two public workshops for IV and CB residents lasting a minimum of two hours each. He asked for all activities, comments, and data from the workshops to be recorded and listed the following reasons: the roadmap was created out of the eye of the IV and CB residents, it was based on outdated census information, it did not account for balanced and adequate representation of IV and CB residents, the claims and proposed policies and actions were extensive, lack of evidence to support claims and comments, and the timelines were unreasonable. He asserted the roadmap had not provided substantial data indicating that allowing single-family residential (SFR) ADUs would alleviate any perceived housing crisis nor increase affordable workforce housing. He noted that any additional ADUs would add to the

dangerous fire evacuation process and opined the specific mention of first responders constituted discrimination.

Mr. Cliff Nellis mentioned that Kings Beach was a bedroom community. He expressed concern that the WTHP roadmap would lead to more public or subsidized housing. He spoke about large apartment complexes in Reno and Sparks which he believed were federally subsidized through the U.S. Department of Housing and Urban Development (HUD). He shared examples of people who received a housing subsidy and suggested subsidized housing as a solution, noting that employers could directly pay a housing subsidy to their employees. He said he liked Commissioner Clark's suggestion about providing a bus system to take employees up the mountain and back.

Ms. Ellie Waller shared that she took a bus when she lived 37 miles from work in 1989. She requested clarification about the action on this item because it recommended acknowledging the roadmap, but Chair Hill mentioned accepting the roadmap. She observed the Tahoe Regional Planning Agency (TRPA) had previously handed responsibility to local jurisdictions through area plans and Chair Hill indicated staff was handing some responsibility to the TPC, so she inquired who was responsible. She spoke about the IV and CB Citizen Advisory Board (CAB) meeting where there was significant feedback during Ms. Drum's presentation. She stated the modeling was only as good as the data and she thought there needed to be a data refresh. She inquired why staff was not identifying redevelopment sites.

Ms. Ann Nichols spoke about four long-term rentals she owned in the County and questioned some of the information provided by the TPC. She opined that a semblance of neutrality was lacking on the Board. She believed the TPC wanted to be the fiscal agent for this project. She highlighted that action five on the roadmap was to explore potential taxation strategies at the State level. She questioned whether having Commissioners involved in non-profit organizations that benefited from Board actions was ethical. She thought non-profit organizations that were assuming quasi-governmental roles and receiving public money needed to be receptive to public scrutiny.

Ms. Penny Brock agreed with everything Commissioner Clark said, noting this Country was based on the Constitution, and designed to be a free enterprise and a capitalistic marketplace. She spoke about her experience living in employer-provided housing when her father worked in the oil fields in Wyoming in the 1950s. She opined the businesses in Tahoe should pay their workers enough and provide transportation or housing. She mentioned the proposed bus hub at IV, noting the residents did not want the hub. She asked where affordable housing would be located and whether houses would be purchased at below-market value to tear down for low-income housing. She believed affordable housing would ruin the uniqueness of Lake Tahoe and IV. As a taxpayer, she did not want to subsidize affordable housing anywhere in Washoe County. She repeated Commissioner Clark's suggestion about people moving somewhere with a lower cost of living if they could not afford to live in the community.

Mr. Fred Myer agreed with Commissioner Clark's statements, noting Commissioner Clark had a lot of experience. He was opposed to interfering in the private marketplace, which he believed would exacerbate the issue. He asserted free markets would resolve on their own and suggested the stakeholders form some sort of consortium to build housing in their community to serve their businesses. He noted growth in IV was out of control, the area was constrained, and there were many traffic issues in the community. He opined that bringing more people into the community did not make sense. He questioned who would control occupancy and whether skiers would use the housing or if it would be limited to workers. He believed this project would be a waste of tax dollars.

Deputy County Clerk Lauren Morris advised the Board she received 32 emailed public comments which were placed on file.

Commissioner Andriola asked for clarification on the County's long-term commitment with this agenda item. Ms. Mullin said the report included recommendations for the Board to consider. Staff was asking the Board to acknowledge the report, understanding that some potential solutions would be brought before the Board at a future date for possible approval and implementation. The recommendations could include things like policy changes which could be incorporated as part of broader affordable housing initiatives. This agenda item did not necessarily involve any commitments although the report recommended certain things for the County. Staff would perform an assessment of the recommendations if the Board acknowledged the report and would agenda items for consideration.

Commissioner Andriola inquired whether any funds would be expended to the TPC without Board consideration or in any other way. Ms. Mullin replied that any special district funds recommended for allocation would be presented to the Board. No additional funds were involved, but staff time and resources would be used to review the recommendations in the roadmap to determine how they could be incorporated into the County's overall strategic initiative for affordable housing.

Commissioner Andriola asked if staff would be considering updated data because the overwhelming feedback she received was regarding the data. Ms. Mullin said staff could discuss that with the TPC and some of the other data sources to determine whether more updated information was available. She noted several commenters mentioned STRs and she had already determined there were data pieces staff would review and a separate item for that topic would be brought before the Board. She said the Board would see actions from other agencies, such as the TRPA, on some recommendations in the roadmap. The TRPA was already considering methods of addressing housing affordability and staff previously received direction from the Board regarding STRs. Those efforts might be brought before the Board whether or not they were recommended in the roadmap.

Commissioner Andriola asked whether staff's efforts would include having additional workshops with all the stakeholders who would be impacted. Ms. Mullin mentioned the roadmap listed over 50 partners including Washoe County so there would

be other efforts separate and distinct from the County's. She said any policy or Code amendments directed by the Board as part of the affordable housing initiatives would include community outreach as standard practice.

Commissioner Andriola requested clarification about whether Washoe County was the actual body that various partners would be feeding information to. Ms. Mullin reiterated Washoe County was one of the members that participated in the creation of the roadmap. The roadmap included recommendations for various agencies within the County; some recommendations were specifically for the County and others were for other community partners. The County was not identified as or committed to being the lead implementer of the roadmap.

Commissioner Andriola inquired if any expenditures related to this item would be brought back to the Board. Ms. Mullin replied staff would present items to the Board if County funds were involved. Commissioner Andriola asked for confirmation that STRs would be part of staff's exploration. Ms. Mullin confirmed staff had already received requests from the BCC for STRs so the issue would be brought before the Board.

Commissioner Clark asked when STRs would be brought before the Board. Ms. Mullin replied that staff presented the proposed fee change to the IV and CB CAB, provided information to approximately 3,500 different people who were either STR owners or interested in STRs, and expected to present the request to the Board in August. She believed the issue would be agendized for the mid-August BCC meeting and expected to agendize a separate item asking whether the Board wished to initiate a Code amendment for STRs.

Commissioner Clark asked if the time estimate was reliable and if the Board could expect the issue to be agendized for the mid-August meeting. Ms. Mullin replied that staff was aiming for that time frame; staff was currently collecting input from the public through an online survey which would close at the end of July. Barring any major issues, STR fees would be agendized for mid-August.

Commissioner Clark referred to a public comment made regarding a meeting for the TRPA or the Incline Village General Improvement District (IVGID) and asked for confirmation that the majority of the audience opposed this item. County Manager Eric Brown believed the meeting was for the IV and CB CAB at which he and Chair Hill were participants. He confirmed that the majority of residents who attended the meeting had concerns.

Commissioner Clark commended Commissioner Andriola for asking all the pointed questions regarding who would be involved. He asked whether the item could be postponed to a later meeting because it appeared more work needed to be done on it.

Commissioner Andriola shared that she spoke with many people including the chair of the CAB who wanted clarification about what appeared to be misunderstandings which prompted her previous questions to staff. She wanted to ensure

residents understood what was under consideration and that the Board was not allocating dollars through this agenda item. She said the chair of the CAB shared that the TPC appeared to be at the core of the CAB's concerns. To address those concerns, she obtained clarification from staff confirming no dollars were being allocated. She understood this item would not have any implication at this juncture and the County would continue the dialogue for the roadmap. She observed the data analysis from the TPC appeared to need some additional updating and she believed this item would allow Washoe County to have a neutral stance while looking at this issue. She thought having the County serve as a convener was important. She referred to Ms. Mullin's comment regarding past suggestions about having the County take the lead on this issue and she thought the County should. She reiterated the concern had been about the TPC being the only entity the County would be paying, which was not the case with this particular agenda item.

On motion by Commissioner Garcia, seconded by Chair Hill, which motion duly carried on a 3-2 vote with Vice Chair Herman and Commissioner Clark voting no, it was ordered that Agenda Item 6 be acknowledged.

1:13 p.m. **The Board recessed.**

2:00 p.m. **The Board reconvened with all members present.**

CONSENT AGENDA ITEMS – 4A1 THROUGH 4I1

23-0456 **4A1** Approval of minutes for the Board of County Commissioners' regular meetings of May 9, 2023, May 16, 2023, and May 23, 2023. Clerk. (All Commission Districts.)

23-0457 **4B1** Recommendation to approve, pursuant to NRS 278.040, the appointment of Linda K. Kennedy to the Washoe County Planning Commission representing Commission District 5 (generally includes the areas of Verdi, North Valleys, Cold Springs, Warm Springs, portions of Sun Valley, and all of the High Desert Planning Area extending to the Oregon border); to fill a full term beginning on July 1, 2023 and ending on June 30, 2027, or until such time as Ms. Kennedy no longer serves on the Planning Commission or a successor is appointed, whichever occurs first. Eligible applicants include: Robert Bush, Barbara S. Fenne, Linda K. Kennedy, John M. Trautwein. Community Services. (Commission District 5.)

23-0458 **4C1** Recommendation to approve Washoe County's Indebtedness Report and accompanying schedules for fiscal year 2022/23 as of June 30, 2023, including general obligation and special assessment debt. If approved, staff will submit the report and schedules to the Washoe County Debt Management Commission and to the Nevada Department of Taxation by August 1, 2023, pursuant to NRS 350.013. Comptroller. (All Commission Districts.)

23-0459 **4D1** Recommendation to approve Washoe County’s Debt Management Policy as of June 30, 2023 which includes (1) a discussion of the County’s ability to afford existing general obligation debt, authorized future general obligation debt and proposed future general obligation debt; (2) a discussion of the County’s capacity to incur authorized and proposed future general obligation debt without exceeding the applicable debt limit; (3) a discussion of the County’s general obligation debt that is payable from property taxes per capita as compared with such debt of other municipalities in this State; (4) a discussion of the County’s general obligation debt that is payable from property taxes as a percentage of assessed valuation of all taxable property within the boundaries of the municipality; (5) policy regarding the manner in which the County’s expects to sell its debt; (6) a discussion of the County’s sources of money projected to be available to pay existing general obligation debt, authorized future general obligation debt and proposed future general obligation debt; and (7) a discussion of the County’s operational costs and revenue sources, for the ensuing 5 fiscal years, associated with each project included in its capital improvement plan if those costs and revenues are expected to affect the property tax rate; and direction to staff to submit to the Department of Taxation and the county debt management commission the policy or a written statement of the County’s debt management policy on or before August 1 as required by NRS 350.013(1)(c). Finance. (All Commission Districts.)

23-0460 **4E1** Recommendation to accept the Children’s Justice Act FY24 sub-grant from the State of Nevada, Division of Child and Family Services in the amount of [\$40,684.00; no county match required] retroactive to July 1, 2023 through June 30, 2024; authorize the Acting Director of Human Services Agency to execute the subaward documents; and direct the Comptroller’s office to make the necessary budget amendments. The purpose of the grant is to assist qualifying agencies in developing, establishing, and operating programs designed to improve the assessment and investigation of suspected child abuse and neglect cases including child sexual abuse and neglect-related fatalities and the assessment and investigation of cases involving children with disabilities or serious health-related problems who are suspected victims of child abuse and/or neglect. Human Services Agency. (All Commission Districts.)

23-0461 **4E2** Recommendation to accept a subaward amendment #1 from the State of Nevada Department of Health and Human Services, Division of Welfare and Supportive Services, Child Care Licensing in the amount of [\$17,473.00; no county match] retroactive to July 1, 2022 through June 30, 2023 to provide childcare licensing and monitoring within Washoe County; and authorize the Division Director of Human Services Agency to retroactively execute the subaward and related documents. Human Services Agency. (All Commission Districts.)

- 23-0462** **4E3** Recommendation to approve an extension to the agreement with the Regional Transportation Commission (RTC) for the Provision of Non-urbanized Paratransit Services for Senior Citizens and People with Disabilities of the Washoe County Senior Services Gerlach and Incline Village Senior Transportation Programs in the amount of [\$29,000.00], retroactive to July 1, 2023 through June 30, 2024; and authorize the County Manager to execute the agreement. Human Services Agency. (Commission Districts 1 and 5.)
- 23-0463** **4F1** Recommendation to approve the acceptance of reimbursements from the National School Lunch and Breakfast Program for Fiscal Year 2023/24 for youth detained at Wittenberg Hall Detention Facility [Estimated reimbursement \$78,500]. Juvenile Services. (All Commission Districts.)
- 23-0464** **4G1** Recommendation to accept a 2024 Nevada State Emergency Response Commission (SERC), Operations, Planning, Training and Equipment (OPTE) grant for [\$34,000.00, no County match required] including funds to be used for food purchases. The OPTE grant aims to further capabilities to prevent, mitigate or respond to hazardous material incidents. Grant Term is retroactive to July 1, 2023, through June 30, 2024. If approved, authorize the Local Emergency Planning Committee (LEPC) Chair to execute grant documents and authorize the County Manager or his designee, to sign the Washoe County Sub-Grant Agreement between Washoe County and the Reno Fire Department (RFD), on behalf of the TRIAD Hazmat Team, per NRS 244.1505 in the amount of [\$23,775.81] for ten Harris XL-200P Radios; approve Resolution necessary for same; and direct the Comptroller's Office to make the appropriate budget amendments. Manager's Office. (All Commission Districts.)
- 23-0465** **4G2** Recommendation to approve, pursuant to NRS 244.1505, Commission District Special Fund disbursement in the amount of [\$60,300.00] for Fiscal Year 2023-2024; District Commissioner Alexis Hill recommends a [\$25,000.00] grant to Truckee North Tahoe Transportation Management Association -- a government entity -- to support their efforts to integrate a North Lake Tahoe Airport Shuttle into the community; and a [\$10,000.00] grant to Edward C. Reed High School -- a government entity -- to support their upcoming turf replacement project; and a [\$5,500.00] grant to Truckee Meadows Tomorrow -- a nonprofit organization created for religious, charitable or educational purposes -- with [\$3,000.00] to support their annual Community Progress Report, and [\$2,500.00] to support their Poverty, Homelessness and Housing Dashboard; and a [\$5,000.00] grant to the Indigenous Peoples Council on Biocolonialism -- a nonprofit organization created for religious, charitable or educational purposes -- to fund the purchase of supplies for their summer cleanup initiative; and a [\$5,000.00] grant to Sky Tavern -- a nonprofit organization created for religious, charitable or educational purposes -- to support their upcoming

2024 season of the Junior Ski Program; and a [\$5,000.00] grant to the Tahoe Fund -- a nonprofit organization created for religious, charitable or educational purposes -- to support Phase Two of their parking enforcement study; and a [\$1,800.00] grant to Jewish Nevada -- a nonprofit organization created for religious, charitable or educational purposes -- to support their upcoming Jewish Cultural Festival, Milk & Honey; and a [\$1,000.00] grant to the Albee Aryel Foundation -- a nonprofit organization created for religious, charitable or educational purposes -- to support their efforts to provide disadvantaged students with access to higher education; and a [\$1,000.00] grant to Latino Arte and Culture -- a nonprofit organization created for religious, charitable or educational purposes -- to retroactively support their bilingual play LGBTQIA+ Latinx performance at Reno Little Theater; and a [\$1,000.00] grant to Nevada Indoor Tennis and Pickleball – a nonprofit organization created for religious, charitable or educational purposes – to support their mission to promote strong year-round programs and physical activity for youth and adult players; approve Resolutions necessary for same; and direct the Comptroller’s Office to make the necessary disbursements of funds. Manager's Office. (Commission District 1.)

23-0466 **4H1** Recommendation to accept additional funding to FY 2023 Office of Traffic Safety award from the State of Nevada Department of Public Safety, Office of Traffic Safety [amount not to exceed \$72,990, 25% In-Kind County match required] as administered through the State of Nevada Department of Public Safety, Office of Traffic Safety, to support the purchase of 2 Intoxilyzer 9000s and programing of the Intoxilyzer 9000 to meet the needs of Nevada, for the retroactive grant term of October 1, 2022 through September 30, 2023 and if approved, direct Comptroller’s Office to make the necessary budget amendments and authorize Sheriff Balaam to execute grant award documents. Sheriff. (All Commission Districts.)

23-0467 **4I1** Recommendation to accept Treasurer’s status report for the period ending June 30, 2023, of payment of refunds and interest since last update in the amount of \$2,033,210.31, and an amended copy of the May 31, 2023 Report of Claims Paid to show the correct number of Claims Processed to Date, which was originally reported incorrectly at 605, and has been updated to reflect 6,870, on certain property tax overpayments for residential properties at Incline Village/Crystal Bay, in compliance with the October 21, 2019 Order issued by the District Court in Village League to Save Incline Assets, Inc., et.al. vs. State of Nevada, et.al., Case No. CV03-06922, as modified and clarified by the settlement agreement regarding the processing of refunds. Treasurer. (All Commission Districts.)

On the call for public comment, Ms. Valerie Fiannaca referred to Item 4G2, saying she believed the Latino Arte and Culture non-profit had received a \$5,000 grant the prior month from the same Commissioner. She mentioned the playbill for the play listed

two Commissioners and the health district and opined that an LGBTQIA+ play directed at children did not promote kids' health. She referred to the grant given to the Indigenous Peoples Council on Biocolonialism (IPCB), stating she did not understand the program and conjectured whether reparations would be put before the Board next. She believed the discretionary funds needed to be discontinued and obtaining taxpayer funds needed to be more difficult. She expressed disapproval of the grant given to Edward C. Reed High School because the Washoe County School District (WCSD) already had a \$1.4 million budget.

Mr. Marc Picker was not present when called to speak.

On behalf of Nevada Indoor Tennis and Pickleball, Mr. Kurt Richter thanked the Board for the Commission District Special Fund grant. He particularly thanked Chair Hill and her staff for helping support this project and he looked forward to working with her in the future to make the project a reality.

Ms. Beverly Harry thanked Chair Hill and past Commissioner Kitty Jung for assisting the IPCB with river cleanups since 2021. The IPCB worked from Gateway Park to University Farms and downstream to Vista and collected several hundred cubic yards of solid waste. She said indigenous people had always been caretakers of the land, noting Washoe County was within Numu and Washoe lands. She indicated it was important for the Board to include indigenous people in some of the areas currently being debated which might include housing justice and water issues that would impact indigenous people. She believed it was important to consider the health of the river. She mentioned the IPCB worked to crowdfund and received donations from County residents to remove waste.

Ms. Penny Brock noted the Board conducted a block vote on the Consent Agenda, but citizens were unable to address each item individually. She asserted this was a violation of her First Amendment rights. She requested the Board reinstate the first public comment on meeting agendas as requested by Commissioner Clark. She referred to Commissioner Clark's comment about the number of seniors living in the County and she urged the Board to help them. She observed several items on the Consent Agenda related to property taxes which she interpreted as staff recommendations to raise them. She noted many seniors who were on fixed incomes struggled to pay all their bills. She reiterated her request for the Board to help seniors.

Mr. Cliff Nellis referred to Item 4E1 which concerned the Children's Justice Act (CJA) and declared the word "justice" was a leftist Marxist term. He spoke about how justice was defined in the Bible. He said he loved children and that was why he opposed drag queen story hour (DQSH); he wanted children to be protected. He questioned whether the County really cared about child abuse, stating the Board allowed child abuse through the Library Director Jeff Scott. He opined the Board did not care about justice or children and he thought the money for this item should be saved.

Ms. Autumn Harry shared she was a member of the Pyramid Lake Paiute Tribe and a Paiute fly-fishing guide for Pyramid Lake. She informed the Paiute Tribe was downstream of the Truckee River and was part of the Truckee River Watershed, which she thought people upstream tended to forget about. She said part of the work being performed by the Healing Waters Institute (HWI), fiscally sponsored by the IPCB, was to help recover the health of the river. The impacts were observed downstream, not only by communities at Pyramid Lake but also to fish species like the Lahontan Cutthroat Trout and the Cui-ui fish. Those fish were part of the Numu and Paiute people's identity. She noted there was a lot of accumulated waste along the river, and she was thankful for Chair Hill and former Commissioner Jung for participating in large cleanups, during which hundreds of cubic yards of waste were removed from the riverbanks. She mentioned that education was a significant part of the work performed by the HWI.

Deputy County Clerk Lauren Morris advised the Board she received an emailed public comment which was placed on file.

Commissioner Clark referred to comments made by Ms. Beverly Harry and Ms. Autumn Harry, stating he too thought the river was a jewel that was being spoiled by litter. He opined one of the best ways to clean up the river was to prevent littering which was one of the reasons he was so vocal about homeless encampments along the river. He looked to law enforcement to enforce the littering laws along the river. He mentioned he would be hosting a bicycle ride along the river the following Sunday. The ride would start at Cottonwood Park, and he invited all residents of Washoe County to join. He wanted people and families to feel comfortable by the river and said they did not want to see litter.

On motion by Commissioner Garcia, seconded by Chair Hill, which motion duly carried on a 5-0 vote, it was ordered that Consent Agenda Items 4A1 through 4I1 be approved. Any and all Resolutions pertinent to Consent Agenda Items 4A1 through 4I1 are attached hereto and made a part of the minutes thereof.

BLOCK VOTE – 8 AND 12

23-0468 **AGENDA ITEM 8** Recommendation to accept Community Corrections Partnership Block Grant from the Department of Health and Human Services - Juvenile Justice Programs Office in the amount of [\$317,195.60] to provide treatment and programming to youth referred to the Washoe County Department of Juvenile Services; for the period of 7/1/23-6/30/24 and authorize Elizabeth Florez, Director of Juvenile Services to sign grant award. No match required. Juvenile Services. (All Commission Districts.)

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 8 be accepted and authorized.

23-0469 **AGENDA ITEM 12** Recommendation to approve the Interlocal Contract between Public Agencies: Between Washoe County on behalf of Washoe County Sheriff's Office and the State of Nevada, Department of Public Safety, Office of the Director for Forensic Services, providing that the Washoe County Sheriff's Office Forensic Science Division to provide Forensic analysis, DNA testing for Parole and Probation, and Toxicology Laboratory analysis for the retroactive term of July 1, 2023 through June 30, 2026 with an income not to exceed [\$1,920,800.16] for FY 2024 through FY 2026. Sheriff. (All Commission Districts.)

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 12 be approved. The Interlocal Contract for the same is attached hereto and made part of the minutes thereof.

23-0470 **AGENDA ITEM 10** Recommendation to approve allocation of American Rescue Plan Act (ARPA) funds through the Coronavirus State and Local Fiscal Recovery Fund (SLFRF) in the total amount of [\$8,269,635] for the following 18 Washoe County department projects:

1. South Valleys Regional Park Expansion \$2,000,000
2. Future of Work Initiative to enhance technology, customer service, and workplace safety \$2,000,000
3. Kids Kottage Contract Services for emergency foster care bed placements \$1,400,000
4. Our Home (WellCare) Contract Services for Living Supports and Services Pilot Program extension for individuals with developmental or intellectual disabilities \$661,500
5. Sun Valley Bike Park development and construction \$500,000
6. Medical Examiner Radiology Scanner \$500,000
7. Arts and Culture Project to support the development of regional art projects and programming \$300,000
8. COVID-Response Green Recovery Plan Implementation to support enhanced environmental and greenhouse gas reduction initiatives for Washoe County facilities and community initiatives \$250,000
9. Behavioral Health Crisis Response Plan implementation and Behavioral Health Summit hosting costs in support of improving regional behavioral health response times and services \$125,000
10. Sierra View Library Furniture \$100,000
11. Cybersecurity Incident Response Plan \$100,000
12. Alternative Sentencing Pilot Program for Support in Treatment, Accountability and Recovery (STAR) Participants to provide neuromodulation treatment for post-traumatic stress disorder and other mental health concerns that potentially contribute to relapse in substance use disorder \$100,000

- 13. Innovative Senior Projects \$100,000
 - 14. Book Vending Machine in Sun Valley \$50,000
 - 15. Health District Lobby Demolition \$30,000
 - 16. District Court Panic Button System Replacement \$28,935
 - 17. Alternative Sentencing In-Car Mobile Wi-Fi Units \$20,000
 - 18. Regional Mental Health Meeting Facilitation Costs \$4,200
- And, if approved, direction to the Comptroller's Office to make necessary net zero cross-fund and/or cross-functional budget appropriation transfers. Manager's Office. (All Commission Districts.)

Commissioner Garcia disclosed that her sister was a librarian at the Sierra View Library branch. After consultation with the District Attorney's (DA) Office, she declared she would recuse herself from this item out of an abundance of caution.

2:21 p.m. Commissioner Garcia left the meeting.

Community Reinvestment Manager Gabrielle Enfield informed there was a change to this item. She stated alternate funding had been identified for the Sierra View Library furniture and the book vending machine in Sun Valley. Therefore, those two requests would be removed.

Chair Hill suggested the Board recess to allow Commissioner Garcia to return and participate in this item.

2:22 p.m. The Board recessed.

2:25 p.m. The Board reconvened with all members present.

Chair Hill asked Ms. Enfield to reiterate her previous statement. Ms. Enfield restated the changes made to this item. She pointed out that the total funds requested for this item would now be \$8,119,635.

Ms. Enfield conducted a PowerPoint presentation and reviewed slides with the following titles: ARPA-SLRF Update; Milestones; Guiding Principles; SLRF Internal Final Allocations Evaluation; Evaluation and Selection Process; Recreation and Culture, Supporting Vulnerable Populations, Innovative Services and Technology, Mental Health; Questions.

Ms. Enfield observed the figures on the "ARPA-SLRF Update" slide were revised after the June 20, 2023, Board of County Commissioners' (BCC) meeting. She explained the funding for this item would come from American Rescue Plan Act (ARPA) funds. She noted Washoe County received \$91,587,038 from ARPA in 2021. To date, the Board had allocated \$75,737,236.24 which included de-obligated funds from projects that were completed under budget or did not require implementation. She advised there were a total of 74 ARPA projects in the County, 39 of which were internal and 32 were external grant projects.

Ms. Enfield reviewed the “Milestones” slide and stated the process for this item was complicated. She remarked the initial focus was the implementation of urgent internal projects. Those projects were followed by the execution of a competitive community reinvestment program that provided grants to non-profit organizations. She noted the bottom of the slide listed several allocations from the BCC that addressed emergent community issues. She explained the allocation requests in this item were for internal projects and at the upcoming BCC meeting on July 18, staff would request allocations for external grant projects. Ms. Enfield reviewed the guiding principles that were identified by the Board and utilized by staff for this project. She noted this item did not include funding requests for staffing.

Ms. Enfield explained staff conducted a competitive evaluation for the internal projects in this item and used the criteria listed on the “SLFRF Internal Final Allocations Evaluation” slide. She noted these standards were modified from the County’s evaluation tool to fit this project. She remarked that departments throughout Washoe County met with the Community Reinvestment Team to provide information on priorities and projects that could be funded federally. She declared not all projects could be funded by federal sources because there were specific requirements, time parameters, and other considerations that went into federally funded items. The Community Reinvestment Team met with 16 departments and received 96 project requests that totaled over \$89 million. Those requests were used to understand the internal needs of the County and to submit appropriation requests to Congress. She stated those projects were evaluated by internal subject matter expert groups. She provided a summary of the four main categories of the projects and the funds that were allocated to specific projects. She indicated a lot of the County’s ARPA funds were allocated to vulnerable populations at the behest of the Commission.

Chair Hill appreciated that Ms. Enfield and her team worked hard to identify department needs and ensure projects met the qualifications for federal funding while maintaining transparency.

Commissioner Clark thanked Ms. Enfield for her presentation. He said he met with her several weeks prior to obtain a review of this project. He inquired about the funding for emergency foster care placement through the Kid’s Kottage as he heard reports that the County had severed its relationship with the organization. Division Director of Human Services Cara Paoli clarified that the County had not discontinued its relationship with the Kid’s Kottage and had worked with the organization for over 20 years. She recalled that when she started working for the County, there was an average of 6 children housed at the Kid’s Kottage any given month, and presently, the organization ran at capacity with 30 children per month. She declared that was why the County needed to expand access to the Kid’s Kottage. She pointed out mental health services had decreased significantly in Washoe County which correlated with children struggling with mental health issues not being accepted by foster families. She asserted staff had to develop backup options through the Family Engagement Center because the Kid’s Kottage was at full capacity every day. She felt confident the funding from this item would create a positive

impact on the Kid's Kottage and its ability to provide the best services possible to the children in its care.

Commissioner Clark wondered what the innovative senior project entailed. He highlighted his focus to aid senior citizens in any way he could and recounted his opening comments regarding his vision for the senior center. Ms. Paoli responded that staff was excited about this project and had done research into evidence-based practices around the Country. She noted staff was interested in hearing the feedback the Board received from the Senior Services Advisory Board (SSAB). She thought many of the suggestions could be implemented sooner rather than later based on the current budget. Commissioner Clark proposed the Board take a trip to Douglas County's new senior center to obtain new ideas for Washoe County's senior center.

Commissioner Andriola thanked Ms. Enfield and County staff for meeting with her to discuss this item.

Commissioner Garcia expressed appreciation to staff for researching projects that were historically underinvested in such as mental health, child welfare, and public parks. She thought those things dramatically impacted the overall quality of life and physical well-being of a community.

On the call for public comment, Ms. Valerie Fiannaca expressed consternation regarding the amount of money allocated to the Green Recovery Plan in this item. She thought that money should go to substance abuse treatment instead.

Ms. Tracey Thomas appreciated that this item addressed some of the consequences of COVID-19 (C19) and attempted to mitigate future issues in the community. She opined the allocation of these funds was erratic and irresponsible. She mentioned a Bible verse regarding trust and honesty. She expressed discontent that this item allocated \$2 million to the South Valleys Regional Park and only \$100,000 to senior projects. She claimed the Washoe County senior center had not been updated since 1997. She wondered how this item addressed the root causes of homelessness and if it included collaborative solutions for mental health, substance abuse, and pathways for independent living. She asked if these projects would build stronger neighborhoods with affordable housing initiatives. She alleged senior citizens were displaced from affordable housing to make room for the homeless population. She declared the senior center did not adequately meet the needs of seniors and she thought the Board should use the \$2 million designated for the South Valleys Regional Park to update the senior center instead. She spoke about the Cybersecurity Incident Response Plan and suggested that the funds allocated were not enough as technology equipment and training were costly.

Ms. Janet Butcher spoke about the impacts on the community from C19. She asked about the Future of Work Initiative and wondered if it impacted all workplaces in the County. She mentioned the Green Recovery Plan and asked if the County intended to take her gas stove away or require her to drive an electric car. She requested information

on the funding sources for the Sierra View Library furniture and the book vending machine in Sun Valley.

Ms. Penny Brock declared the funds for this item came from the taxpayers. She thought this money should be sent back to Washington, D.C., to avoid adding to the national debt since C19 was over. She expressed displeasure with the \$2 million allocated to the South Valleys Regional Park and the \$250,000 slated for the Green Recovery Plan. She recalled a presentation to the Board by the County's Emergency Management Team regarding climate change. She requested specifics about how this money would be spent and thought most taxpayers would not support this item. She asserted the Staff Report did not include a needs analysis and she thought the taxpayers deserved full transparency regarding how the money would be spent. She requested an audit be performed following the completion of these projects.

Mr. Dan Gallagher stated he was the president of the Washoe Little League. He spoke in favor of the South Valleys Regional Park expansion. He provided a brief history of the league and noted its addition of softball teams in 2021. With the growing community interest to participate in the league, it faced issues with limited field space. He reported the league previously worked with the City of Reno and local high schools to access playing fields. He asserted this item would allow for a long-term home for the Washoe Little League's t-ball, baseball, and softball teams. He remarked that the league procured donations from a local engineering firm and had a group of volunteers committed to robust fundraising initiatives to go above and beyond the funding from this item. He believed now was the perfect time for a project like this and thought it would benefit the South Valleys community for generations.

Mr. Roger Edwards stated he was a 50-year resident of Washoe County. He wondered what the Future of Work Initiative entailed. He did not approve of the Arts and Culture project to support the development of regional art projects and programming because he thought that money should be allocated to a project for senior citizens. He thought there should be a focus on basic needs like food, shelter, housing, and transportation for the senior population rather than Innovative Senior Projects. He expressed opposition regarding the Alternative Sentencing In-Car Mobile Wi-Fi Units project.

Mr. Cliff Nellis agreed with Ms. Brock that the Commission should send the money for this item back to the federal government. He discussed inflation and the political affiliation of Washoe County staff members. Chair Hill asked him to keep his comments on topic. Mr. Nellis did not think the Staff Report contained enough information about where the money would be allocated. He expressed consternation that more money was not slated for senior programs and suggested the County should build a larger senior center.

On motion by Commissioner Garcia, seconded by Chair Hill, which motion duly carried on a 5-0 vote, it was ordered that Agenda Item 10, with the exclusion of the Sierra View Library Furniture and the Book Vending Machine in Sun Valley, be approved and directed.

23-0471 **AGENDA ITEM 7** Recommendation to approve the reappointment of Timothy Dake for a term beginning retroactively to July 1, 2023 and ending on June 30, 2027, for the Washoe County Open Space and Regional Parks Commission.

And

Recommendation to approve the appointment of two candidates to fill terms beginning on the date of appointment and ending on June 30, 2027; and one candidate to fill a partial term beginning on the date of appointment and ending on June 30, 2025, for the Washoe County Open Space and Regional Parks Commission. Applicants for the vacancies include: Michaelangelo U. Aranda, Jessica Brown, Matthew Demartini, Barbara S. Fenne, Joseph Hanek, Neal S. Jones, Matthew B. Kaempfe, Robert A. Laurie, Alicia A. Lindsay-Dietrich, Denise Myer, Charles (Mark) Neumann, Cheryl Olson, Gerald Rasmussen, William Robinson, Joe M. Rodriguez, Cynthia "Cindy" T. Welch, Charles Wellinton II, Shanna Wexelblatt. Community Services. (All Commission Districts.)

Program Assistant Alexandra Wilson stated the first motion should be for the reappointment of Timothy Dake to the Washoe County Open Space and Regional Parks Commission. The Board members would then vote via closed ballot on their top four candidates to fill the three remaining vacancies. The two individuals who received the top votes would be considered for the two full-time appointments and the third-place candidate would be considered for the partial term. Chair Hill asked if there needed to be a closed vote for Mr. Dake's reappointment. Ms. Wilson replied the Board only needed to make a motion for the reappointment.

Commissioner Garcia stated Mr. Dake was present in the Chambers all morning and approached her while the Board was recessed for lunch to apologize that he was unable to stay. Commissioner Garcia opined Mr. Dake was wonderful to work with. She said he had a background in mechanical engineering.

On the call for public comment, Ms. Valerie Fiannaca thanked Ms. Wilson for sending her the policy information regarding how people were chosen for these positions. Ms. Fiannaca appreciated continuity on boards but also supported the notion that boards could benefit from the ideas of new members. She supported Ms. Denise Myer or Ms. Shanna Wexelblatt for this item.

Mr. Mark Neumann stated he was a 60-year Washoe County resident. He spoke about sports organizations he participated in with his children. He asserted he did not have a personal agenda in applying for this position and he thought he could bring a new perspective if appointed.

Mr. Neal S. Jones informed he was a retired land surveyor with over 30 years of experience in surveying and engineering. He also worked for California State Parks for six years in the acquisition and real property services division. He believed he had a strong resume for this position. He opined regional parks were the backbone of communities because they provided a beautiful break from the everyday hustle and bustle of life. He declared that while Yellowstone might be a beautiful national park, it was far away and required reservations to visit. That was why regional parks were so important for a local community's quality of life. To enhance regional parks, he suggested the implementation of par courses which were jogging trails with fitness stations at various intervals. He asserted it was important to maintain and enhance the County's parks and open spaces to sustain the quality of life for current and future generations.

Mr. Matthew DeMartini declared he was a 40-year Washoe County resident who graduated from the University of Nevada, Reno (UNR) in 2004. He said he was a runner who frequented local parks. He spoke about Rancho San Rafael Park and how it was an asset to the community. He asserted he would support the preservation of the County parks if he was appointed to this position.

Ms. Janet Butcher alleged one applicant for this item had three ethics violations filed against him and she hoped the Board would not consider that individual. She admitted she was not fully aware of the Board's process regarding the consideration of board appointments. She thought it would be nice to hold a special meeting for board appointments so the public could hear from each applicant and have a better understanding of who was serving on the boards. She expressed frustration that Mr. Dake had to leave the meeting before he was able to give public comment.

Ms. Penny Brock agreed with Ms. Butcher. She expressed support for Ms. Denise Myer. She noted Ms. Myer was recently appointed to the Senior Services Advisory Board (SSAB), but her term would expire in September. She declared Mr. Joe Rodriguez sat on the Washoe County School District (WCSD) Board of Trustees and intended to run for the Sparks City Council. She thought Mr. Rodriguez would have a full plate in the following year and should not be appointed to the Open Space and Regional Parks Commission.

Mr. Fred Myer stated he was present as a representative for his wife Ms. Denise Myer. He informed she was ten days away from retirement and would have the time to sit on this board and the SSAB. He reported Ms. Myer had a background in environmental safety and forestry. He appreciated the Board's consideration.

Deputy County Clerk Lauren Morris advised the Board she received three emailed public comments which were placed on file.

On motion by Commissioner Garcia, seconded by Vice Chair Herman, which motion duly carried on a 5-0 vote, it was ordered that Timothy Dake be reappointed for a term beginning retroactively to July 1, 2023, and ending on June 30, 2027.

Ms. Wilson reminded the Board members they would choose their top four candidates and the top two individuals would be considered for the full-time appointments. She noted Mr. Rodriguez had removed his application, so his name would not be listed on the ballot.

Commissioner Clark thanked the applicants for their interest in this board. He appreciated the candidates who attended the meeting to introduce themselves to the Commission.

Commissioner Andriola recognized Ms. Wilson for her hard work. She mentioned her request to make the application process for advisory boards more robust and noted she called each applicant individually. She thought those one-on-one conversations were beneficial to her decision-making process. She opined the caliber of the candidates was high and appreciated their dedication and commitment to the community.

Chair Hill agreed that the BCC was fortunate to have so many applicants for this item. She claimed Washoe County was the best community in the Country.

Ms. Morris read the results of the closed ballot votes. Chair Hill summarized the top candidates were Mr. Charles (Mark) Neumann and Mr. Michaelangelo Aranda.

On motion by Commissioner Garcia, seconded by Vice Chair Herman, which motion duly carried on a 5-0 vote, it was ordered that Charles (Mark) Neumann and Michaelangelo Aranda be appointed to full terms beginning on the date of appointment and ending on June 30, 2027.

Commissioner Garcia stated she was pleased by the quality of the candidates and pointed out three of the applicants attended the Washoe County Leadership Academy (WCLA).

Ms. Wilson reminded Chair Hill there was also a partial term to appoint. She announced there was a tie between Mr. Neal S. Jones, Ms. Jessica Brown, Ms. Alicia Lindsay-Dietrich, and Ms. Denise Myer. Chair Hill directed the Commissioners to select their top two candidates from the four individuals listed by Ms. Wilson.

Ms. Morris read the results of the closed ballot votes. Chair Hill noted there was a tie between Mr. Neal S. Jones and Ms. Alicia Lindsay-Dietrich; therefore, the Commissioners would conduct one more vote and select one candidate.

Ms. Morris read the results of the closed ballot votes.

On motion by Commissioner Garcia, seconded by Commissioner Andriola, which motion duly carried on a 5-0 vote, it was ordered that Neal S. Jones be appointed to a partial term beginning on the date of appointment and ending on June 30, 2025.

Chair Hill congratulated the newly appointed board members.

23-0472 **AGENDA ITEM 9** Recommendation to reappoint Amy Ghilieri as a Trustee to the Washoe County Library Board of Trustees to a consecutive four-year term pursuant to NRS 379.020(3) beginning on July 1, 2023, and ending on June 30, 2027, or until a successor Trustee is appointed. Library. (All Commission Districts.)

Program Assistant Alexandra Wilson explained that staff brought this reappointment before the Board of County Commissioners (BCC) for the purpose of continuity to allow the Library Board of Trustees (LBT) to continue operating in its current capacity. The terms of service for County appointed boards outlined that the limit of service for individuals was two consecutive terms. She declared staff followed an “if-then” model, meaning if there was an applicant who had not termed out and wanted to continue service on a board, then their reappointment would be brought before the Commission before staff opened the recruitment process to the public. She asserted the decision was ultimately up to the BCC if it wanted to accept the reappointment or not. She recalled the Board’s reappointment of Mr. Timothy Dake in Item 7 and noted the process to reappoint Ms. Amy Ghilieri would be the same. Ms. Wilson mentioned she was recently informed of a resignation from the LBT so there would be an opportunity for the Commission to review new applicants to fill that vacated position. Chair Hill thought it was unfortunate there was a resignation but appreciated the opportunity for new people to join LBT.

Commissioner Clark stated the LBT created a polarizing situation in the community. He thought there needed to be an opportunity for new people to sit on that board. He recommended Ms. Ann Silver, who applied for the previous open seat on the LBT. He asserted he was opposed to reappointing Ms. Ghilieri due to the current issues in the community. He opined the BCC was not doing its job if it made people unhappy. He remarked that when the LBT was founded, its members likely consisted of retired teachers and librarians and there was probably no controversy. Today, he thought there was nothing but controversy surrounding that board. He reiterated his desire for new members on the LBT and said he would vote against Ms. Ghilieri’s reappointment.

Vice Chair Herman agreed with Commissioner Clark. She stated she would not vote for Ms. Ghilieri and expressed her support for Ms. Silver.

Commissioner Garcia thought the recent resignation from the LBT was a problem that needed to be addressed. She agreed there were polarizing issues surrounding the board. She asserted those issues were occurring nationally and were not created by Ms. Ghilieri. Commissioner Garcia stated her sister recently attended a conference of librarians in Chicago, Illinois, and reported that county commissioners across the Country were defunding public libraries due to similar issues. Commissioner Garcia claimed that in the six months she had served on the BCC, she could not count the number of times discussions had gone off-topic to address controversial library topics. She recalled a meeting she had with Ms. Ghilieri where they discussed the recent trustee’s resignation. During that meeting, Commissioner Garcia asked Ms. Ghilieri if she recalled when things started to get challenging between the board and the public to which Ms. Ghilieri responded it was in the fall of 2022. Commissioner Garcia noted there was a placard on the doors to the

Chambers that read, “We respect your right to have a voice in local government. Please respect the decorum of the Washoe County Chambers.” She felt that request was not respected by the public. She could not imagine an advisory board attempting to facilitate a meeting without security or a member of the District Attorney’s (DA) Office to assist them in maintaining decorum. She reminded that advisory boards were comprised of volunteers from the community, and she declared the public’s attitude towards them was unacceptable. She was pleased to see the number of people who applied for the previous LBT appointment. She reported that Ms. Ghilieri had recently been elected to a second term as chair of the LBT. Commissioner Garcia thought it was unfair that Ms. Ghilieri was unable to attend the meeting to defend herself against personal attacks.

Following an outburst from an attendee, Chair Hill stated she was happy to remove anyone who disrupted the decorum of the meeting.

Commissioner Garcia continued to explain there were five seats on the LBT and it was an important job. The public did not have to agree with her, she did not have to agree with them, but they had to respect each other and this appointment process. She reminded the public that the Commission got to make the final decision on this item.

Chair Hill agreed with Commissioner Garcia’s statements. She did not think libraries should be political. She commended Ms. Ghilieri for stepping up to continue to serve as the chair of the LBT despite all the difficulties she had endured. She declared Ms. Ghilieri believed in what libraries did for the community. She expressed concern regarding the actions of the audience in the Chambers.

Commissioner Clark restated that the public was unhappy with the LBT. He wanted new members with differing viewpoints to be appointed which he thought might diffuse some of the anger from the public. He remarked the applicants from the previous LBT appointment were excellent candidates who he thought could bring diversity and equality to the board.

Commissioner Andriola asked Ms. Wilson if Ms. Ghilieri could apply for the open position if the Board did not vote to reappoint her to which Ms. Wilson responded yes. Commissioner Andriola requested an approximate timeline for staff to initialize the application process and bring an appointment back before the Board. Ms. Wilson stated the timeline would depend on whether the Board wanted to open the application process to new candidates or use the current list from the last appointment. If staff were to conduct the entire application process again, it would take about two months. Commissioner Andriola confirmed that if the Board decided to choose from the pool of applicants from the previous appointment, then the process would take approximately five weeks. Ms. Wilson replied yes and said that process did not necessarily follow current appointment practices. Commissioner Andriola wondered if two months was the fastest turnaround time to bring new applicants before the Board. Ms. Wilson thought she could possibly narrow the timeline down to a month and a half. Commissioner Andriola remarked she looked forward to the implementation of a new process for appointing advisory board members. She thought meeting and having conversations with candidates allowed Commissioners to

select the best candidate. She asked if Ms. Ghilieri would retain her position until someone else was appointed to which Ms. Wilson confirmed that was correct. Commissioner Andriola believed the Board needed to open up the application process for this position. She thought the newly vacated position Ms. Wilson mentioned should also be filled through that application process. She commended Ms. Ghilieri for committing her time and expertise to the LBT.

Chair Hill asked Assistant District Attorney (ADA) Nate Edwards if Ms. Ghilieri could apply for the open position if the Board voted not to reappoint her. ADA Edwards stated Ms. Ghilieri could participate in the application process if she chose. He pointed out that even if the Board voted not to reappoint her, pursuant to the Nevada Revised Statutes (NRS), Ms. Ghilieri would continue to serve on the LBT until her successor was appointed.

Commissioner Clark spoke about the previous appointment to the LBT and noted that the position had been vacant for nearly a year prior to being filled. He declared staff would work more expediently for this appointment, but he wanted to point out the Board had not rushed to fill those positions in the past.

On the call for public comment, Ms. Valerie Fiannaca recalled she and Mr. Bruce Parks attended an LBT meeting before they were regularly attended by the public. She reported that board members knitted, ate dinner, and did not follow Robert's Rules of Order. She declared she did not appreciate being lectured by Commissioners. Chair Hill asked her to keep her comments specific to this item. Ms. Fiannaca thought the LBT had a problem and that the citizens needed to stand up against drag queen story hour (DQSH). She thought the LBT acted disrespectfully towards the public. She recounted a meeting attended by nearly 50 Hispanic constituents who brought their own interpreter to help them express their frustration. She stated the board did not open its meetings with the Pledge of Allegiance, which offended attendees. She thought appeals of library content would fall on deaf ears if sent to the LBT.

Ms. Tracey Thomas stated she was opposed to the reappointment of Ms. Ghilieri. She noted there were no trustees who resided in District 4; therefore, most of Sparks was not represented on that board. She thought Ms. Ghilieri had demonstrated actions that disrespected her position, the LBT, and the public. She asked the Board to vote no on Ms. Ghilieri's reappointment and to use the list of applicants it received from the previous LBT appointment to save time.

Ms. Victoria Myer provided documents that were distributed to the Board and placed on file with the Clerk. She stated she was recording the meeting and asserted the attendees had not been shouting or yelling. She did not appreciate being chastised by the Board and thought the sentiment of the Board was that anything short of agreement or support from the public was unacceptable. She explained that the Board members were public servants and opined it was inappropriate for them to reprimand the people. Chair Hill asked her to keep her comments on topic with this item. Ms. Myer agreed with the other public commenters. She thought the BCC should seek additional applicants for this

position to invite different viewpoints. She did not think children should be entertained by drag queens. She noted Ms. Ghilieri was the longest-serving trustee. She declared that under the leadership of Ms. Ghilieri there had been growing concerns and controversy in the community surrounding the library system. She thought changes needed to occur in the libraries. She explained the document that was distributed to the Board was a list of books that were available to adolescents in libraries, high schools, and middle schools, and she encouraged the Board to review it.

Ms. Sandee Tibbett thanked Ms. Wilson for clarifying why there was only one application for this open seat. She wondered why this item was separate from the previous LBT appointment since it was common for the BCC to appoint multiple people to the same board under one agenda item. She opined Library Director Jeff Scott wasted the Commissioners' time and taxpayer dollars to conduct two separate appointments for the same board. She suggested the BCC watch previous LBT meetings before it made a final appointment decision. She thought the May 17, 2023, LBT meeting would be a good one to watch as Mr. Roger Edwards was removed from the meeting for asking for a point of clarification regarding the Pledge of Allegiance. She asked for this item to be postponed so staff could open up the application process to the public. She expressed her appreciation for the repositioning of the flags in the Chambers.

Chair Hill asked ADA Edwards to remind the audience of the rules of public comment. ADA Edwards stated meetings fell under NRS Chapter 241 which included the statutory right to give public comment. The limitations on public comment were stated in the agenda. Willfully disrupting the meeting was something the Commission could prohibit, and the Chair could have someone removed from the Chambers if they willfully disrupted a meeting to the point that its orderly conduct was not permitted. A speaker's viewpoint would not be restricted; however, reasonable restrictions may be imposed on the time, place, and manner of speech. Irrelevant statements, unduly repetitious statements, and personal attacks that would objectively antagonize or incite others were examples of speech that could be reasonably limited. All comments were to be directed to the Commission as a whole. Chair Hill hoped that was a good reminder for people in the audience. She did not want to have to take a break or have anyone removed from the meeting for disorderly conduct. She asked everyone to follow the rules and looked forward to the public conducting themselves in the way that the NRS required.

Ms. Janet Butcher recalled the November 16, 2022, LBT meeting. She alleged that while waiting for the meeting to start, she overheard a conversation between Ms. Ghilieri and a young person in the audience who Ms. Ghilieri referred to using an expletive. Ms. Butcher declared Ms. Ghilieri was a representative of the community and disrespectful jargon was unbecoming. At that same meeting, Ms. Butcher provided a testimonial about a family member who had been groomed. Ms. Butcher claimed that Ms. Ghilieri smirked at her during the testimony which Ms. Butcher thought was unprofessional. She declared that Ms. Ghilieri regularly allowed Mr. Scott to take over the meetings. She thought she witnessed Ms. Ghilieri make an anti-religious gesture following a meeting. Ms. Butcher read a Bible verse and asked the Board not to reappoint Ms. Ghilieri.

Ms. Penny Brock claimed that the people were not being permitted their First Amendment rights because their free speech was limited. She did not appreciate that Ms. Ghilieri would remain on the LBT as chair until another trustee was appointed. She wondered if that was the standard for other advisory boards. She pointed out that when elected officials' terms were up, they either retired or went through the election process again. She requested information regarding where it was indicated that an appointed person would remain on a board until a successor was appointed. She wondered if this appointment process would be delayed, allowing Ms. Ghilieri more time to serve as chair of the LBT. She suggested the BCC not allow Ms. Ghilieri to serve as chair of the LBT during the application process for her position. She wondered why there were no community members present to speak in favor of Ms. Ghilieri. She reiterated her discomfort with Ms. Ghilieri remaining in her position until a successor was appointed.

Mr. Roger Edwards stated he had attended many LBT meetings. He declared he served on many boards including the Regional Planning Commission (RPC) and the North Valleys Citizen Advisory Board (CAB). He opined Ms. Ghilieri did not run meetings well. He claimed the LBT had many problems adhering to the Open Meeting Law (OML). He did not think the problems surrounding the library system were national issues, he alleged they were local problems. He asserted there were members of the community who did not like DQSH, and they would continue to comment on it until the issue was resolved.

Ms. Nichelle Hull mentioned the comments made by Commissioner Garcia. Chair Hill asked her to address the Board as a whole. Ms. Hull remarked that according to Commissioner Garcia, Ms. Ghilieri had experienced challenges in her position when more parents started attending meetings. Ms. Hull opined if Ms. Ghilieri was unprepared to handle the challenges of her position, then she was not the right fit. She thought Commissioner Garcia's comments were coming from a place of weakness and misunderstanding. Chair Hill asked Ms. Hull not to make personal attacks and to address the Commission as a whole. Ms. Hull wondered how her comment was a personal attack. Chair Hill asked her to continue with her thoughts on the reappointment of Ms. Ghilieri. Ms. Hull did not recommend the reappointment of Ms. Ghilieri. She declared the people continuously asked the LBT to remove the DQSH program and the LBT refused, which created a hostile environment that was not safe or wholesome for children.

Mr. Cliff Nellis thanked the Board for considering opening up this position to other applicants. He said his problem was with Mr. Scott. Chair Hill stated the Board was considering the reappointment of Ms. Ghilieri. Mr. Nellis alleged that Mr. Scott controlled the LBT and filled it with "yes" people. He did not think Mr. Scott and Ms. Ghilieri represented the community. He claimed there were several books that promoted the homosexual point of view which needed to be removed from the library system. He asserted there should be new library trustees so they could remove Mr. Scott from his position. He reiterated his appreciation to the BCC for considering opening up the application process for this position.

Mr. Fred Myer concurred with the other public commenters. He wanted the BCC to consider opening the application process to other candidates. He opined the LBT was out of control and disrespectful to the public.

Commissioner Garcia stated Ms. Ghilieri was a history professor at Western Nevada College (WNC). She declared Ms. Ghilieri was a mother and an educator who believed in free and public access to books that reflected all aspects of the community. She reminded that Ms. Ghilieri did not run for public office; she was a volunteer from the community. Commissioner Garcia noted the County and nation were struggling with abrupt resignations from advisory board members due to polarizing, hyper-politicized topics. She postulated it was difficult for Ms. Ghilieri to run meetings in a professional, safe manner without the same experience as Chair Hill or ADA Edwards to uphold decorum. She pointed out that the Commission also had security measures that advisory boards did not. She thought it was unfair that the Commissioners were respectful in giving the people their three minutes to speak and she could not even get through her comments without outbursts from the public. She felt obligated to stand up for the voices of the five other volunteers from the LBT who recently elected Ms. Ghilieri as chair. She reiterated Ms. Ghilieri was a mother and educator who volunteered for her position and the public's actions towards her were unacceptable and unruly. She explained there were methods, procedures, and policies to enact changes in a respectful manner. She asserted there was a dire situation where the County was losing advisory board members because community members were afraid to step into those positions due to the lack of decorum. She respected people's right to believe whatever they believed. She asserted that was also her right, especially as a mother. She pointed out that the same 20 people regularly attended the Board meetings, but there were half a million people in the County. She mentioned a report the Commission received from the Office of the County Manager (OCM) that indicated the general opinion of the regular commenters was not representative of the entire County. She recalled her earlier statement that her constituents in District 3 were unable to attend BCC meetings to express why it was important to have books in the library system that represented who they were. Commissioner Garcia declared it was her job to represent her constituents. She reiterated Ms. Wilson's statement that continuity was the most important thing to consider when looking at reappointments and she thought the community desperately needed continuity for advisory boards.

Commissioner Garcia moved, seconded by Chair Hill, to reappoint Amy Ghilieri. The motion failed on a 2-3 vote with Vice Chair Herman and Commissioners Andriola and Clark voting no.

Chair Hill thought it would be helpful if the Board members who voted no gave staff direction and made a motion.

Commissioner Andriola thanked Commissioner Garcia for discussing respect for differences. She thought there needed to be civility and open dialogue to get the community to a better place. She explained she voted no because she desired the opportunity for better balance on the LBT. She noted there was an opportunity for Ms. Ghilieri to reapply for this position and that she would remain in the position until the

appointment process was finished. Commissioner Andriola spoke about the process to contest library books and stated she did a lot of research on it. Upon looking into the process, she learned that book challenges went to the Library Director first. If someone disagreed with the determination of the Library Director, the decision could be appealed to the LBT. She reached out to Ms. Ghilieri to inquire if any book challenges had been on an LBT agenda during her time on the board. Commissioner Andriola was surprised when Ms. Ghilieri responded no. She recalled Commissioner Garcia's comment that there were processes to get business done in the County. She noted the processes might not always be quick, but they existed. She declared she was process and data-driven and valued rules and respect. She thought the BCC and the community needed to work together to solve issues that needed attention.

ADA Edwards clarified this item was to determine whether or not to reappoint Ms. Ghilieri. Since the motion to reappoint her failed, he expected the following motion would be to not reappoint Ms. Ghilieri. Regarding directing staff to open up the application process, he recommended that language not be included in the motion. He thought staff understood the Board's wishes. He pointed out that NRS indicated trustees served four-year terms and would continue to serve until their successor was appointed which was the standard practice for advisory boards. He explained the Legislature built that grace period in so there was no window of time when a board did not have a quorum. He stated the appointment for this position needed to come before the BCC with reasonable haste and he thought the two months Ms. Wilson described to carry out the application process would meet that need.

Commissioner Andriola asked if it was appropriate to give direction during Commissioner comments on a recommended timeline to bring the agenda item before the Board to which ADA Edwards responded yes.

On motion by Commissioner Andriola, seconded by Vice Chair Herman, which motion duly carried on a 3-2 vote with Commissioner Garcia and Chair Hill voting no, it was ordered that Amy Ghilieri not be reappointed to the Washoe County Library Board of Trustees.

23-0473 **AGENDA ITEM 11** Recommendation to appoint one member to the Washoe County Regional Animal Services Advisory Board. The member shall fill the position in WCC 55.036(1)(d): an individual with an interest in promoting the health and safety of animals in Washoe County. Applicants include Jill Fisher, Joe Rodriguez, Rob Pierce, William Robinson, and Irene Payne (incumbent). This open position has a four-year term from July 1, 2023 through June 30, 2027. Regional Animal Services. (All Commission Districts.)

Chair Hill thanked Program Assistant Alexandra Wilson for handling this item. Ms. Wilson indicated that the incumbent, Ms. Irene Payne, was brought back although she was termed out. Ms. Wilson advised the Board members of their ability to reappoint Ms. Payne if they did not feel the other candidates were adequately qualified.

Ms. Wilson instructed the Board members to select their top two candidates on their closed ballot, after which a vote on the top candidates would occur.

Chair Hill clarified with Ms. Wilson that if the Commissioners did not identify other qualified candidates, they could vote for Ms. Payne. There were no further questions from the Board.

On the call for public comment, Ms. Valerie Fiannaca expressed her support of paper ballots and hand counting, highlighting their effectiveness for this item. She advised the Board to overlook Mr. Joe Rodriguez, as she questioned his ability to perform ethically.

Ms. Penny Brock encouraged the Board to consider all candidates except Mr. Rodriguez. She claimed his position on the Washoe County School District (WCSD) Board of Trustees and his intent to run for Sparks City Council demonstrated a motive to build his forthcoming campaign.

Ms. Irene Payne thanked the Board and County Manager Eric Brown for their contributions to the community. She acknowledged that Washoe County Regional Animal Services (WCRAS) was in a critical state due to overcrowding. She cited her experience working with WCRAS staff and commended their exemplary work despite challenging conditions. She also mentioned her experience with WCRAS Advisory Board members. She reported that despite making progress, there was still much work to accomplish, and she felt she was the sole candidate with adequate experience to immediately address issues following appointment. She believed that making significant advisory board changes was ill-advised. She asserted the community needed to work together to avoid courses of action that would involve ending healthy animals' lives. She said the current situation necessitated continuity in leadership and she urged the Board to consider her for appointment.

Chair Hill asked Ms. Wilson to clarify Ms. Payne's term length in the event she was reappointed. Ms. Wilson specified that, if appointed, Ms. Payne would receive a full four-year term, spanning from the date of appointment to 2027. At that time, Ms. Payne could be reconsidered if there were no other qualified applicants.

Commissioner Clark expressed that despite not taking issue with Ms. Payne personally, he desired new leadership amongst County boards and wished to see fewer reappointments in general. He theorized other qualified candidates existed and he would like them to participate in bringing new ideas forward.

Chair Hill specified with Ms. Wilson that if a Commissioner were to vote for Ms. Payne, they could still vote for a second individual.

Deputy County Clerk Lauren Morris read the Commissioner votes aloud. Chair Hill summarized the top candidate was Ms. Jill Fisher.

On motion by Commissioner Andriola, seconded by Vice Chair Herman, which motion duly carried on a 5-0 vote, it was ordered that Jill Fisher be appointed to the Washoe County Regional Animal Services Advisory Board for a four-year term from July 1, 2023, through June 30, 2027.

Chair Hill congratulated Ms. Fisher and thanked Ms. Payne for her service during a difficult time.

23-0474 **AGENDA ITEM 13** Introduction and first reading of an ordinance amending Washoe County Code Chapter 55 (Animals and Fowl) by adding a section governing variance permit renewals; by modifying the threshold requiring a variance permit from three dogs to five dogs; and by amending provisions related to the variance permit requirements for: the permit application; the mandatory premises inspection(s); containment of dogs and cats; approval or denial of a variance permit; renewal fees; and permit revocation. The ordinance also amends a section related to dangerous and vicious dog registration by changing the word “dangerous” to “vicious” in one sentence; and all matters properly relating thereto; and if supported, set a public hearing for the second reading and possible adoption of the ordinance on August 22, 2023. Regional Animal Services. (All Commission Districts.)

Chair Hill opened the public hearing by calling on anyone wishing to speak for or against this item.

Deputy County Clerk Lauren Morris read the title for Bill No. 1897.

Chair Hill asked the Board members if they desired a staff summary.

Commissioner Clark sought clarification on the difference between “dangerous” and “vicious” and asked how the decision to make this change came about.

Vice Chair Herman referenced her presence during the original presentation of this Bill in her second year as Commissioner. She cited her previous vote against the Bill and stated her ongoing concern had not been the quantity of allowable animals, but owners’ abilities to provide adequate care. Vice Chair Herman posited that collective disregard had caused the current situation. She stated dogs entering the shelter that were considered “vicious” were the only ones euthanized, due to a no-kill policy.

Director of Washoe County Regional Animal Services (WCRAS) Shyanne Schull explained the variance permit amendments in question were to change the number of allowable dogs from three to five, and that seven cats were currently allowed without a variance permit. She reported a variance permit was triggered when someone had more than three dogs. Ms. Schull shared that some procedural weaknesses had been identified since the last Code was amended in 2018, stating both increased applicant accountability and staff effectiveness would improve procedure. She observed 49 of the approximately

125 current variance permits were for four dogs. This created significant work for staff, with each occurrence contributing eight to ten hours of work. Ms. Schull informed this bill was an effort to streamline employee processes while minimizing the impact on community members who could responsibly care for more than three dogs. She addressed Commissioner Clark's question, stating the difference between "dangerous" and "vicious" was a clerical error in the 2022 amendment to Washoe County Code (WCC) 55.750. Prior to that amendment, "dangerous" was the only behavior designation used. They desired to more accurately categorize dogs' behaviors based on severity, which led to the distinction between "dangerous" and vicious," with "vicious" referring to more egregious behavior. She indicated that if administrative hearing officers declared a dog "vicious," they could recommend canine euthanasia to increase public safety. She addressed Vice Chair Herman's comment about euthanasia, remarking that it was an extremely rare occurrence. She said euthanasia had not occurred since the adoption of WCC 55.750, but it was an option for administrative hearing officers.

Vice Chair Herman expressed doubt that the Bill would alleviate excess dogs in WCRAS's facility. She posited that many people adopted dogs during the COVID-19 (C19) pandemic when they were capable of financially supporting pets. However, she explained that people were not as financially capable of supporting both themselves and their pets at this time; therefore, the number of dogs at WCRAS's facility would increase regardless of allowable dog limits. She stated although the problem necessitated action, increasing the number of allowable dogs was not the appropriate resolution.

Commissioner Andriola thanked Ms. Schull for providing her with a tour. She asked Ms. Schull if the intent of the provisions in question was to align Washoe County with Nevada State law. Ms. Schull responded that no State law dictating variance permitting existed, but creating the local ordinance in Washoe County was allowed by State law. Commissioner Andriola asked Ms. Schull what motivated the change from three to five allowable dogs. Ms. Schull stated there were multiple reasons, the first being operations feedback from staff acting in accordance with the current Code since 2018. She asserted that feedback was considered and had been an impetus for change. She informed staff had identified numerous problematic procedural areas and that some of the Bill's proposed language was an effort to increase applicant accountability. Examples she cited were appearing for an inspection and inspection cancellations within 24 hours. Ms. Schull explained another reason for the increase from three to five allowable dogs was that citizens frequently had more than the allowable number of dogs. She referenced her earlier statement that 49 out of the current 125 variance permits were for four dogs and said the percentage for a higher number of dogs subsequently decreased. She observed that due to economic hardships, many people were moving in with roommates or extended family. This could cause the number of dogs per household to fall above three, meaning the owners would need to apply and pay for a variance permit. She reported the increase from three to five dogs per household was reasonable based on data from current variance permits. She also referenced the 2022 ADISA assessment, which is required every five years due to their Professional Service Agreement with the Nevada Humane Society (NHS). She reported a recommended increase of allowable dogs from three to six was given as a result of the ADISA assessment. She stated discussion among WCRAS staff, the WCRAS Advisory

Board, and the public resulted in the decision that six dogs would be too large a legal limit. Therefore, the resulting compromise was for five dogs.

Commissioner Andriola confirmed with Ms. Schull that an increase to five allowable dogs was permissible under State law. Commissioner Andriola stated shelter capacity was an issue in Washoe County and asked Ms. Schull if the Bill would bring relief to shelter populations. She clarified with Ms. Schull that an increase in allowable dogs from three to five would help in scenarios where people moved in with roommates or family. Since the home would be allowed more dogs, Commissioner Andriola wondered if fewer dogs would end up at a shelter. Ms. Schull agreed the Bill would provide some assistance with shelter capacity, but it was not a primary driver. She suggested that speaking with adoption agencies and partner shelters, NHS and SPCA of Northern Nevada, would yield information related to why people surrender pets. She posited that money was a contributing factor. She also explained that pet-friendly housing was a unique challenge and that while the Bill could help with some pet ownership challenges, it would not solve them all.

Chair Hill noted Commissioner Garcia was a member of the WCRAS Advisory Board and asked Commissioner Garcia if she wished to speak. Commissioner Garcia had no comments but thanked Ms. Schull for her leadership.

On the call for public comment, Ms. Tracey Hilton-Thomas asked if Commissioner Clark's question about the terms "dangerous" and "vicious" had been answered. Commissioner Clark confirmed he was satisfied with the provided answer, but suggested Ms. Thomas could speak with Ms. Schull individually if needed.

Bill No. 1897 was introduced by Commissioner Garcia, and legal notice for final action of adoption was directed.

23-0475 **AGENDA ITEM 14** Public Comment.

Mr. Terry Brooks wanted to address the subject of health as it related to homelessness. Health was another factor of homelessness that he believed was getting worse every day. He shared a quote from Benjamin Franklin regarding sleep's effect on health, noting homeless individuals were unable to obtain the health benefits of restful sleep because they had no beds. He outlined what he conjectured were the repercussions of poor sleep, an unhealthy diet, and lack of sanitation, on the health of homeless individuals. He said that children were especially vulnerable to lack of sanitation and malnutrition which could affect physical and mental development. He mentioned that the lack of a phone and transportation led to a lack of access to health care. He observed that health was a major factor in everyone's life.

Ms. Valerie Fiannaca said she appreciated Mr. Brooks' comments, noting they related to her personal experiences with homelessness as a child. She stated that respect was reciprocal, and it needed to be earned. She felt that activism was out of control. She thought discretionary funds needed to be discontinued and it should be more difficult

for any group to obtain taxpayer funds. She said 67 percent of Americans felt the government was out of control and no one trusted the mainstream press. She mentioned an article published in *The Nevada Independent* the prior week which she thought was laughable. She reminded everyone that the public had a constitutional right to petition the government for a redress of grievances. She asserted politicians needed to be less sensitive to criticism and that there was no expectation of privacy in public spaces.

Ms. Tracey Thomas displayed a document that was placed on file with the Clerk. She believed the Commissioners had all received a copy of Vice Chair Herman's resolutions for an election Citizen Advisory Board (CAB) and election integrity. She said Chair Hill informed that the Office of the County Manager (OCM) was working on the resolution for an election CAB, and she questioned why the issue had not yet been agendized. She observed number 11 of the Voters' Bill of Rights stated voters had the right to have complaints about elections be resolved fairly, accurately, and efficiently. She noted Chair Hill informed Vice Chair Herman that the election integrity resolution was being reviewed by the District Attorney's (DA) Office and she inquired why the review was taking so long. She spoke about the upcoming election and the Assistant Registrar of Voters (AROV) position and opined that staff had demonstrated they were unable to staff the Registrar of Voters (ROV) Office. She said Nevada Revised Statutes (NRS) Chapter 293 indicated the County had the option to create an ROV and could rescind the decision and hand the elections back to the Clerk's Office. She expressed confidence in the Clerk's ability to conduct elections, stating that doing so would return control of the elections to the people who could vote to elect the Clerk. She hoped the Board would either establish the election CAB or return elections to the Clerk's Office.

Mr. Scott Finley displayed a document that was placed on file with the Clerk. He stated the Board of County Commissioners (BCC) intentionally released personally identifiable information of constituents without informed consent. He displayed a Washoe 311 document which showed the non-redacted personal information of a public commenter submitted for an Audit Committee meeting. He said redactions were common sense in the world of basic security and needed no explanation. He mentioned the Clerk's Office privacy policy, highlighting that individuals were advised to inquire about details prior to submitting any personal information. He mentioned the privacy policy was not mentioned on the Washoe 311 page and asked how constituents were supposed to know they should inquire prior to submitting information. He noted the policy regarding personal information had been in use since September 29, 2017. He suggested the policy be placed on the Washoe 311 page as a quick solution for this issue, but requested the practice be halted immediately by the BCC.

Ms. Susan Stieg understood the Board received Vice Chair Herman's resolutions for the election CAB and election integrity during the June 20, 2023, meeting and wondered why it had not been agendized for this meeting. She stated that having a CAB was critical and valuable time was being wasted as the primary elections were drawing near. She asked for the issue to be agendized, noting an election CAB would demonstrate that the BCC was listening to the electorate who consistently expressed concern about the integrity of elections in the County. She said she did not understand Item

13 and expressed fear about the implications of the item with regard to her dog and her neighbor's dogs.

Ms. Sandee Tibbett believed Washoe County citizens had been silent for too long and that silence was being perceived as acceptance. She highlighted several concerns regarding elections, the liberal agenda, donations to non-profits, and neglect and abuse of seniors and veterans. She expressed frustration with the funds being spent on the Cares Campus and raises to high-ranking County employees. She did not think the citizens were being properly represented. She expressed consternation about things that occurred during the COVID-19 (C19) pandemic. She declared it was time to unite and take back the County and reminded the Board there was an upcoming election.

Ms. Janet Butcher expressed disbelief about the County being run on artificial intelligence (AI). She referred to the removal of the first public comment during BCC meetings and opined the decision was disadvantageous for the constituents and the County as a whole. She indicated she felt bullied by some of the comments made from the dais during the meeting. She agreed with previous commenters who questioned why the election CAB and the election integrity resolution had not been agendaized. She mentioned the Regional Shooting Facility had been closed due to a staffing shortage and inquired why nothing had been done despite adequate notice of staff retirements. She repeated her prior comment about the lack of individual email addresses for Library Board of Trustees (LBT) members, stating that Library Director Jeff Scott controlled their emails. In response to a comment about lack of participation, she observed there were 20 applicants for the LBT position and plenty of applicants for other positions discussed earlier in the meeting.

Ms. Penny Brock reminded the Board that she recommended a library CAB several weeks prior and restated the request. She mentioned libraries across the County were using a set Federal Communications Commission (FCC) standard for books and event materials. She observed that an FCC standard was data-driven and asked for one of the Commissioners to request an agenda item to discuss using it in County libraries. She mentioned the Sparks Library would host drag queen story hour (DQSH) at 10:30 a.m. and 1:00 p.m.; the events would include booths, food trucks, and games. She requested Sparks Police Department (SPD) presence at the events because taxpayers who were not allowed in the library at the North Valleys Library DQSH had filed assault and battery charges against Mr. Scott. She said event security would be present, but they were unable to arrest people. She believed taxpayers who had no children to take to the event should be allowed to attend.

Mr. Roger Edwards referred to comments about LBT chair Amy Ghilieri's background as a professor and volunteer on the LBT. He outlined his volunteering history and military background and indicated he wanted the same consideration as Ms. Ghilieri. With regard to the issue of affordable workforce housing, he said that his eight years on the Planning Commission (PC) provided him with insight into the issue. He suggested following the example of older communities which included apartments above stores made available to employees at reduced prices. He suggested the County recommend above-store apartments as a solution for the workforce housing issue. He expressed consternation about

Chair Hill's comments regarding the time it took for the County to address constituent concerns. He noted he had been fighting for consideration of the water recharge program issue for seven years without a resolution and had just received another lien on his property because of the program.

Ms. Dorothy Edwards spoke about the passing of her counterpart in Clark County, Ms. Michelle Bennett, Behavioral Health Program Coordinator. She expressed shock over Ms. Bennett's passing and lauded her efforts in her work and as a community leader. She urged everyone to use their influence or position to right wrongs and point out things that needed attention. She encouraged everyone to embrace diversity, praise good work, and collaborate without feeling threatened. She spoke about the philosophy of inclusion and noted that collaboration across County, State, and private agencies was difficult and building trust required professional, sensitive, and respectful communication. She cautioned people about the impact of words, both positively and negatively, and asserted kindness was a skill that could be learned.

Mr. Harold "Skip" Schamback was not present when called to speak.

Ms. Susan Vanness mentioned that Assistant to the County Manager Erick Willrich presented the SpeakUp e-Comment platform at the previous North Valleys CAB meeting. A public commenter asked whether identities would be verified when they set up a profile for e-Comment and Mr. Willrich replied that the honor system would be used. Ms. Vanness expressed displeasure because personal identities would not be confirmed with identification and pictures. She believed the e-Comment information should be directed to the Clerk's Office, not the Office of the County Manager (OCM), because the OCM had no privacy policy on its website. She requested more information about the e-Comment platform and observed the U.S. flag was improperly displayed in the Chambers according to U.S. Code 7.

Ms. Nichelle Hull shared that the library audit scheduled for June 2024 was a result of a meeting attended by a number of County citizens at which various books with inappropriate images were presented. She mentioned that Wake Up Washoe County and LaRue Press, LLC would be sponsoring an event about virtuous books on August 5, at 3:30 p.m. at the South Valleys Library. The event would be a brave kids' story hour to highlight fun, virtuous, value-based, positive books from the Brave Books company. She asked interested individuals to RSVP for the event by emailing contact@wakeupwashoecounty.org. She indicated she attended the DQSH event at the Downtown Reno Library on South Center Street. She said Mr. Scott reported nearly 300 people attended the event but she only observed a maximum of 40 children at the event.

Mr. Doug Flaherty expressed approval of District 4 highlighting the existence of quasi-governmental organizations, which he asserted was a national movement to bypass public comments. He urged the Board not to let quasi-governmental organizations manage the roadmap which would be funded by residents. He avowed there had been no public process for the development of the roadmap and urged for the Board not to spend residents' funds on it. He highlighted several concerns regarding the

destruction of the democratic process, quasi-governmental organizations, and small leading groups historically used to circumvent governmental processes. He declared that elections had consequences.

Mr. Bruce Foster displayed a document that was distributed to the Board and placed on file with the Clerk. The document contained images of shopping carts he observed throughout the community.

Mr. Mark Neumann thanked the Commissioners for appointing him to the Open Space and Regional Parks Commission. He said he would endeavor to listen to concerns and refer any significant issues to the BCC. He commended the Board for approving funds for the Sun Valley Bike Park which he believed would be of great use. He mentioned the Sun Valley swimming pool was open free to seniors with no children allowed on Tuesdays and Thursdays from 11:00 a.m. to 12:00 p.m. He thanked the Board for redoing 7th Avenue in Sun Valley which he observed experienced a significant amount of traffic from Spanish Springs to the North Valleys. He suggested any future renovations include widening each side of the road by three feet to allow room for pedestrians and cyclists.

Ms. Victoria Myer requested that public comment be agendized at the beginning of BCC meetings. She believed having public comment reinstated at the beginning of meetings would alleviate some issues and provide more people the opportunity to speak. She asked for the election integrity CAB to be agendized and discussed by the Board. She thought the BCC meetings provided a platform for the public to be heard and to change the course of issues they disagreed with. She spoke about the LBT appointment and commended the Commissioners who voted in accordance with public commenters. She conjectured that for every person in the Chambers, there were hundreds of people with the same views who were not in attendance at meetings. She expressed displeasure about books containing obscenities that were geared toward and available to children in schools and libraries.

Mr. Nicholas St. Jon displayed a document that was distributed to the Board and placed on file with the Clerk. He read from the document regarding the Roger Hillygus and Stewart Handte kidnapping case. He said the premise was that there was supposed to be a restraining order but that was not the case. He asserted Mr. Hillygus and Mr. Handte had been seriously mistreated and needed to be released immediately.

23-0476 **AGENDA ITEM 15** Announcements/Reports.

Vice Chair Herman recalled that nearly 18 years ago, Citizen Advisory Boards (CABs) were discontinued, and she worked for 9 subsequent years to get them reinstated. She pointed out this was her ninth year as a Commissioner and she was still fighting to place the responsibility of development review back onto the CABs.

Commissioner Andriola directed staff to open the application process for the two open positions on the Washoe County Library Board of Trustees (LBT) in the most expeditious way possible and thanked Program Assistant Alexandra Wilson for all her hard work.

Commissioner Garcia stated that three minutes to talk about an agenda item and address the Board as a whole with no personal attacks, irrelevant statements, or unduly repetitious comments, was a basic rule of respect and decorum during a meeting. However, those rules were not being followed, even after constant reminders from Chair Hill and Assistant District Attorney (ADA) Nate Edwards. She asserted she was not bothered by verbal attacks against her; she drew the line at County staff being affected. She expressed frustration that when staff watched the meetings, they felt demoralized or deflated and were nervous to appear before the Board in the Chambers to present their hard work. She noted there were procedures and processes for respectful and professional ways to get things done in the County. She looked forward to working with the community to improve the overall quality of life for all citizens in the County. She informed that her contact information was available online and encouraged constituents to contact her.

Chair Hill looked forward to a new day in the Chambers when everyone could give each other mutual respect.

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5:53 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:
Taylor Chambers, Deputy County Clerk
Carolina Stickle, Deputy County Clerk
Kendra DeSoto-Silva, Deputy County Clerk*