

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

TUESDAY

10:00 A.M.

APRIL 18, 2023

PRESENT:

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

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

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

23-0229 AGENDA ITEM 3 Public Comment.

Ms. Alicia Lindsay-Dietrich informed she had just finished the Washoe County Leadership Academy (WCLA). She opined it was a fantastic experience and thanked the Board for supporting the program. She gave a special thank you to Commissioner Garcia for helping support the academy's class project to bring art to children at the Jan Evans Juvenile Detention Center. She felt it was important to send the children back into the community with resources that would allow them to continue to do art and express their feelings in a more productive way. Commissioner Garcia generously donated \$2,500 toward art packages developed by the WCLA to send to the children. Ms. Lindsay-Dietrich informed her WCLA group would present its project to the Commission in June.

Mr. Richard V. Poma stated that 17 months prior, he bought a property in Washoe Valley. He asserted he researched the property's title and had everything looked at before he purchased the property. He then bought metal buildings to be used as garages so he could store vehicles, tools, and other things. At the time of purchase, he did not believe there were any problems with building on the property and he would not have purchased the property if he had known there was a problem. He declared that at the end of August 2022, he applied for building permits and had site plans drawn up by K2 Engineering. He informed an individual named Harrison Rader looked into the property and found that 20 years and three property owners prior, someone built on the property without permits. Since the unpermitted building, more permits had been given to subsequent property owners who built on the property. Mr. Poma relayed he was told there

were no permits given for the 20-year-old buildings and the issue fell through the cracks. He spoke about saluting the flag and justice. He asserted he did not feel he was being taken care of justly as a taxpaying citizen and property owner in Washoe County. He was being held up on his building permits despite having site plans and submitting all the necessary information. Mr. Rader passed away, but Mr. Poma kept sending emails and calling the office for months.

Chair Hill directed staff to speak with Mr. Poma to see what the County could do to support him.

Mr. Robert Beadles declared his comments were not addressed to Vice Chair Herman or Commissioner Clark. He informed he looked through the agenda, specifically the budget. He wondered how the Board was allotting at least \$23.1 million to an indigent fund, \$21.9 million to a homelessness fund, \$6.15 million to debt service, and only \$3.4 million to the County's senior community. The previous week, the Board spent \$30 million on the homeless and \$5.5 million on a location to house the homeless. He recalled the County had paid about \$70 million towards the Cares Campus and tens of millions more to run it. He asked where the money was really going and opined it was not actually going to homeless or indigent people. He declared if people ran their businesses like the Board ran the County, they would be in jail or out of business. He stated the County was asking for \$12.6 million for less than 200,000 registered voters, which was \$63 per supposed voter. He wondered how much more money was going to the Registrar of Voters (ROV) Office in addition to the \$12.6 million. He asserted members of the public had provided plans that would cost less than \$2 million per election, most of that going to postage. He stated the people were still waiting for the ROV to explain why, when comparing the tax records against the voter records, there were tens of thousands of issues. He provided rough math, asserting there were around 80,000 seniors in Washoe County and the Board was going to allot them \$42 per person. In contrast, if there were 1,000 homeless citizens, the Board was allotting them \$21,900 per person which did not include the \$100 million or more that was already spent. He reiterated he wanted to know where the money was going and demanded a public audit. He asked why good people who applied for jobs in the County were turned away and inferior or communist groups were brought in. He opined the Board was not working for the people. He asserted everyone should be asking why so many public servants, who made over \$100,000 per year, were now multi-millionaires. He thought it was time that the people investigated where all the money was going. He declared the people had enough. He thanked Vice Chair Herman and Commissioner Clark for representing the people and suggested the rest of the Board resign.

Chair Hill asked members of the audience not to applaud.

Mr. Matt Herrick introduced himself as a principal scientist and division manager for Broadbent and Associates (Broadbent). He declared he was present at the meeting to represent Broadbent and informed it was a Nevada corporation founded in 1987 with about 75 staff members in Nevada, half of which resided in Washoe County. He spoke about the administrative permit that was recently rescinded for the Gerlach geothermal exploration project. He asserted Broadbent had supported Ormat Technologies Inc.

(Ormat) on various projects in Nevada and Washoe County for several years, including work on the proposed exploration project at Gerlach. Specific to Gerlach, Broadbent had provided hydrologic expertise, which was surface and groundwater services to support the Bureau of Land Management (BLM) permitting process. Broadbent had recently prepared a water resources plan for the Gerlach project that was designed to understand and protect natural local water resources monitoring during exploration activities. From his experience, Mr. Herrick felt Ormat took environmental matters very seriously and was a good company. Broadbent was in support of renewable energy and recognized the importance of the Gerlach project and other similar projects to further the diversity of the nation's energy resources. He declared Broadbent was empathetic to the local residents who opposed the project and he disclosed that he resided in South Reno off Mt. Rose Highway, approximately one mile from the Steamboat geothermal power plant. He had lived in that area for eight years and had not experienced adverse conditions due to the proximity of his home to the power plant. He declared it was important to recognize the project being proposed at Gerlach was for exploration and not the development of a plant at that point in time. He asked the Board to reconsider the decision to rescind the geothermal exploration permit for the Ormat Gerlach project.

Ms. Pooja Sheevam declared she was a Doctor of Philosophy (Ph.D.) candidate who studied geothermal systems. She thought the decision made by Washoe County was appalling. She opined groups in opposition to the Gerlach geothermal exploration project had spread lies to the media and public. She asserted she was present to expose how the participants in the opposition were hypocrites. She informed geothermal was one of the most efficient and reliable resources of renewable energy. If one was to compare the same energy output as solar or wind, geothermal surpassed them in both cost and land use. In August 2022, an initial environmental assessment (EA) was conducted of the Gerlach project which took concerns from the opposition and other environmental groups into consideration. Revisions were made, and a 301-page final assessment was approved in October 2022. The document stated there was no present or future threat to the wildlife in that area and ensured that for Ormat to operate under a permit, it was responsible for the rehabilitation, regardless of what happened. She was dumbfounded that the groups in opposition to the project had convinced the Board to reconsider the permit. She stated the Friends of Nevada Wilderness opposed the renewable energy permit that had a minimal impact but had no problem supporting the expansion of Southern Nevada municipalities that would reduce wildlife habitat. She declared the Friends of Nevada Wilderness also had no clear stance on the propositions for solar plants outside Washoe County that cleared much more land. She understood water rights were a legitimate concern. She claimed it was wrong and false to fearmonger the public by saying that their homes would sink into the ground, or the water system would dry up or be polluted. She declared those allegations were false because there was a 77-page hydrologic assessment that explained everything and was publicly available. She pointed out that the assessment indicated the total water use for initial drilling at the Gerlach site was half of what Burning Man (BM) used every year. She questioned if Washoe County was going to ignore the irony in supporting a group that hosted over 80,000 people in the span of two weeks that was known to have wasted more water than any geothermal plant presently operating. She opined the BM Foundation had not worked to reduce its trash and plastic use, contributed more carbon dioxide (CO₂)

emissions than any renewable energy plant, and had increased crime rates within Washoe County. She mentioned the strain put on transportation at the onset of the BM festival. She wondered if the Board really cared about the land or if it was catering to the wealthy. If BM was so bold to be against permitting based on the environmental impact of renewable energy, then she would be so bold to suggest that BM be asked for its environmental impact to see if it could match the thoroughness of a 300-page assessment. She thought it spoke volumes, as Earth Day approached, that the County decided to entertain the idea of siding with groups that had argued points against any type of logic. She wanted the Board to reconsider its decision and asked if it was willing to hinder progress toward renewable energy over the fact that a few people could not understand the science.

Mr. Paul Thomson declared he was a 26-year resident of Washoe County and had daughters who attended Huffaker Elementary School. He informed he had undergraduate and master's degrees from the University of Nevada, Reno (UNR). Living in the City of Reno had afforded him the opportunity to work for United States (U.S.) Senators Richard Bryan and Harry Reid. It also allowed him to serve on the energy transmission committee under former Governor Jim Gibbons and most recently as the chairman of the State of Nevada Public Utilities Commission (PUCN) and energy advisory under former Governor Brian Sandoval's administration. He was present to ask for reconsideration of the vote taken at the previous Board meeting regarding Washoe Administrative Permit 22-0025 which was an administrative permit on federal lands to conduct exploratory drilling. He wanted to tell the Board the origin story of Ormat. He opined Ormat and the geothermal industry owed everything to Washoe County. In 1985, one of the first binary power plants was sold in Washoe County at the Steamboat complex. The project was supported by the Commission, the State Legislature, and the federal government. The project spurred the development of an industry in the U.S. Ormat, a renewable start-up at the time, met with then-Governor Richard Bryan and the Economic Development Authority of Western Nevada (EDAWN) and decided to locate its corporate headquarters in the geothermal epicenter of Sparks, Nevada. Presently, Ormat was located in Reno and had acquired the Steamboat geothermal complex. Ormat had developed 400 megawatts of geothermal projects at 16 power plants, the most recent being the North Valleys power plant just south of Gerlach. He informed Ormat employed 421 people in Nevada and provided enough power for 400,000 homes. Ormat contributed over \$32 million per year in operations, taxes, and royalties while avoiding 60 million tons of CO2 annually. He declared Ormat and the geothermal industry had brought millions of dollars to Nevada through cooperative research at UNR and the Great Basin Center for Geothermal Energy (GBCGE). He opined that what the Board heard at the previous meeting was not germane to the administrative permit before the Board. He did not have time to refute all the misguided talking points regarding a facility that did not exist, had not been designed, and may never exist. He directed the Board to the EA conducted by the BLM that took over two years to develop and declared it provided an irrefutable record of the participation of BM and Gerlach residents and the concessions and protections that were added as a result. He noted a lithium mine that encompassed 2,000 acres adjacent to Gerlach could drill with just 15 days' notice. He informed the Board was going to hear from experts, employees, residents, and vendors who shared Ormat's concerns that Board members should not let special interests make them second guess the work of the BLM and the

unanimous approval of the Board of Adjustment (BOA), which made all the legal findings necessary to approve the non-discretionary permit.

Mr. Scott Nichols declared he had been in the geothermal energy business for 15 years and had been part of the natural resource administration and regulatory programs for 35 years. He pointed out that geothermal resources were the most environmentally friendly and socially compatible energy resources people had the opportunity to develop. He informed geothermal energy was held to more stringent environmental standards than any other resource development. He recalled Mr. Thomson pointed out that the lithium project owned by a company on the edge of Gerlach could drill with 15 days' notice to the federal government. He informed geothermal energy was one of the Western Governors' Association's (WGA) highest priorities and that the Heat Beneath our Feet initiative had been through Colorado, Utah, Idaho, and Nevada to investigate ways to maximize geothermal resources. He asserted that for 25 years leases in Gerlach had been paid for by the industry and individuals to be able to develop geothermal resources. However, a serious look had not been taken at the resources until the last five years. He declared intermittent drilling had occurred for over ten years and Ormat was not proposing the first drilling to ever be done in Gerlach. He hoped intermittent drilling would continue in the future. He declared he had worked in Gerlach since 2009 and had worked in the community for the past two years on and off with County Manager Eric Brown. He met with Citizen Advisory Boards (CABs) and relayed that Gerlach residents had expressed concerns that were carried forward to Ormat's plans and the environmental documents that were produced by the BLM. He asked the Board to reconsider the administrative permit denial. He thought it was imperative that the Board reconsider the decision as it was important to the State, Ormat, and was a 180-degree turn away from the direction the Country was going.

Mr. Josh Nordquist informed he was a 20-year Washoe County resident and had been an employee of Ormat for 15 years. He served the State as a commissioner for the Commission on Mineral Resources and previously served on the New Energy Industry Task Force under former Governor Sandoval. Mr. Nordquist declared his wife was a teacher in the Nevada education system and his children attended public school in Reno. He reiterated he had worked in the industry for 15 years and he declared geothermal was one of Nevada's greatest assets. He planned on finishing his career in Nevada and taught his family the importance of sustainable development and renewable energy. As a father, he was proud to show his children how geothermal had made such a positive impact in the State. He informed he oversaw all of Ormat's drilling activities throughout the world. Ormat had seven active sites at any given time around the world and had been active for over 20 years. The previous year, he oversaw the development drilling of Ormat's North Valleys project that was 15 miles south of Gerlach. He informed the North Valleys project had two active drilling rigs during that time. During the BM event, Ormat shut down its activities for over ten days due to major safety concerns because it was almost impossible to get emergency vehicles to the site due to traffic from the event. This came at a considerable cost to Ormat; however, it was able to successfully complete eight wells at the project with no negative impact. Mr. Nordquist did not understand the Board's denial of the federally approved project in Gerlach that had been thoroughly reviewed and

approved by the BLM. He reiterated geothermal was one of Nevada's greatest assets and had been for decades. He predicted it would still be an asset for many decades to come as it brought clean energy, clear skies, and lifelong careers to rural communities in Nevada. He sincerely asked the Board to reverse its decision.

Dr. Kerry Rohrmeier requested reconsideration of the Gerlach administrative permit denial. She declared her request was on behalf of Ormat where she was employed. She claimed her request was based on expertise in land-use planning and policy that she had gained from 20 years working in planning and research, specifically in industrial and infrastructure development in Northern Nevada. She stated the requests from other commenters would vary based on people's expertise. She wanted to add a statement of her review of the applicable, specific, and comprehensive plans that universally supported geothermal land use. She declared at County and regional scales, it was clear that the Washoe County High Desert Area Plan, which was part of Washoe County's Master Plan, recognized geothermal was an appropriate use for general rural (GR) zones. Article 328 of the Washoe County Development Code further outlined development for geothermal exploration. It conditioned projects through processes like administrative permits through a community-engaged planning process that occurred for the Gerlach permit. She declared that page 58 of the Gerlach economic development plan acknowledged geothermal resources existed in the vicinity of the town. She asserted not only did the BLM approve the National Environmental Policy Act (NEPA) EA for exploration, it did so based on the Black Rock Desert - High Rock Canyon Emigrant Trails National Conservation Area (NCA) Plan. The BLM produced a finding of no significant impact that was based on a two-year review of social, environmental, and economic impacts on the Gerlach community. She added BM had recognized the value of geothermal energy in its 2030 sustainability report for the BM 360 Project. Dr. Rohrmeier claimed that denying land use outcomes anticipated in local and state federal plans and policies undermined larger and longer-term goals for both people and places. She informed she was a Washoe County resident, a voter, a property owner, and a mother who valued the service the Board provided to the community. She asked that the Board think about sustainability more deeply, particularly in the high desert. To her, it meant everyone had a responsibility to reduce climate-induced threats like mega wildfires, droughts, urban heat effects, and flooding from atmospheric rivers. She opined those issues required the Board to discern the difference between fear and sound science. She asked the Board to take action to support renewable energy, not only for its environmental benefit but to bolster the Washoe County economy through green energy.

Ms. Erica Freese introduced herself as the Director of Business Development for Ormat. She was requesting reconsideration of the Gerlach administrative permit denial. She declared her request was based on two decades of rangeland ecology work and environmental permitting experience. She informed she made a deliberate choice to work for Ormat and took pride in developing renewable energy projects for one of the most respected geothermal energy companies in the world. She wanted to add her first-hand knowledge of the environmental review and public input process for the Gerlach geothermal exploration project. At the previous Commission meeting, the Board heard a lot of testimony regarding issues surrounding the development of a power plant, which at

that time, was not on the table. A power plant would require another permitting process with the BLM and Washoe County. Both processes would allow opportunities for concerned citizens to provide public comment. Specific to Gerlach, the BLM geothermal leases were required to go through competitive lease auctions in 1992, 2001, 2019, and 2020. The geothermal leases went through a NEPA process prior to being offered up for sale. At that time, stipulations could be added to the leases to protect the environment. She informed a 60-day pre-scoping period was held in October and November 2020 for the full Gerlach geothermal development project. With the public comment that was provided, Ormat withdrew the utilization plan and submitted an operations plan for exploration only which BM and the Gerlach community commented on. She stated A 30-day public scoping period for the exploration project was initiated in December 2021 and BM was able to make public comment. A 30-day public comment period for the draft EA was initiated in August 2020 to which BM provided public comment. Revisions to the EA were made based on public comments. A neighborhood meeting for the administrative permit was held on July 19, 2022, and both BM and Gerlach residents participated. A revised submittal was made in November 2022 based on the omission of well locations through the BLM NEPA process. The BOA unanimously approved the project on January 5, 2023, with conditions of approval. That was the only meeting in which BM and Gerlach Residents did not provide public comment. She asked that the Board reconsider the project as it had been through a rigorous federal process with multiple opportunities for public comment. She argued it was not the Board's responsibility to deny a permit because BM and Gerlach residents did not agree with the BLM's decision when staff made findings that were in conformance with Washoe County Code (WCC) Article 808. She informed the exploration project required an extensive water monitoring program and State permits that protected the waters of the State, in addition to the administrative permit. She opined Ormat was a good steward of resources.

Mr. John Akerley informed he was before the Board to request reconsideration of the Gerlach administrative permit denial. He declared he was a third-generation Nevadan with undergraduate and master's degrees from UNR and was a registered professional engineer (PE) in Nevada. He stated that for over ten years he had worked in geothermal development and reservoir management as a reservoir engineer for Ormat. He believed the proposed Gerlach project represented a unique opportunity to promote economic growth, create jobs, and ultimately contribute to the development of clean, renewable energy. He declared the exploration project as it was approved in the BLM EA was a carefully planned analysis of the geothermal system with serious consideration of the environmental impacts and the nearby community. He explained Ormat designed tests to monitor and assess the geothermal system with as few wells as possible to decide whether to move forward with a full development plan. Mr. Akerley stated he participated in many projects, some successfully moving forward with additional evaluation from the BLM and all stakeholders, while others did not. In the case of a project not moving forward, Ormat would carefully recover the land, plug and abandon the wells, and leave the land as it was found. He claimed Ormat had a world-class team that worked to develop a geothermal project that would operate sustainably for many years to come. That meant once a plant was operating, Ormat would return 100 percent of produced geothermal fluid back to the geothermal system, maintaining the pressure, not causing

subsidence, and not pulling in any nearby surface water. Given the benefits of geothermal development, he believed the Gerlach project represented a critical step forward to a more sustainable future for the community and the County. Furthermore, the geothermal exploration project would ultimately create jobs and provide a boost to the local economy by offering opportunities for skilled workers and contractors. He respectfully asked that the Board reconsider the permit denial and consider that the positive impacts of the project were ultimately what was best for the County.

Ms. Candice Payette asserted she was present to request reconsideration for the geothermal exploration project near Gerlach. She informed she had lived in Reno for 20 years and resided within a few miles of Ormat's Steamboat operation plant. She declared Ormat was vested in its community. She stated the people who worked for Ormat were not just employees, they cared about their communities and participated in various activities. She declared it was important that there was a clear path forward to successfully continue providing safe and healthy green energy for the State of Nevada and other areas. She informed she was the Vice President of Environmental Health and Safety for Ormat and was one of the newest members of the team. She declared she had been in the utility-based industry for over 16 years and Ormat had not let her down in the seven months she had been employed with the company. She stated the number of resources, expertise, funding, care, and attention that Ormat put toward making sure projects were safe for the environment and people in adjoining neighborhoods was not disappointing. She pointed out that there was never a shortage of attention during permitting as it was not a haphazard process. Projects were planned, permitted, and researched for months or years to ensure that nothing was missed. She hoped the Board would reconsider based on facts that there had been no studies proving that the health of water, depletion of resources, or any environmental health or safety concerns would occur.

Ms. Charli Sperry stated she was with Nexus Environmental Consultants and was a wildlife biologist and a NEPA permitting specialist. She requested that the Board reconsider the Gerlach geothermal exploration project and Ormat's administrative permit. She explained geothermal energy was from heat produced deep in the earth's core. It was a clean, renewable resource that could be harnessed for use as heat or electricity. She asserted that renewable energy, like geothermal, was necessary to reduce greenhouse gas emissions and pollutants in the air and to provide for a sustainable future. Ormat submitted the proposed Gerlach geothermal exploration project operations plan for geothermal exploration drilling to the BLM. Geothermal exploration was used to determine if a viable resource was present that may support an operating facility. Ormat was not proposing an operating facility at that time. Following the submittal of the operations plan, the proposed project went through a rigorous NEPA process. During the NEPA process, the BLM invited agencies to cooperate in the development of its analysis. The BLM prepared an EA in conjunction with cooperating agencies including the U.S. Fish and Wildlife Service (USFWS), the National Trails Office of the National Park Service, and the Truckee Meadows Regional Planning Agency (TMRPA), which all worked together to review the proposed project and tried to avoid or minimize potential impacts. She commented that Washoe County was invited to participate in the process, but it declined. Any impacts identified were disclosed in the final EA. The final EA found there were no significant

impacts to the resources analyzed. Therefore, the BLM issued a finding of no significant impact. Goal 11 of the Washoe County Resource Management Plan managed the use, extraction, and development of geothermal wind and solar resources in a sustainable and compatible way that protected both the resource and surrounding uses. As stated in policies c.11.1 in the Resource Management Plan, Washoe County would promote geothermal development except where mitigation measures would not protect the existing air and water quality standards. As concluded in the final EA, no significant impacts on those resources were identified. She had seen first-hand that Ormat actively engaged in the communities it worked in and performed exploration activities in a sustainable way. Ormat was integral to the County's renewable energy future and additional exploration opportunities would provide renewable energy now and for the next generation.

Mr. John Tuttle informed he and his wife were residents of Silver Springs and had been visiting Nevada for 40 years, primarily to engage in outdoor activities such as hiking, biking, and kayaking. He supported the efficient development of some of the resources in the area. He and his wife relocated permanently to Nevada one year ago and looked forward to continuing to support the industry. He wanted to voice his support for the efficient and responsible development of the geothermal industry. Work had been done throughout the Western U.S. and globally. Everywhere he went, he saw geothermal as a solution to energy needs going forward as it was responsible, efficient, and safe. He thought there had been a long history of successful projects that added value to local communities where the resources were available. Nevada was very strong in geothermal opportunities in the right place, done the right way, and with the right efficiencies and knowledge of the environmental requirements. He declared he was a manager of a service company that provided products for various geothermal, oil, and gas industries. He had 28 employees, half of whom were associated with the geothermal industry at the time, some in Nevada, some elsewhere. He worked in the Steamboat Springs and Gerlach areas and was impressed with the responsibility shown by the companies that were developing the resources in those areas for long-term energy needs, especially while trying to replace fossil fuel requirements with renewable energy. He wanted to voice his support for the process going forward and hoped the Board would review the process and allow for exploration of Gerlach. He read the motto on the Commission Chambers wall and thought Ormat exemplified that sentiment.

Ms. Robin Zuza declared she worked for Ormat as the Director of Exploration. She asserted she was present to request the reconsideration of the administrative permit denial for the Gerlach exploration project. She stated she was a geologist and was going to speak more technically so people could get to know her science, integrity, and passion for geothermal projects. She had been with Ormat for seven years and in the geothermal industry for seven years. She worked with a highly technical, world-renowned group of engineers and scientists dedicated to bringing renewable, green energy projects through geothermal developments to the globe, mostly in the Western U.S. and Nevada. The main point she wanted to make was that geothermal development projects were not ubiquitous; they did not exist everywhere. People did a lot of science to look for renewable energy projects, specifically geothermal. Projects were challenging to find and Ormat took the time to do it right with integrity and world-class science. Even across

Nevada, not all hot springs were viable resources for commercial development. The hot springs people may have soaked in, while nice and warm, were likely too cold for development. Resources were limited even though Nevada had a world-class geothermal resource, not all of it could be developed for projects. To understand the resources and to bring more green energy projects to the table, Ormat needed to be allowed to do good science and look for projects. She explained that to develop geothermal projects, there were multiple phases and multiple stage gates Ormat went through to understand if a project was viable to develop. For the Gerlach project specifically, it was in the first stage which was exploration drilling or resource confirmation. To do this, Ormat needed to drill wells deep into the subsurface to look for two things, temperature, and permeability. The temperature would need to be 130 to 160 degrees Celsius. Ormat was also looking for permeability, which was naturally occurring hydrothermal fluid flow in the subsurface that could be produced to the surface. Exploration drilling was a rigorously well-regulated process; it was safe, and it isolated what was happening in the subsurface from any surface waters. She asserted Ormat needed to be able to explore its resources and understand what it had. She asked the Board to reconsider.

Mr. Jason Ritchey stated he was the Environmental Health and Safety Manager for Resources for Ormat. He asked that the Board reconsider the Gerlach administrative permit denial. He informed he had lived in Washoe County for three years and his wife was a special education teacher for Stead Elementary. He declared he had been in the geothermal industry for 15 years. He had worked for Ormat for three years and had traveled to many different sites locally and internationally. He was given the opportunity to see first-hand what took place on the drilling and exploration projects. After some of the public comments regarding the project, he felt compelled to attest that most of the claims, such as the town was going to sink or the water supply was being jeopardized, were mostly untrue. He had read an article wherein someone stated there were too many what-ifs and dangers to approve the project. He was confident that if all facts were considered, rather than emotions and feelings, then the project would be allowed to move forward.

Mr. Simon Webbison informed he was originally from New Zealand and had moved to Nevada for geothermal development. He was the Vice President of Exploration and Resource Management for Ormat. He asserted he led one of the largest technical teams in geothermal globally. Ormat was the most active and it operated three times more geothermal fields than the next largest operator. He declared Ormat was good at what it did, it was proud of what it did, and it did things the right way. Coming from New Zealand, he had the opportunity to work in other regulatory environments. He also worked across Kenya, Guatemala, Guadalupe, Honduras, and Indonesia. He had obtained a global view of geothermal resources, development approaches, regulations, and outcomes. He opined that what Ormat did was world-class, and its science was best practice. He explained geothermal resources were not dependent on weather like other renewable energy sources were. He thought if geothermal was not developed due to administrative purposes, the best opportunity was not being made to de-carbonize grids. He stated geothermal exploration was very expensive, and it cost a lot of money to do good science which his team was there to do. His team designed a scientific approach to its

exploration and development strategies. The wells and drilling practices were designed using innovative approaches to ensure the local environment and the community were protected. Ormat had a strong track record and brought global expertise to continually improve procedures and processes to keep the company elite. He declared that was what attracted people like him to work at Ormat because it had such a strong reputation for doing things right. He was proud to lead Ormat's stellar team of scientists and engineers and was more than confident in Ormat's ability to explore. If it succeeded in its exploration, it could move to the next stage of development and then on to operations creating jobs and business for other companies that supported Ormat. He asserted Ormat had done good science and good permitting processes with good community engagement which it would continue to do. He asked that the Board consider the implications of land use decisions that went against the objectives of developing new renewable energy in the U.S., Nevada, and Washoe County.

Ms. Penny Brock provided documents that were distributed to the Board and placed on file with the Clerk. She stated she found one of the documents on OperationSunlight.com the previous day regarding the Elections Group. She declared the recent hiring of the Elections Group in Washoe County had raised serious and ongoing concerns about the integrity of elections in Washoe County. Despite numerous red flags and connections to controversial figures like Mr. George Soros, the group was brought in from out of State without an initial vote from the Board. Manager Brown claimed to have thoroughly vetted the group, but a simple web search revealed numerous issues with the Elections Group. For example, Mr. Chris Piper was fired from his ethics post in Virginia after some legislators claimed they thought he was an attorney when in fact he was not. Mr. Piper was also fired as head of the Virginia Elections Commission in 2022. Further, the Elections Group was present during the controversial 2020 election in Georgia and heavily criticized the election audit in Arizona. She opined it was clear that the presence of the group in Washoe County's elections raised concerns about the integrity of the process. She thought with ties to controversial figures and a history of questionable practices, it was difficult for people to trust that their vote would be counted fairly and accurately. She asserted it was imperative that the Board take action to cancel the contract with the group and restore faith in the election process as the stakes were too high to allow the group to continue to operate in the election process moving forward. She reiterated the group had connections to Mr. Soros and other shady progressive organizations which raised serious concerns about the group's motive and objectives in local elections. She declared the group's involvement in the 2020 election in other states and its criticism of the audit in Arizona should raise red flags for anyone who valued the integrity of a fair and honest election process in the County. She opined the fact that Manager Brown hired the group in January 2023 without a vote from the Commissioners and then pushed for their approval at the March 28 and April 11 meetings brought questions about his honesty and integrity. She questioned if he intentionally misled the Board about the group's background and connections, why he hid from the Commission that he had hired the group, and if he was influenced by outside forces with their own agenda. She demanded her questions be answered. She thought it was clear that the Elections Group was not a trustworthy organization and should not be allowed to oversee Washoe County's elections.

Ms. Janet Butcher noted she was not representing any club or organization; she stood before the Board as a 30-year resident of Washoe County and a constituent of District 4. She thanked Manager Brown for reading the email she sent the previous day and she hoped he read the attachment. She provided a copy of the email attachment to the Clerk, and it was placed on the record. She stated she had put together a document that was not a professional one, but she could make a professional one for a lot less than \$600,000. She said Manager Brown stated he reached out to the National Association of Counties (NACo), the International City/County Management Association (ICMA), and the voting center in the Secretary of State's (SOS) Office in Clark County. She recounted Manager Brown invited proposals from only two firms and she stated that they were scored. She wondered what the criteria for scoring were and if the results could be shared in the name of transparency. She was curious if Manager Brown made any inquiries with city and county managers in the counties that did not have the overwhelming issues Washoe County experienced. She relayed that Commissioner Andriola had commented that she felt an independent committee was a good idea. Ms. Butcher claimed the Elections Group, while it may have been external to the County and the citizens, was not a bi-partisan or tri-partisan group. She asked if there were any non-partisan election groups that could be found. She recounted Commissioner Clark had commented that the Registrar of Voters (ROV) Office could take lessons from the Treasurer's and Assessor's Offices. She asserted that if the voter rolls were good, it would fix many of the problems and that responsible proofreading would reduce ballot errors. She thought the \$600,000 could be used to hire more poll workers as there were not enough of them in the past. She stated Manager Brown took issue with volunteers, yet on the County website, it asked people to volunteer.

Ms. Sihomara Graves with Kaempfer Crowell stated she was present on behalf of her colleague Severin Carlson who was traveling for work. She declared her firm represented the BM Project. She was present to address the potential reconsideration of the previous week's decision by the Commissioners to deny the administrative permit for the proposed geothermal drilling project in Gerlach. She asked what had changed in the one week since the Board denied Ormat's administrative permit that was granted by the BOA with inadequate notice and without any public involvement or scrutiny by the residents of Gerlach. She declared the same thing was happening at the meeting. Reconsideration of the decision appeared to be political expediency rather than to correct any error from the prior week, as no error was made. She informed if Ormat believed an error was made, it had a right to judicial review. She stated Ormat could also proceed with a special use permit (SUP) application for its entire exploration project but had chosen a path to circumvent the County's requirement and public input. This was similar to the same corporation that was segmenting its project and undermining the federal process as well as the intent of NEPA, which resulted in an EA that was inadequate compared to the more robust environmental impact statement (EIS). She opined the Commission got it right the previous week and should not revisit its decision.

Ms. Natalie Nicol declared she was the in-house counsel for the BM Project based in its Reno office. She thought it was interesting to see Ormat and its representatives show up at the meeting with such force at the moment the Gerlach community was not present, and no item was on the agenda. In addition to the fact that there was no substantive

reason for the Commission to reconsider the decision that was made the previous week, reconsideration was procedurally improper. Open Meeting Law (OML) prohibited action on reconsideration because it was not on the meeting agenda. The residents of Gerlach, who committed so much time and effort to participate in the previous meeting, had not had any notice that the matter might have been reconsidered. Reconsideration was also barred at a future meeting by the Commission's bylaws. She asserted a motion for reconsideration could not proceed in a future meeting because the bylaws only allowed for reconsideration at the next regularly scheduled meeting following the decision. She reiterated that the OML did not allow the Board to take action because it was not noticed. She stated there was no process for reconsideration at future meetings outside of the established timeline. She restated Ormat had multiple options for recourse should it disagree with the Commission's decision. However, reconsideration was not an appropriate path given the requirements of the OML and the Commission's bylaws.

Ms. Pam Darr stated it was her first time appearing before the Board. She informed she was a precinct captain in precinct 6411 in District 4. She wanted to welcome Commissioner Andriola and offered to meet with her. Ms. Darr stated she would send Commissioner Andriola her information and share what she had heard from neighbors and people she had talked to in her community. Ms. Darr opined she lived in a wonderful community with differing viewpoints. She liked being face-to-face with people to ask how they felt and sharing with them what she gathered when she went to meetings, so they were informed about who was running and what was being offered. She thanked the Board for paying attention and stated she had gone to meetings where sometimes it did not feel like the Board was listening. She added she had concerns about an agenda item and how a firm was hired without going through the Board first. She thought people needed comfort when it came to elections and reassurance that any concerns or issues people had were dealt with.

Mr. Bruce Foster stated he was a Washoe County resident for over 40 years. He welcomed Commissioner Andriola as she was now his Commissioner in District 4. He declared he was a co-captain along with Ms. Darr in precinct 6411. He asserted he and Ms. Darr worked hard going through neighborhoods and obtaining information about the direction of the County. He stated he had also participated as a poll watcher and saw some improprieties throughout the process for the primary and general elections. He wanted to encourage the Board to take a deep dive and do its due diligence in looking at election integrity. He thanked Robert Beadles and his group for doing their homework and presenting it to the Board. He spoke about homelessness and COVID-19 (C19). He noted the Washoe County health district website encouraged people to get vaccinated against C19 and he expressed concerns about doing so.

Ms. Laura Jacobsen stated she was the senior in-house legal counsel for Ormat where she oversaw the company's U.S. operations. She declared she did not have much to add legally, she deferred to the Board's able staff and the District Attorney (DA) in that regard. She wanted to share her perspective on the issue. She recalled two years prior she was a litigation partner at McDonald Carano and was co-chair of the firm's employment practice group. When the opportunity to join Ormat arose, she could not resist the opportunity to join a world-class, publicly traded, global, renewable energy company

or the opportunity to join the fight against climate change which she cared deeply about as a mother of two young children. It was her sincere pleasure to support the departments the Board had heard from with 14,000 employees globally, half in the U.S., of which half were in Nevada. She recalled commenters had claimed that the EA conducted by the BLM was inadequate. She respectfully disagreed but assured that issue was not before the Board, it was before the federal court where BM had instituted litigation to overturn the BLM's approval of the project. Something interesting she learned about the environmental process while working at Ormat was if it was an oil and gas company, it would enjoy what was called a categorical exemption under NEPA. She wanted to add perspective to the two years of extensive permitting and studies that were conducted in support of the project. She did not know why BM opposed the project, she could only speculate because BM's sustainability report named geothermal, solar, and wind development to sustain the future. She sympathized with the decisions the Board had to make and opined it was presented with a parade of horrors that were, in her view, not based in fact and were related to a plant development that was not before the Board. She declared the good news was the Board did not have to choose between geothermal development and BM, reviews had shown it could have both.

Mr. Nicholas St. Jon provided a document that was distributed to the Board and placed on file with the Clerk. He stated he provided the handout to the Board because although people communicated with the Board, they were not convinced the Board received their documents. He declared he had several issues and thanked Vice Chair Herman and Commissioner Clark for their stellar representation of the people and said he appreciated the feedback people received from them. He demanded the removal of the metal detector outside the Commission Chambers. He declared he had been before the Board regarding that matter several times and there was no policy the Board could come up with that would override the Fourth Amendment. He reiterated he wanted the metal detector removed to give the people back their rights. He asked that the Board put on the agenda a Second Amendment sanctuary county resolution. He declared at least 11 other counties had passed such a resolution. He requested the Board set up town halls by meeting at least two or three times per year with constituents for an open dialogue and stated he had been asking for this for well over a year. He wanted to see the Board act and give the people the opportunity to have a dialogue to know where the Board stood and to work through issues. In relation to the Elections Group, he asked that the Board form a CAB for election integrity. He declared the Elections Group was going to interview several people and he suggested those interviewed should form that CAB. He believed the CAB could give the Board better information because the individuals lived in the County and had been investigating the issue. He declared he had written several reports that the Board received the week before. He addressed Chair Hill and stated clapping had been considered by the Supreme Court and was a First Amendment right. He thought Chair Hill could give the people three to five seconds. He asked that Chair Hill stop trying to enforce control on the people and give them three to five seconds to clap for someone they appreciated.

Mr. Garrett Gordon informed he was a partner at Lewis Roca and represented Ormat. He stated he had sent an email to the Board with the BLM decision of record and hoped the Board had a chance to look at it. He declared there was a lot of time, effort, and resources put into the document. For example, on page 2, there were four alternatives sent to BLM that were analyzed. BLM determined that alternative two was most appropriate because it minimized vegetation disturbance, the potential for soil erosion, and access points. He recalled a commenter asked what had changed in the past week. He hoped the narrative that there was no public outreach would have changed. He directed the Board to page 10 of the EA that outlined different steps in the process in which both BM and Gerlach citizens were able to provide comments. He highlighted page 12 of the EA, noting changes were made in response to the comments received including water monitoring and other mitigation. He asserted BM and the residents were heard regarding the changes that were made in the process. In hearing from BM and Gerlach residents the previous week, he knew there was some more work to do. He committed to the Board that if it could reconsider the item, Ormat would sit down with the residents of Gerlach and BM to go further to meet in the middle. For example, Ormat thought it could possibly reduce the number of wells, or maybe not drill at night, which would limit lights and noise. Maybe on the record, Ormat would commit to an EIS document if a resource was found and a geothermal powerplant was approved. He asked that the Board reconsider the item.

Mr. Matt Graves stated he was the Vice President of Operations for Donor Network West (DNW), the federally designated organ procurement organization for Northern Nevada. He declared April was National Donate Life Month which aimed to bring awareness to the important mission of organ, eye, and tissue donation. He thanked the Commission and the community for its continued partnership and support for DNW's mission to save and heal lives. He declared DNW was delighted to kick off National Donate Life Month by lighting the Reno arch green and blue and recognizing healthcare partner champions as well as some donor family heroes in a lighting ceremony. He informed that over 600 Nevadans were waiting for lifesaving organ transplants, and it was through the support of the community that people were given hope that their lives would be saved and improved. He stated that together, people could end the wait for all Nevadans, but DNW needed the community's support through organ, eye, and tissue donor registrations. He thanked the members of the Board for their support and looked forward to working with them in the future.

Mr. Michael Rodriguez provided a document that was distributed to the Board and placed on file with the Clerk. He informed he was a Golden Valley resident who had done research for the Golden Valley Property Owners Association before he became a member. He read page 1 of his document titled, "Between the Bookends – A Short History of the Golden Valley Aquifer Recharge Program" aloud to the Board.

Mr. Nathan Garner stated he was the Environmental Compliance Manager for Ormat. He declared he was deeply involved in all compliance activities throughout the company. He informed he started with Ormat as a Plant Operator and learned how Ormat functioned and what it was as a company. He asserted Ormat cared about communities and what happened in and around them. His choice to work in environmental compliance was

because of that. He declared Ormat was a leader in the geothermal power industry regarding environmental compliance, reporting, and transparency. He was proud of Ormat's work as a company in communities across Nevada and other states and countries. He was concerned about the recent permit denial and requested that the decision be reconsidered.

Ms. Renee Rezendes declared she supported the comments of Ms. Brock and Ms. Butcher. She wanted to add that she had been bothered by the appointment process to fill empty seats that were vacated because the previous Commissioner or County or City worker decided to resign or retire early. She declared appointments were done in third-world countries to take control of the country and the people. She declared the practice was tyranny and she had watched it at the Reno City Council, at the school board, and at the Board of County Commissioners (BCC) which she demanded needed to be stopped. She opined it was taking away the people's voice and their vote. She asserted the people who were appointed were not representing her because she did not appoint them, they represented the people who appointed them. Regarding the Elections Group, she wanted the Board to investigate it further. She declared there were other entities, one being Influence Watch, which had a lot of information. She asked the members of the Board to research what Influence Watch had to say because the Board members were left-leaning and not representative of all the constituents in the County or the State. She opined elections had been filled with controversy and wondered if the Elections Group was going to deny poll watchers from fulfilling their role in the upcoming election.

Ms. Tonya Pletzer stated she was present on behalf of the residents of Rancho Haven and that Vice Chair Herman was her representative. She declared the community was having an issue with Waste Management (WM) and for the past two weeks, her trash had not been taken. She informed many more residents had eight missed trash pickups in the past 11 weeks. She claimed the residents had been lied to by WM and every time someone called, they got a different answer. The community was told the roads were too muddy, or there were too many bumps on the road, but WM had traveled down the worst road in the community and then skipped the rest of the neighborhood. WM offered the community a trash dumpster at the local fire station which was great; however, people had to travel three miles to the nearest station. She informed that the dumpster at the fire station was very full because WM did not empty it. She declared the fire station had informed residents they would no longer be allowed to use the dumpster because the trash was not being picked up. WM had asked residents to bring their trash to Red Rock Road, but some residents lived a quarter mile to two miles from Red Rock Road. She declared that with back and neck injuries, she was not capable of taking her trash to Red Rock Road, and with a lot of the residents being older, it was not feasible for them either. She pleaded with the Commission to help the community. WM had a contract with the County, so residents were required to use WM for garbage services. She opined this requirement had allowed WM to monopolize and mistreat the residents it was supposed to serve. She informed she recently received a credit when her trash was not taken, but in the past WM did not give credits, it just informed residents it would pick up the trash the following week. She recalled receiving an email one week that reported WM was on its way but never showed up. Each week she had to drag her trash cans out and hope that WM

would take her trash. She suggested the County could have a shorter contract with WM to allow residents to supply their own choice of garbage provider to promote competition. She asserted that the 400 residents of Rancho Haven needed help.

Chair Hill asked staff to speak with Ms. Pletzer.

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

23-0230 **AGENDA ITEM 4** Announcements/Reports.

Chair Hill asked if County Manager Eric Brown had any announcements for the Board to which Manager Brown responded no.

Vice Chair Herman responded to public commenters from Ormat. She declared Ormat normally did a wonderful job in every way except with the Gerlach project; the people were not informed properly. That was the only complaint she had. She said Mr. Scott Nichols could attest that she had worked with him in the past and had always supported Ormat, even before she was a Commissioner. She asserted Ormat was on the right track, and she appreciated its representation. She thought the company was well represented but the people of Gerlach needed better representation.

Vice Chair Herman declared several citizens had asked her what the Registrar of Voters (ROV) was hiding in regard to the blackout of the ROV Office and she wanted an answer for that. She stated Mr. Mark Neumann represented people on the Senior Services Advisory Board (SSAB) as well as the General Improvement District (GID) and Citizen Advisory Board (CAB) for Sun Valley. She relayed Mr. Neumann had wondered why Highland Ranch was included in the original flood district for Spanish Springs. She recounted that at the onset of the flood district, she had questioned the inclusion of Highland Ranch as well. She declared the people in Highland Ranch were having a hard time understanding why they had to pay a monthly fee when they were not really in Spanish Springs. She informed she wanted to have a discussion with Manager Brown regarding several requests from constituents wanting an independent audit of the 2022 election to help gain the trust of the voters for the upcoming 2024 election. She declared she supported a citizen audit of the ROV for transparency's sake. She added she had received hundreds of calls over the past six or seven years since the original contract with Waste Management (WM) was approved and she thought the Board needed to do something about the issue.

Commissioner Clark recalled Mr. Richard Poma's public comment and stated he was the fourth or fifth owner of a property that previous owners had made unpermitted changes to. Commissioner Clark declared that over the course of time, the Assessor's and Treasurer's Offices had assigned value to those improvements and billed property owners accordingly. He thought it was ironic that the County would value and charge a tax on a property that had been changed without a permit, yet when Mr. Poma wanted to build on his property and applied for a permit, the County blocked him. Commissioner Clark declared Mr. Poma had bought the property in good faith and opined

the County had dropped the ball when it valued and taxed the property improvements without determining whether permits had been obtained. Commissioner Clark thought that in the future, the Commission needed to figure out a way to make sure the County departments worked in conjunction with each other. Commissioner Clark asserted Mr. Poma was trying to further improve his property which would add tax dollars to the County. He declared the County made the citizens jump through hoops that it would not jump through.

Commissioner Clark brought up the Cares Campus, which was built by the City of Reno and then taken over by the County to house approximately 1,000 people, and said it was built without a sewer line. He wanted to hold the County and the rest of the government to the same standards it was trying to hold citizens to. He stated everyone who provided public comment from Ormat was a subject matter expert and he did not have an argument with them. He asserted he was not a subject matter expert on what people did; however, he was a subject matter expert on taking care of the citizens. He stated that the previous week, people showed up and commented they did not want the project in their neighborhood. He recommended the subject matter experts visit the Gerlach residents and convince them of the facts. The people in Gerlach needed Ormat's subject matter expertise to show them that the project was the right thing to do. He assured he was not opposed to this type of renewable energy. He recalled meeting with Mr. Garrett Gordon and asking him who was against the project. Mr. Gordon had replied virtually no one was against the project; no one had shown up at the hearing. When Commissioner Clark met with Burning Man (BM) representatives, they were lukewarm about being against the item. Commissioner Clark declared he walked into the meeting thinking he was going to vote for the item but when citizens showed up, he had to stick up for them. The job of a County Commissioner was to act as a buffer between big government and the citizens. He said he would defer to the Commissioner whose district it was. He explained people outside his district could not vote for him, so he was not pandering to them for a vote. He was supporting a Commissioner and the people. He declared that when he was the Assessor, he stuck up for the people in Incline Village (IV) who were overcharged by his office. He stated he made it his business to sell the citizens on the idea that the County was going to treat them fairly and protect their interests. He claimed he was supportive of what Ormat was trying to do, but it had to convince the people who lived in Gerlach that the project was a good idea. He stuck up for the people in Lemmon Valley when the City of Reno's sewer was over capacity and people could not use their own yards. As the Assessor, he stood up for the people and devalued 3,300 homes because of smells from sewers. He asserted he believed in full transparency and was going to stick up for the people. He reiterated he was not against Ormat. He encouraged Ormat to meet with the Gerlach constituents to convince them of the project. He spoke about the public comment from Ms. Laura Jacobsen and wanted clarification about what she meant by a "parade of horrors." He was not sure if she meant deplorables, and wanted to know if she was talking about the people in Gerlach because they spoke about not wanting the project in their backyard. He was sure if he took a poll of anyone in the County, no one would want a dairy next door or to be near the airport, a rock-crushing plant, or a WM facility. He stated Ormat needed to understand that the residents of Gerlach lived in that area, and if they were unhappy with the project, it was up to Ormat to convince them that the project was a good idea.

Chair Hill shared she had the opportunity to go to the Washoe County Leadership Academy (WCLA) graduation with Commissioners Clark and Andriola. She opined it was a cool event and she knew the next class was starting in September. She asked the community to look out for the applications so they could apply to be part of the next class. She declared people who were part of previous classes could attest that the program was a great experience. She also had an opportunity to attend the Northern Nevada Literacy Council (NNLC) graduation where 13 adult learners, ages 16 and older, who completed their programs achieved a high school equivalency certificate. The Commission funded eight of the adult learners as part of a grant through American Rescue Plan Act (ARPA) funds. She opined it was incredible to see those individuals and their family members. She informed some of the individuals had come from the Eddy House which was there to support them. She added there was a lot of diversity in the audience. She declared it was a touching experience and she wanted to ensure the Board understood the impact grants made on the community. She asked to take a few items out of order because there had been extensive public comment and she wanted to move Agenda Item 6 ahead of Agenda Item 5 to hear the proclamations.

PROCLAMATIONS

23-0231 **6A1** Proclaim the month of April 2023 as Donate Life Month.

Commissioner Andriola read the Proclamation.

Medical Examiner (ME) Dr. Laura Knight thanked the Commission for the opportunity to highlight organ and tissue donation. She declared it was an important issue in Washoe County and Nevada. Before the establishment of the ME's innovative program in 2017, there was no opportunity to donate if someone passed away outside of a hospital setting. Her office's partnership with tissue donation had allowed the program to blossom in the community. She relayed her department had referred thousands of people who would not have had the opportunity to donate without the partnership program. She reported there had been hundreds of donations as a result of the referrals that had impacted thousands of recipients. She stated in the ME and Coroner world, there was not a lot of opportunity to give good news, so she was happy to receive the Proclamation. She appreciated the Board's involvement in highlighting Donate Life Month.

Ms. Monica Miles introduced herself as the Community Development Manager for Nevada Donor Network (NDN). She introduced her colleague, Kimberly Flores. She stated they were present to represent NDN's entire team. She thanked the Commission and Dr. Knight's team as well as multiple departments throughout the County for their support in helping to raise awareness for organ, eye, and tissue donation. She declared it was widespread support that helped to create pro-donation communities and helped inspire more people to make the heroic decision to register as an organ donor which ultimately helped save more lives.

Mr. Matt Graves recalled the public comment he made earlier and thanked the Commission for its support. He declared it meant a lot to Donor Network West's (DNW) mission and he could not say enough about the community in terms of its support to inspire more people to donate.

Chair Hill thanked the group members for their work and looked forward to supporting them in the future.

On the call for public comment, Ms. Janet Butcher thanked the Commission for honoring people who donated. She informed she had a daughter who was a transplant patient and organ recipient. She stated the donor was a young man who, through the Boy Scouts, signed up for organ donation. That individual not only helped Ms. Butcher's daughter, but five other families. She declared she spoke with Mr. Graves because her daughter's transplant doctor told her no matter what her age was, she was eligible to be a donor. She recalled her twin sister had needed a kidney transplant and Ms. Butcher wanted to donate a kidney for the procedure, but she was not considered despite being healthy. She stated her sister passed away, but Mr. Graves explained to her that the donor criteria for a living donor were different from someone who had passed, which she thought was interesting. She could not express enough how important it was for people to get on the donor list. She appreciated the Board honoring Donate Life Month.

Commissioner Clark stated he had other items he wanted to cover and the Ormat issue had overwhelmed the Board with public comments that morning. Chair Hill asked Commissioner Clark if he would talk about those items at the end of the meeting during Commissioner comments.

23-0232 **6B1** Proclaim the week of April 9-15, 2023 as National Public Safety Telecommunicators Week.

Vice Chair Herman read the Proclamation.

Sheriff Darin Balaam thanked the Commission and stated the safety telecommunicators were unseen heroes. Telecommunicators were the calm voices on the other end of the phone when someone called for help. They reassured callers as first responder resources reported to the incident. Sheriff Balaam thanked the Commission for acknowledging telecommunication specialists and thanked the specialists for their work.

Communications Center Manager Jennifer Felter thanked the Commission on behalf of the Communications Center and its employees. She declared the employees would be ecstatic to be recognized.

There was no response to the call for public comment.

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

23-0233 **AGENDA ITEM 5** Recommendation to acknowledge status report and possible direction to staff on the County Manager's recommended Fiscal Year 2024 Budget with estimated appropriations of approximately [\$1,064,109,500.00] which incorporates Board priorities of funding for existing contractual obligations, supplies, utilities, personnel costs, third year of property tax refunds, election system support, capital improvements and operations, maintaining the County's assets and infrastructure needs, and operating budget requests, and direct the County Manager to return to the Board of County Commission with a Tentative and Final Budget for adoption at a public hearing to be scheduled on May 16, 2023. (All Commission Districts.)

County Manager Eric Brown reminded the Board members that staff had met with them for a briefing on the budget. He declared 2024 was the year the County was choosing to invest in its employees. He recounted the County had conducted a compensation study by Korn Ferry to focus on getting its compensation administration correct. In addition, the County was following the Board's guidance as far as strategic priorities, most notably, regarding voting. He stated there was money in the budget to address the voter registration system that needed to be replaced. Another item was finishing the Incline Village (IV) property tax payments.

Chief Financial Officer (CFO) Abigail Yacoben introduced Budget Manager Lori Cooke and Assistant County Manager (ACM) Dave Solaro. In addition, Ms. Cooke's team was in the audience whom Ms. Yacoben opined had done an excellent job of communicating with departments, understanding different requests, and working with the Office of the County Manager (OCM) to propose a budget that aligned with the Commission's strategic goals. She thanked the County departments for their thoughtful budget submissions, flexibility, and thorough communication throughout the process. She declared it was critical the proposed budget aligned with the strategic vision the Board set during the January 2023 visioning session. She stated the Board would see Ms. Cooke make connections to those visions throughout her presentation. She informed that due to past revenue performance and underspending, the County Manager was proposing more one-time projects than ongoing projects as those impacted the five-year forecast. There were large increases in required pension costs and other post-employment benefits in addition to the Korn Ferry study and the softening of consolidated tax (C-Tax). She declared the County wanted to allow the revenues to stabilize before expanding ongoing expenditures other than those proposed in the budget presentation.

Ms. Cooke conducted a PowerPoint presentation and reviewed slides with the following titles: Agenda; Guiding Principles; Fiscal Year 2023; Fiscal Year 2024 – General Fund Revenues; Fiscal Year 2024 – General Fund Appropriations; Appropriation Summary; General Fund Expenditures/Uses; General Fund Expenditures – 42 New Positions; General Fund Sources & Uses (2 slides); Capital Improvement Highlights – Total \$191.3M; Capital Improvement Highlights (2 Slides); Capital Improvement Plan; Other Governmental Funds – Sources Totaling \$341.4 Million; Other Governmental Funds – Uses Totaling \$423.7 Million; Proprietary Funds; Other Funds’ Expenditures – Personnel; Other Fund Expenditures – New Positions; Budget Summary; Next Steps; Thank You.

Ms. Cooke declared her presentation was to give the public information related to the Strategic Plan and the integration of high-priority initiatives identified in January 2023. She went over the agenda for the presentation and informed that Mr. Solaro would go through the Capital Improvement Plan (CIP) Overview. She stated the execution of the vision and the Strategic Plan goals were listed on the “Guiding Principles” slide. She declared there were more initiatives than were listed, but the goals on the slide related to the execution of the strategic vision. She stated the budget was tracking within the normal year-to-date range, but the figures were unaudited. She informed the County was presently closer to budget than the previous year due to C-Tax revenue which was predicted in preparation for the 2022 fiscal year. Additionally, the County had a better understanding going into the 2023 fiscal year of how much it would need to allocate to IV settlements. She stated the total impact of the settlement was estimated at \$56 million with \$24 million coming from Washoe County.

Ms. Cooke declared the largest operating fund was the general fund which financed all functions of the County. She stated 84 percent of revenues came from C-Tax and property tax. She informed appropriations were an expenditure, transfer out, or other use of the budget, and any budgeted contingencies would be included in the \$515.5 million of budgeted appropriations for the general fund. She listed the major strategic initiatives on the “Fiscal Year 2024 – General Fund Appropriations” slide. She declared those recommendations or enhancements tied back to strategic direction and initiatives. She stated constituents often asked where the funding went, and she explained salaries and benefits were the largest cost at 63 percent of total uses which included the transfers out. She added that for total expenditures, which were a smaller component of uses, salaries and benefits made up 78 to 80 percent which was not out of alignment with other public service agencies. She reported people often asked what the functions of the County were. She stated public safety was the largest function at 38 percent which included the Washoe County Sheriff’s Office (WCSO), Medical Examiner (ME), Juvenile Services (JS), the Public Administrator (PA), the Public Guardian (PG), Countywide security, and Emergency Management (EM).

Ms. Cooke recalled the Korn Ferry study, which was brought before the Board in February 2023, and informed the courts conducted a similar salary study that was incorporated into the budget. She said there were also Other Post Employment Benefits (OPEB), and Public Employees’ Retirement System (PERS) increases that the County was

required to contribute to. She listed the transfer funds and explained capital projects were one-time projects that came from the capital improvement fund. She stated the debt service fund was to support the County's debt; all debt issued was approved by the Board and was C-Tax-backed. She displayed the proposed individual 42 new positions as outlined by departments and the functions of those positions. She informed some of the positions would change as they went through an evaluation process. She informed the Technology Project Coordinator listed under Public Safety would support computer-aided dispatch (CAD), the Records Management System (RMS), the Jail Management System (JMS), and the WCSO. She stated the Sparks Justice Court (SJC) position would be shared with Washoe County Regional Animal Services (WCRAS) and was funded by a reallocation.

Regarding the general fund sources and uses, Ms. Cooke observed there would be a 5.7 percent total increase going into 2024. She explained property taxes were showing an 8.5 percent increase based on pro forma from the State. She listed the other sources and uses displayed on the slide and informed population increases and legislative changes could impact revenues. She explained the C-Tax with the estimated versus the final budget was where the County was accounting for flattening. She reported rating agencies had been spoken to and they understood the Board's direction and policy. She pointed out that with the final budget versus the estimated, the County was looking at using less fund balance than originally anticipated. She highlighted there was \$191.3 million in CIP projects and the County had \$110 million in the capital fund but some of the projects would come out of other funds; the largest being the utilities fund. She informed the largest project was the South Truckee Meadows Water Reclamation Facility (STMWRF) expansion. She noted that 88 percent of the capital facilities fund was from a tax rate that went to the State general fund and the cities.

Mr. Solaro stated there was still a need for the County to focus on major maintenance of facility infrastructure as guided by the infrastructure scorecard. Many of the projects under the facility section were related directly to the Board's direction to raise the grade of the scorecard and properly maintain the assets of the community. Additionally, longer-term projects such as the P25 radio system and software needed to keep business moving were noted within the recommended one-time transfers from the general fund that Ms. Cooke had previously spoken about. On the right-hand side of the "Capital Improvements Highlights" slide was the utility section which included the continued expansion of the STMWRF and associated projects that were the bulk of the work within the utility program. Mr. Solaro reminded those projects were fully supported by the utility ratepayers, so they did not come from the general fund. Additionally, within the parks and open space, the County was trying to focus on what it had heard from the citizens in the most recent Master Plan update which was the need for trails and playground improvements. A lot of the programs that were noted focused on the infrastructure scorecard and what the County had heard from citizens were the top priorities they wanted to see in the parks system. Summarizing the CIP focus, the County was trying to spin the CIP to the overall Washoe County Strategic Plan by using the infrastructure scorecard to inform the needs and leverage the funding of the projects with sustainable-oriented outcomes for facilities; it aimed to utilize the inclusive and accessible principles to improve parks and park experience. He displayed photos that depicted a light-emitting diode (LED)

program in one of the County's buildings funded out of the CIP that would move the County towards sustainability. He added five playgrounds would be replaced throughout the parks system for all-inclusive playground systems.

Ms. Cooke displayed the "Other Governmental Funds" slide and explained that non-proprietary funds were outside the general fund. Those funds included the health district, library expansion, and WCRAS, among others. She declared some of the funds had tax rates associated with them whether it was a legislative override or a voter-approved tax. She explained the indigent tax levy was expanded through a legislative session and the County was required by Nevada Revised Statutes (NRS) to provide indigent services. She explained there were various funding sources within the Human Services Agency (HSA) including senior services, child protective services (CPS), and indigent services including federal monies that could be used in addition to tax rate and general fund support. She stated some special revenue funds had planned use of fund balances and exemplified that the health fund was rather large because it had American Rescue Plan Act (ARPA) and COVID-19 (C19) funding. She pointed out that the road special revenue fund received a general fund transfer to cover the administrative portion of the fund. That fund also received a small portion of motor vehicle fuel tax that could not be used for administration and helped support the roads fund for unincorporated County roads. She explained proprietary funds were not governmental funds, they were enterprise funds that operated like a business. Those funds included the utilities, building, safety, and golf funds. She stated the monies that went into those funds were sustained. She said the internal service funds were operations that the County used to provide services to other departments such as fleet management and health benefits. When the County had an increase in health benefits, those premiums and what was paid went into the health benefits fund, then the County paid out through a separate fund. She stated the risk management fund was also an internal service fund that property and liability claims went into. She reminded when PERS increased, the employer paid half and the employee paid the rest through a salary reduction. She reiterated there could be changes to the new positions listed based on a review of what the titles would be but the intent of the services provided would remain the same. She summarized that the total \$1 billion budget came from 23 funds, investment in staffing, and capital projects. She reminded within the capital improvement fund and special revenue funds, the carry forward for ARPA was not included, so the budget did not include any approval for ARPA projects which would be dealt with at year-end because it was a different funding source that was going into capital improvements. She highlighted the next steps and asked the members of the Board if there were any questions.

Commissioner Clark declared he had several questions. He mentioned a previous public comment that said the County had a budget of about \$3 million for seniors and he asked if that was correct. Ms. Cooke responded the budget for seniors was a little over \$7 million; the \$3 million was relative to a general fund transfer to the seniors' fund. Commissioner Clark recalled a presentation from Deputy District Attorney (DDA) Herb Kaplan regarding a special division of the District Attorney's (DA) Office that prosecuted parents who did not pay their child support. Commissioner Clark opined DDA Kaplan did not need another attorney, but if he had a paralegal, it would improve his collection ability which would mean less money the County had to spend for children who were not getting

payments from their parents. He asserted the Public Defender (PD) and Alternative Public Defender's (APD) Offices were buried in work but he did not see any planned relief for them and he wanted the Board to investigate helping those offices. He asserted he would have a meeting with the departments to find out what they needed to improve efficiency. He recalled vulnerable populations were mentioned throughout the budget and opined another vulnerable population was people who were in jail, could not afford an attorney, and had a PD who was so overloaded that they could not properly defend someone. He wanted to ensure citizens had good representation. He recalled it used to be a priority to have an infirmary in the jail and wondered if that was removed from the budget. He expressed concern about budgeting for regional dispatch and thought it was a major component of public safety. He wanted to ensure dispatch was seamless so that when the public called for help emergency services were sent out to them as soon as possible.

Vice Chair Herman declared she had a wish list for District 5 which included protecting citizens from flooding in Swan Lake, funding for unpaved rural roads, and ensuring enough WCSO patrol to handle all the additional people who had moved to the district. She noted the food bank was empty. She stated the County was spending money on senior services, but she did not see services for veterans mentioned. She hoped everything she had listed was in the details of the budget. She opined the County had spent a lot of money on the Registrar of Voters (ROV) Office and she hoped the County was spending those allocated funds wisely. She wanted to see less money go towards homelessness because the County had spent a lot of money on it. She predicted the economy would have a slowdown and asserted the County needed to be responsible with people's money.

Chair Hill applauded Manager Brown and the budget office for understanding that the County was possibly looking at flattening revenues and being responsible when working with departments. She understood the effort that went into working with departments to determine what new positions were needed and ways to help fund them. She declared the courts needed a case worker for adults. She knew the Detention Service Unit (DSU) did a great job with smooth transitions to the courts, but once people got into the court system, it was very complex to navigate. She thought if there was a possibility of sharing a case worker position, it would be important. She recalled the Board approved a third ACM at the end of 2022. She suggested the third ACM could help with projects such as senior and homeless services. She added since the Project Manager position for emergency medical services (EMS) dispatch was not going to be a permanent position, some of those duties could be given to another person if a third ACM were to be hired. She commented that it had been difficult in her district to get pathways clear of snow due to the harsh winter. She thought the County staff did a great job, but she suggested the County should get an additional plow or contract out for plowing services.

Commissioner Clark stated he had more items to discuss. He wanted to have plans and dates for when dispatch regionalization might happen. He asked what the plans were to gain affordable housing for vulnerable residents in Washoe County. He reported seniors were being squeezed out of their homes and wondered what the County was doing to help them. He asked why the County had not had the Dandini-Spectrum project up for a

vote. If the County was trying to spend money, he thought it should also be trying to bring income in. He asserted the project was already approved by the City of Reno and he believed the WCSO had worked out a deal with the developer regarding another road. He wanted to get the project on an agenda because it was the time of year that building started up. He reiterated the project could be added to the tax rolls as soon as the Board was able to approve the secondary road. He informed it was a \$180 million project that would be a great tax base for the community and would add to the County's ability to pay for other projects.

Commissioner Clark stated the County revised its forecast for C-Tax from the original budget increase of 5.5 percent to an estimated increase of 2 percent over the prior fiscal year. He declared the County would face the lack of C19 or ARPA funds and it needed to bring in other revenue. He suggested another revenue source could be the Dandini-Spectrum project. He stated the County was experiencing higher prices for goods and services, struggling to hire employees, and higher than expected pension and benefit increases due to decreased market devaluation of investments. He declared that as economic growth slowed County revenue growth would slow. He thought the County was going to have to tighten financially and wondered where that would leave County employees regarding the Korn Ferry review. He recalled a discussion at the February 14, 2023, meeting regarding retro-pay to County employees in response to Manager Brown's direct reports receiving raises on January 2, 2023. He wondered what that did for morale and if the employee raises would be retroactive to when employees in the County Manager's office received their increases. He recalled hearing how difficult it was to hold on to employees or find new employees and thought the County should want to keep its hardworking staff. He stated some notable highlights were full-time employees (FTEs) at the ROV Office and noted there were nine current FTEs, and the ROV was asking for an additional three. He reiterated that the PD and the APD were not getting new employees. He thought the County's most vulnerable populations needed legal representation because he did not want to see anyone languish in jail longer than they needed to. He spoke about the indigent fund of \$23 million and the homeless fund of \$21.9 million. He pointed out the senior services fund only received \$7 million which he thought was out of balance.

On the call for public comment, Ms. Penny Brock noted in the future there would be one or two more meetings to discuss the budget. She expressed concern as a taxpayer about the budget totaling \$1 billion. She wondered what communities the County was compared to for the Korn Ferry study. She did not begrudge County staff a raise but noted the community was not getting raises. She spoke about seniors on fixed incomes struggling to keep up with raising property taxes. She wanted the County to consider seniors getting a tax break at a certain age. She mentioned the budget allocations for the homeless and the indigent populations. She stated she was confused about the difference between indigent and homeless.

Ms. Renee Rezendes stated when monies were allocated to the general fund, it raised a red flag for her because when it went into the general fund, it could be spent anywhere. She stated if seniors had \$7 million allocated in the general fund, they could end up with only \$500,000. She reiterated once money went into the general fund, it could be

spent anywhere. She hoped the Board would pay attention to that because the seniors needed to be taken care of.

Chair Hill asked if Manager Brown needed to ask any clarifying questions or if he felt he had enough direction based on the Board's comments. Manager Brown responded he had direction and would take the comments and go back to the Commissioners with answers.

Chair Hill asked Assistant District Attorney (ADA) Nate Edwards if a motion on this item was necessary. ADA Edwards responded he recommended the Board make a motion due to the magnitude of this item.

Commissioner Garcia thought the team did a wonderful job taking a balanced approach in presenting all the recommendations to the Board and tying them back to the strategic priorities. She appreciated Manager Brown's efforts to improve compensation for employees and continuing to listen to department needs throughout the County. She wanted to offer support for all infrastructure improvements. She thought it was often overlooked but was important to improve the grade of the County's infrastructure scorecards.

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

DONATIONS

23-0234 **7A1** Recommendation to accept donations totaling [\$2,613.04] from Donation for Discovery [\$377.64], Come in from the Cold [\$2,182.00], and the donation drop box at the May Museum [\$53.40] for Regional Parks and Open Space programs and facilities; and direct the Comptroller's Office to make the appropriate budget amendments. Community Services. (All Commission Districts.)

23-0235 **7B1** Recommendation to accept donations to Washoe County Regional Animal Services in the amount of [\$2,279.75] retroactive for the period January 1, 2023 through March 31, 2023, from numerous donors (see attached list), to be used for the humane care and treatment of sick and/or injured, stray, abandoned, or at-risk animals received; express appreciation for these thoughtful contributions; and direct the Comptroller's Office to make the necessary budget amendments. Regional Animal Services. (All Commission Districts.)

12:47 p.m. Commissioner Andriola left the meeting.

There was no response to the call for public comment.

On motion by Commissioner Garcia, seconded by Vice Chair Herman, which motion duly carried on a 4-0 vote with Commissioner Andriola absent, it was ordered that Agenda Items 7A1 and 7B1 be accepted.

12:49 p.m. The Board recessed.

1:00 p.m. The Board reconvened with all Members present.

CONSENT AGENDA ITEMS – 8A1 THROUGH 8E1

23-0236 **8A1** Acknowledge the communications and reports received by the Clerk on behalf of the Board of County Commissioners, including the following categories: Monthly Statements/Reports; Budgets; and Executed Contracts. Clerk. (All Commission Districts.)

23-0237 **8C1** Recommendation to approve the award of the Washoe County's Independent Audit Services to Eide Bailly LLP, in accordance with NRS 354.624, that states each local government is required to provide for an annual audit and in accordance with the State of Nevada Department of Taxation the Board of County Commissioners, for a contract period of one (1) year effective April 2023 for fiscal year ending 2023; fees are based on the amount of time required at various levels of responsibility, plus actual out-of-pocket expenses, including administrative charges. Estimated fees for the financial statement audit will be \$212,500 and \$16,000 for each major program in relation to the compliance audit over major federal award programs and if approved, staff will submit the notification of award to the Nevada Department of Taxation. Comptroller. (All Commission Districts.)

23-0238 **8D1** Recommendation to approve, pursuant to NRS 244.1505, Commission District Special Fund disbursement in the amount of [\$2,500.00] for Fiscal Year 2022-2023; District 3 Commissioner Mariluz Garcia recommends a [\$2,500.00] grant to the Sierra Arts Foundation -- a nonprofit organization created for religious, charitable or educational purposes -- to purchase supplies for the creation of "art care packages" for students exiting the Jan Evans Juvenile Justice Center as part of the Washoe County Leadership Academy (WCLA) class project; approve Resolutions necessary for same; and direct the Comptroller's Office to make the necessary disbursements of funds. Manager's Office. (Commission District 3.)

23-0239 **8E1** Recommendation to accept Treasurer’s status report for the period ending March 31, 2023, of payment of refunds and interest since last update in the amount of \$759,105.43 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.)

Commissioner Clark declared he wanted to pull Item 8B1.

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

On motion by Commissioner Garcia, seconded by Vice Chair Herman, which motion duly carried on a 5-0 vote, it was ordered that Consent Agenda Items 8A1 through 8E1, with the exclusion of Item 8B1, be approved. Any and all Resolutions or Interlocal Agreements pertinent to Consent Agenda Items 8A1 through 8E1, with the exclusion of Item 8B1, are attached hereto and made a part of the minutes thereof.

23-0240 **8B1** Recommendation to adopt a new list of qualified General Appraisers pursuant to Nevada Revised Statute 244.2795 and resulting from Request for Qualifications #3201-23, to conduct appraisals of real property purchases contemplated by Washoe County and to conduct appraisals of real property offered for sale or lease by Washoe County, following the process outlined in Ordinance 1291. The proposed list of qualified General Appraisers include: Anthony J. Wren, Anthony J. Wren and Associates; Gary G. Young, Granite Appraisal Group; Lynn C. Barnett, Lynn Barnett and Associates; Thomas D Baroch, CBRE, Inc. Community Services. (All Commission Districts.)

Assistant County Manager (ACM) Dave Solaro stated he was present to take questions on Item 8B1.

Commissioner Clark recalled he had been told it was difficult to get companies to apply to be on the appraisal board. He informed he was contacted by Carson Cook with Johnson Perkins Griffin (JPG) who alerted him that the company wanted to apply, but the County application portal was down. Commissioner Clark stated he spoke with County Manager Eric Brown about the issue who indicated the company could apply the following year. Commissioner Clark questioned how often the application portal was broken and people could not apply. He wanted JPG added to the list. He applauded Mr. Cook for having the courage to inform him the portal was down. He thought the County needed to outsource two or three appraisals on an annual basis and he did not know what the rush was to get this item through. He thought the County should re-open this item and re-introduce the availability to all the appraisers in the County and the State. He declared there was at least one company that wanted to be involved and could not apply until the

following year. He reiterated he wanted to push this item out another month and let people who were interested have an opportunity to be on the list.

Chair Hill responded she was ready to move forward with the companies already on the list. She asked if Commissioner Clark would be open to giving staff directions for a timeline to re-open this item so the Board could move forward with the groups that applied through the process and still allow time to apply for other people who were interested. Commissioner Clark asked if the County had any pending appraisal projects that would require this item to be approved that day. Mr. Solaro noted Washoe County had a series of purchasing policies it followed. It also had the Washoe County Code (WCC) and the Nevada Revised Statutes (NRS) which were the laws that the County had to follow for those types of projects. He thought it was important for the Board to understand that staff created a solicitation for qualifications through a process outlined in the WCC. Staff worked with the Nevada Real Estate Division to get a list of all general appraisers within the State so they could send them a request for qualifications (RFQ) announcement. He informed there was a waiting period for the appraisers to indicate if they were interested through the portal. He observed staff from JPG wrote a note indicating they could not get into the portal. Mr. Solaro assured that he reached out to the representative for JPG to discuss the issue. He reported there were questions about whether the portal or the staff's understanding of how to get into the portal was the issue. He reported there was no communication from JPG to the purchasing staff who ran the solicitation. Mr. Solaro thought it was important to reiterate that the County had gone through that process and provided a response to the Board. He informed that the Board had three options: provide direction to staff to reject all qualifications that were received, accept the qualifications that were received and provide direction about whether staff should open up the solicitation again as defined in the WCC, or simply accept the list as provided by staff. He believed it was incumbent on the Board to decide and provide directions to staff so they could continue forward. He pointed out staff had recommended that the Board accept the list.

Commissioner Clark asserted if the County had a portal that professional appraisers could not seem to navigate, it was on the County to lower the bar enough for people who wanted to be involved. He wanted staff to figure out how to get the vendors on the list. He did not like the fact that he heard time and again that people could not get in to submit applications. He thought it was a good opportunity to re-open this item since there was no pressure to get an appraisal job done at that time. He suggested the Board take this item off the table and re-open it to let people have a chance to get their name on the list.

Commissioner Andriola asked if action were to be taken, when was the next open period for interested applicants. Mr. Solaro suggested that the Board give directions on that. He informed the list was created after legislative action in 2006 and had gotten to the point where there was only one appraiser left on that initial list, so staff decided it was time to update the list. He added staff wanted to refresh the list on a more routine basis, but he would take direction from the Board on that.

Commissioner Andriola asked what the average had been, for instance over the course of five years, of the number of people who had responded and actually met the outlined eligibility requirements. Mr. Solaro stated the County had not solicited for appraisers since 2006. When the County had a list, staff would go through it person by person to offer appraisal positions. He pointed out four applications were received through the portal and Commissioner Clark received an email from the fifth company that was interested.

Commissioner Andriola asked if there was any concern about being out of compliance. She recalled Mr. Solaro spoke about the purchasing policies that were in place that aligned with the request. She asked if there would be any out-of-compliance exposure with not acting on this item. Mr. Solaro stated he may need assistance from the District Attorney (DA). He explained the County treated this item as if it was a construction project that companies bid on; if bidders did not meet the requirements, staff would go to the Board with a recommendation to reject the bids. He believed that was the appropriate approach and deferred to Assistant District Attorney (ADA) Edwards who asked Commissioner Andriola to repeat the question. Commissioner Andriola repeated if no action was taken at the meeting, would it put Washoe County out of compliance with the purchasing policies that were in place. ADA Edwards did not think it would. He informed the statute in NRS Chapter 244 required the Board to have a procedure for selecting appraisers by Ordinance. He explained that was what Mr. Solaro had brought before the Board. It would allow the Board to update the list because the current one had dwindled down to one appraiser. He did not see any material change if the Board was to wait for a month or however long it wished.

Commissioner Andriola asked, based on the conversation Mr. Solaro had with Mr. Cook, if there was any indication that Mr. Cook was looking at a timeline for consideration. Mr. Solaro responded he had asked Mr. Cook what would work for his company and the response he received was the company had a 90-day backlog. He stated the other side of the argument was the County had four firms that met the qualification requirements within the timeframe of the RFQ. He declared he wanted people to take the County's solicitations seriously and know that the County would follow rules and regulations.

Commissioner Andriola wondered if the portal could stay open to allow people who met the requirements to apply if the County accepted the four firms as presented or if there was a defined open and close period of the solicitation. Mr. Solaro explained there was a defined period of time to receive submissions. He stated it was under the purview of the Board whether to adopt the list as presented by staff, to adopt the list and direct staff to go back out for more submittals, or to reject the list and ask staff to do the process again.

Commissioner Clark stated there had not been a new list for 17 years and there were only a couple of appraisals done per year. He reiterated staff from JPG reported they could not navigate the County's portal and he wanted to give them an opportunity. Chair Hill expressed concern that the County only had one appraiser left from the original

list, so any immediate projects went to one person. She pointed out there were four people who were able to navigate the portal. She proposed the Board move forward with the list and give staff the opportunity to reopen the RFQ. She did not think rejecting the list was business-friendly because people took the time to follow the County's rules to be considered. Commissioner Clark agreed with Chair Hill and opined if the applicants who were on the list were in the same situation as JPG, he would have the same consideration for them. He asked if there was a pending appraisal that needed to be done in the near future to which Mr. Solaro responded no.

On the call for public comment, Ms. Janet Butcher displayed a document, a copy of which was placed on file with the Clerk. She informed the document was from the County's website and when she clicked the link, she was directed to the wrong page. She declared if someone said they were having an issue with the portal, she believed them.

Commissioner Clark moved that the Board re-open this item and notify the company that was not able to navigate to the portal. He also wanted to notify the other companies that the County had their information on record and would re-apply for them if they wanted to continue with this process. If there was nothing imminent, he did not think anyone was going to be angry and withdraw their name for consideration if the Board opened this item up for another two weeks or one month to give the group that could not navigate the system an opportunity. He wanted to be business-friendly and allow the group to re-apply. He moved that the Board reject and re-open the list. The motion was seconded by Vice Chair Herman.

Commissioner Andriola asked for clarification if there was a time certain for this item to be re-opened. She was unclear on that part of the motion. Commissioner Clark suggested an additional 30 days. Vice Chair Herman agreed.

Commissioner Andriola clarified that the motion was to reject the current list of applicants, keep the application open for 30 days, and then bring this item back before the Board. Commissioner Clark confirmed.

Chair Hill stated she would be voting no. She did not think it was fair to make people re-apply as they had already gone through the process. She stated the list could be re-opened in a few months.

On motion by Commissioner Clark, 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 to reject the new list of qualified appraisers and re-open the request for qualifications for a period of 30 days, after which time this item would be brought back to the Board for consideration.

23-0241 **AGENDA ITEM 9** Recommendation for discussion and possible action in regards to the appointment and/or reappointment of Commissioners to boards and commissions, alteration of terms of service on boards and commissions where legally permissible, and such other action as the board of commissioners may desire to take in regards to those administrative matters. Boards and commissions for which possible changes to appointments could be made under this item include all of the boards and commissions listed at the end of this agenda as the “various” boards and commissions that commissioners may be members of or liaisons to. Manager's Office. (All Commission Districts.)

Chair Hill recommended Commissioner Garcia for the Regional Transportation Commission (RTC) as there was about to be a major project in her district in Sun Valley. Chair Hill thought Commissioner Garcia would be a great representative on that board. For the Reno-Sparks Convention and Visitors Authority (RSCVA), Chair Hill recommended she sit on that board to represent the interests of the entire Commission on all tourism matters. On the Truckee Meadows Regional Planning Agency (TMRPA), she informed Commissioner Andriola would sit on that board due to statutory requirements. For the Truckee Meadows Water Authority (TMWA), she recommended Commissioner Andriola. Chair Hill thought Commissioner Andriola would bring a lot of her construction background to that position. For the Truckee River Flood Management Authority (TRFMA), she recommended Commissioner Andriola serve as the regular member and Commissioner Garcia serve as the alternate. Chair Hill stated there were about to be a lot of projects in Sparks and she thought Commissioner Andriola would be a great representative. She recommended Commissioner Andriola sit on the Washoe County Investment Committee, the Washoe County Stadium Authority, and the Western Regional Water Commission (WRWC). For the Senior Services Advisory Board (SSAB) alternate position, she recommended Commissioner Andriola. Chair Hill stated she sat on the Washoe County School District (WCSD) Capital Funding and WCSD Oversight Committee and recommended that Commissioner Andriola sit on both of those boards.

Commissioner Clark directed the Board’s attention to page 8 of the agenda and noted Commissioner Andriola was already listed on the TMRPA. He asked if that was a typo. Chair Hill reiterated Commissioner Andriola was required to be on that board per the Nevada Revised Statutes (NRS). Commissioner Clark declared he wanted to relinquish his Downtown Reno Partnership (DRP) alternate position. He thought it was a conflict of interest since his daughter was a Reno City Councilmember. He wanted Vice Chair Herman to sit on the RSCVA board since she had been on the Commission for nine years. He stated he had been attending the RSCVA meetings since July 2022 and would continue to go to the meetings as a resident of Washoe County, but from his time in the audience, he thought it would be beneficial for Vice Chair Herman to represent the Board. He stated District 5 was the fastest-growing area in Washoe County since it had land to build on. He pointed out that District 5 lost the Reno Air Races (RAR) which was a big draw to the area and was in danger of losing the Sierra Sage Golf Course since the water bill had gone from \$40,000 to \$120,000 per month for effluent water. He noted Gerlach, which hosted Burning Man (BM), was also in Vice Chair Herman’s district. He stated if Vice Chair Herman was

not interested, he thought Commissioner Garcia should serve on the RSCVA.

Vice Chair Herman stated she was thinking about RSCVA and would like to be on it but she wanted to remain on her other boards.

Chair Hill asked if there was any Board member who was interested in taking the DRP alternate position. She knew Commissioner Garcia was the Board's main member. She stated she was happy to take the position as she had served as the main member of that board before and was happy to fill in when Commissioner Garcia could not go.

There was no response to the call for public comment.

On motion by Commissioner Garcia, seconded by Commissioner Andriola, which motion duly carried on a 3-2 vote with Commissioner Clark and Vice Chair Herman voting no, it was ordered that Agenda Item 9 be approved and the Board members be appointed.

23-0242 **AGENDA ITEM 10** Discussion and direction to staff regarding legislation or legislative issues proposed by legislators, by Washoe County, Truckee Meadows Fire Protection District, or by other entities permitted by the Nevada State Legislature to submit bill draft requests, or such legislative issues as may be deemed by the Chair or the Board to be of critical significance to Washoe County. Possible actions under this item may include the Board taking official positions on AB 68. Pending legislative bills can be located here: <<https://www.leg.state.nv.us/Session/82nd2023>>. Current bills the County is tracking that may be reported on or discussed are listed under Government Affairs at www.washoecounty.gov <<http://www.washoecounty.gov>>. Due to time constraints inherent in the legislative process, a list of specific bills that staff will seek direction from the Commission on during this item will be posted on the web site under Government Affairs at: www.washoecounty.gov <<http://www.washoecounty.gov>> by 6:00 p.m. the Friday before the meeting. Due to the rapid pace of the legislative session, additional bills upon which comment may be sought from the Board of County Commissioners will be posted as soon as known. Manager's Office. (All Commission Districts.)

Government Affairs Liaison Cadence Matijevich stated that the previous Friday was the first big deadline for bills to make it out of committee in their house of origin. Assembly Bills (ABs) needed to be out of Assembly committees and Senate Bills (SBs) needed to be out of Senate committees. She informed staff had reformatted the Board's report to move previously identified bills of interest to a separate section on the report to indicate those bills that failed to meet the deadline or as staff liked to refer to them, dead bills. That did not mean those bills would not come back as zombies someplace else, but those bills themselves would not be considered further during the legislative

session. She noted that none of the five bills that the Board had taken an official position on failed to meet the deadline so all five were still active. There were two that the Board had taken a position of opposition to and three that the Board had taken a position of support for. Only one of those bills had actually made it to the other house, AB92, which was the bill that pertained to County counsel. That bill had moved to the Senate and was scheduled for a hearing the following day. Pursuant to the Board's direction, she would be there to testify in opposition to the bill. She stated she would continue to monitor the others. She informed SB68 was on the agenda; however, at that time, an earlier version of the agenda that was posted had a minor error and identified the bill as AB68, so out of an abundance of caution, she recommended that bill be brought back for discussion at the next meeting to be sure there were no concerns with how it was noticed. She did not have any indication that the bill had been scheduled for a hearing. She did have the Board's direction from its most recent meeting; she would continue to operate in accordance with that. She stated she did not have any other specific bills to raise for the Board. There would continue to be bills introduced that may come from Governor Joe Lombardo or leadership as emergency measures. The pace of new bills being introduced should slow down significantly. She did not expect to be bringing a lot of new bills to the Board through the remainder of the legislative session. She stated the next big deadline was April 25, 2023, which was when bills were due out of their house of origin. They were not only due out of committee but out of the full house and on to the second house unless they had been declared exempt from the deadlines.

Chair Hill asked the Board members if they had any questions. She stated it was great to see Ms. Matijevich in person and thanked her for being present. She knew Ms. Matijevich was busy in Carson City most days. Ms. Matijevich had been working very hard and Chair Hill said she had heard great things about her. She stated the Nevada Association of Counties (NACO) was really appreciative of Ms. Matijevich's collaboration with the other counties.

Ms. Matijevich appreciated the Board's direction and the legislative principles she had to work under. It helped her to accomplish what she needed to do on behalf of the organization and the community.

There was no response to the call for public comment.

23-0243 **AGENDA ITEM 11** Public Comment.

Mr. Michael Rodriguez read from page 2 of his document titled, "Between the Bookends – A Short History of the Golden Valley Aquifer Recharge Program." A copy of the document was placed on file with the Clerk. He pointed out there were three items that were not brought up in the presentation by Division Director of Engineering and Capital Projects Dwayne Smith which were listed on page 3 of Mr. Rodriguez's document.

Ms. Vicki Parson stated she resided in Rancho Haven, a rural community at the north end of Red Rock Road. She declared her garbage was not picked up on April 5 or April 12 which included recyclables. She stated there had not been any weather problems

and the roads were dry, so she called Waste Management (WM) to find out why her garbage had not been picked up for a second week in a row. She stated she called at 2:00 p.m. on April 12, and the customer service representative relayed a truck was 15 stops from her house and would be there within 60 to 90 minutes. A few minutes after the call, Ms. Parson heard from a neighbor who reported she had received a call from WM saying her garbage and recyclables would not be picked up that day. Ms. Parson called WM back at 3:30 p.m. and asked the customer service representative why her garbage was not picked up. The representative told her a truck was still scheduled to pick up her garbage that day. She asked to speak with a supervisor who informed her WM would not be going to her house because the roads were muddy and slick. She told him that was not true, the roads were dry. He responded maybe the road to get to her road was muddy, but she said the road to get to her road was Red Rock Road which was paved and not a problem. She did not appreciate being lied to by the three people she spoke with at WM that day. She relayed that the supervisor informed her she could take her garbage to the dumpster at the Red Rock Volunteer Fire Department. She declared the dumpster was always full and one dumpster was not enough to hold the trash from the hundreds of contracts WM had in Rancho Haven. She thought it was unsightly, unsanitary, and unsafe. She stated when people did not pay their trash bill, a lien was placed on their homes, and she asked what the consequences were for WM when it did not do its job. She stated the United Postal Service (UPS) and FedEx had not stopped their deliveries in the Rancho Haven area. She opined WM lied about the road conditions and did not seem to care. She asserted Washoe County had contracted with WM to provide garbage pick-up and the Board needed to tell WM to honor that contract and do its job.

Chair Hill asked County Manager Eric Brown to have staff reach out to Ms. Parson to get more information about the issue.

Mr. Doug Stoyanoff stated he resided in Rancho Haven and loved his private dirt road. He thought it was appalling that anyone who bought property in the Rancho Haven area had to sign a contract acknowledging that WM was the only company that could be used for residential trash. He declared he and most of the other residents wanted the contract to be opened so other companies could perform their trash services. He stated Highway 395 was one of the main thoroughfares in and out of the City of Reno and suggested the County try to obtain federal funding to help with Red Rock Road. He reported if there was a fire or a major accident on Highway 395, all traffic got re-routed through Red Rock Road. He wondered what the Rancho Haven and Sierra Rancho communities were receiving in benefits from property taxes. He reported that in the previous three years, his taxes had gone up each year. He spoke about the budgeted light-emitting diode (LED) program and suggested that new lights, such as those on the Red Rock Volunteer Fire Department's exterior, should be directional to mitigate light pollution.

Chair Hill asked staff to reach out to Mr. Stoyanoff for more information about the WM issue.

Ms. Penny Brock spoke about the Elections Group. She stated the group was founded by Ms. Jennifer Morrell. She reported two of the group's partners were working in Nevada and Washoe County, the Center for Tech and Civic Life (CTCL) and the National Vote at Home Institute (NVAHI), and both were nonprofits supported by Mark Zuckerberg. She stated Ms. Morrell was a consultant for the Democracy Fund which Ms. Brock thought was a main funder of election irregularities in 2020. She stated the Elections Group should have been paid \$10,000 in March according to its contract with the County. She believed the group was hired by Manager Brown to provide an operational review of the most recent government election but was retained before the contract could go before the Commission to allow the constituents to comment. She thought that was a serious breach of Manager Brown's contract and should be investigated. She stated the Elections Group was going to be put under the audit committee and she did not understand why. Through research, she found the public was invited to audit committee meetings and could make three-minute public comments. She reported she tried to sign up to get notices regarding the audit committee through Washoe311 but it was not listed as an option.

Ms. Janet Butcher stated she was not representing any group or club; she was speaking as an individual. She informed she was a 30-year resident of Washoe County who resided in District 4. She spoke about volunteers and recalled Manager Brown spoke against a tri-partisan volunteer elections advisory board. She read a quote from the County website encouraging people to volunteer in the community. She opined Manager Brown did not support volunteers or feel they were effective. She declared constituents had a vested interest in elections. She reported she worked as a poll worker and the poll manager was of a different political party than hers, but she got along with him. She spoke about Chris Piper from the Elections Group and issues the State had when he was the Chief Operating Officer (COO) of Elections in Virginia.

Ms. Renee Rezendes felt there needed to be an investigation regarding the Elections Group and the way the company was hired. She stated two Commissioners were left out and wondered why that happened. She opined Manager Brown was biased and wanted to do things his way. She reported she had been called to be interviewed by the Elections Group. She called Vice Chair Herman and Commissioner Clark to ask what the interview was about, and they both relayed they knew nothing about the interview. She added the lines in the roads needed to be painted and asked the Board to place the issue on an agenda.

23-0244 **AGENDA ITEM 12** Announcements/Reports.

Commissioner Clark wanted to talk about the office the County rented at 170 South Virginia Street for Washoe County Housing and Homeless Services staff. He reported the County had a three-year lease in place with a fiscal impact of \$643,679.05 and had spent \$225,170.73 to furnish the space. He had been assured by staff that the office furniture would be used at the new location when the group moved. He wanted to know why the department could not use space at 350 South Center Street which was owned by the County. He declared he wanted to see a list of the properties owned and leased by the County and at what cost.

Commissioner Clark spoke about the Sol Cannabis consumption lounge. He reported the consumption lounge was not approved by a 3-2 vote, but it was unclear because there were two different issues as it came up from the Planning Commission. He stated that Ed Alexander, the founder of Sol, had been vocal about the vote and was quoted in the *Reno News & Review (RN&R)* regarding his frustration over the Commission's decision. He reported Mr. Alexander did not think the Planning Commission understood what was being asked and he was not able to attend the Board of County Commissioners' (BCC) meeting in January because he was out of the Country. Commissioner Clark had spoken to County Manager Eric Brown, Assistant District Attorney (ADA) Nate Edwards, former Commissioner Vaughn Hartung, and Chair Hill to get the item back on an agenda. He declared Mr. Alexander was in jeopardy of losing a \$100,000 deposit.

Commissioner Clark stated he wanted to be informed about who had applied for the open Public Defender (PD) positions before a vote was brought before the Board. He stated there were times Board members were asked to vote for someone without much notice. He wanted the opportunity to meet and vet applicants before voting. He informed he had already met one applicant whom he was impressed with.

Commissioner Clark asked if the public was allowed to schedule tours of the Cares Campus. He stated Food not Bombs was feeding people in front of the Cares Campus but had been moved into the street due to the widening of fencing around the property. He reported a woman named Michelle Jardine passed away and two volunteers were severely injured when they were struck by a motorist while serving food to unhoused residents. He wanted to know how the County could ensure the safety of nonprofit volunteers who were serving food on the street. He asked Manager Brown for an update on the fire lane that was drawn at the Cares Campus that moved the group into the street.

Commissioner Clark wanted to discuss the buried tanks on the new Cares Campus that Division Director of Engineering and Capital Projects Dwayne Smith spoke about at the previous Board meeting. Commissioner Clark declared he wanted a copy of the Environmental Protection Agency (EPA) Phase 1 Brownfield Study and other documentation he had previously requested. He asserted he wanted to know how much it was going to cost to remove the petrochemical tanks from the property and who was going to cover that cost.

Commissioner Clark asked when the Dandini workforce housing project was going to be on an agenda for a vote as it was building season. He reiterated the project was for workforce housing and pointed out that the builder and the Washoe County Sheriff's Office (WCSO) had come to an agreement on the project.

Commissioner Clark opined Mr. Nicholas St. Jon had a great idea about creating a voter's group. He declared he wanted to hold a town hall to get people involved and find out what the citizens wanted to be done.

Commissioner Clark reiterated he wanted to know how citizens could take a tour of the Cares Campus.

ADA Edwards declared he had an answer to one of Commissioner Clark's questions. He relayed there was a meeting at the Regional Public Safety Training Center (RPSTC) regarding the Dandini project. He stated the developer would be presenting a possible resolution. Depending on the outcome of the meeting, the item would then come before the Board.

Commissioner Andriola requested clarification on the Gerlach geothermal exploration project mentioned in public comments during the meeting. She wanted to know the status of the project based on the action that was taken by the Board at the last meeting.

ADA Edwards responded that at that time, barring reconsideration, the item stood as it was decided the previous week, which was a denial of the permit and reversal of the Board of Adjustment's (BOA) decision. The option going forward, which was not the County's call to make, was that Ormat would decide whether to seek judicial review. If the company did, the Board would be notified because the County would get served with a lawsuit. At that point, it would go through the court process and the court would review the record. The record would include the hearing the previous week and the full record of the BOA. A determination would then be made as to whether there was substantial evidence in the record to support the decision that was made the previous week.

Vice Chair Herman declared she intended to vote against the hiring of the Elections Group at the previous meeting, but the record showed she voted in the affirmative. She requested to bring the item back for reconsideration.

Commissioner Clark stated that based on what Vice Chair Herman disclosed, he thought it was only fair that the Board revisit the item. He declared the Board had heard from public commenters who thought the Elections Group was brought into the County without proper vetting. He asserted he did not know about the hiring of the group until after the group had been retained. He thought the item should be brought back for further discussion.

Chair Hill did not know if Vice Chair Herman could bring back the item for reconsideration because her vote was in the affirmative and asked ADA Edwards for clarification. ADA Edwards declared he had not seen a scenario such as this come up. Vice Chair Herman's request was to review the record, which ADA Edwards stated could happen offline. If her vote was in favor of approving the \$100,000 portion of the contract, she would be on the prevailing side. If she did not vote in favor, she would not be on the prevailing side and could not request reconsideration. Chair Hill asserted the record needed to be checked because the Board had an electronic voting system for a reason so that the Board could ensure votes were tracked correctly. She declared it was not good for staff, business, or the community for Board members to be reversing votes. She did not want to set a precedent on the issue because there was a reason the Board had invested in the electronic voting system.

Commissioner Clark acknowledged the Board had invested in technology. He stated Vice Chair Herman, whether intentionally or unintentionally, voted in the affirmative. He asked if Vice Chair Herman voted in the affirmative, did she have the right to bring the item back for reconsideration to which ADA Edwards responded yes. Commissioner Clark believed the Board should honor Vice Chair Herman's request. Chair Hill stated the Board would see what the record reflected. She asked if ADA Edwards would update the Board once the record was reviewed. ADA Edwards informed the response would come from the Clerk's office.

Commissioner Clark stated someone thought he had voted in the affirmative on the item. He reported he spoke with County Clerk Jan Galassini who verified that he did not vote in the affirmative, but Vice Chair Herman had. He thought Ms. Galassini could let the Board know if Vice Chair Herman voted in the affirmative.

Ms. Galassini reported she reviewed the record while Commissioner Clark was in her office. She affirmed the vote was 4-1 to approve Agenda Item 15. The no vote was from Commissioner Clark and the four affirmatives were from the other Commissioners.

Chair Hill verified with ADA Edwards that the item could be brought back. ADA Edwards responded that Vice Chair Herman was on the prevailing side of the motion which enabled her to request reconsideration. Chair Hill stated the item could be brought back on the following agenda.

* * * * *

2:09 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*