



MAYOR
Ed Lawson

CITY COUNCIL
Donald Abbott, Ward I
Dian VanderWell, Ward II
Paul Anderson, Ward III
Charlene Bybee, Ward IV
Kristopher Dahir, Ward V

CITY ATTORNEY
Chet Adams

CITY MANAGER
Neil Krutz

**Sparks City Council Concurrent Meeting
with the City of Reno, and Washoe County Board of Commissioners
1:00 P.M., Wednesday, January 20, 2021**

This meeting was held virtually due to the COVID-19 pandemic – Hosted by the City of Sparks via ZOOM

1. Call to Order

The concurrent meeting was called to order by City of Sparks Mayor Ed Lawson at 1:00 p.m.

2. Roll Call

Sparks: Mayor Ed Lawson, Council Members Donald Abbott, Dian VanderWell, Paul Anderson, Charlene Bybee, Kristopher Dahir, Acting City Attorney Wes Duncan, City Manager Neil Krutz, PRESENT via ZOOM.

Washoe County: Chair Bob Lucey, Vice Chair Vaughn Hartung, and Commissioners Alexis Hill, Kitty Jung, and Jeanne Herman, PRESENT via ZOOM.

Reno: Mayor Hillary Scheive, Council Members Jenny Brekhus, Naomi Duerr, Oscar Delgado, Bonnie Weber, Neoma Jardon, Devon Reese, PRESENT via ZOOM.

3. Pledge of Allegiance

The Pledge of Allegiance was led by Sparks Council Member Abbott.

4. Public Comment

Andrew Diss, Vice-President for Government Affairs with Meruelo Gaming called in public comment on behalf of Grand Sierra Resort requesting consideration of a clear appeals process from the Washoe County Health District that allows the appellant to be heard by a separate body than the one that originated the citation, and for fines to be issued to repeat offenders and not necessarily first-time offenses. He also expressed interest in working collaboratively with the Health District as a community vaccination site.

AnneMarie Grant called in public comment regarding the death of her brother, Thomas Purdy, and others who lost their lives at the hands of local law enforcement. She urged empathy during encounters with subjects who may be mentally unstable and seeking assistance from law enforcement.

City Clerk Lisa Hunderman read into record emails received. Cameron Harris emailed comment regarding the impacts of lack of enforcement of illegal parking and vehicle abandonments within City of Reno and regional limits. Dr. John Novak, DMD, District Board of Health Chair, emailed comment regarding established processes for people

aggrieved by decisions made by the Health District or who are seeking waivers from Health District requirements.

5. Agenda

5.1 Approval of the Agenda (FOR POSSIBLE ACTION)

Consideration of taking items out of sequence, deleting items and adding items which require action upon a finding that an emergency exists. Each body voted individually:

Motion: Move to approve the agenda as submitted.

Moved by: Council Member Bybee

Seconded by: Council Member VanderWell

Yes: Council Members Abbott, VanderWell, Anderson, Bybee, Dahir

No: None

Abstain: None

Vote: Motion passed unanimously, 5-0

Motion: Move to approve the agenda as submitted.

Moved by: Washoe County Vice-Chair Hartung

Seconded by: Washoe County Commissioner Herman

Yes: Commissioners Lucey, Hartung, Hill, Jung, Herman

No: None

Abstain: None

Vote: Motion passed unanimously, 5-0

Motion: Move to approve the agenda as submitted.

Moved by: Reno Council Member Duerr

Seconded by: Reno Council Member Reese

Yes: Mayor Scheive, Council Members Brekhus, Duerr, Delgado, Weber, Jardon, Reese.

No: None

Abstain: None

Vote: Motion passed unanimously, 7-0

6. Minutes

None.

7. Presentations

7.1 Presentation and discussion regarding the establishment, structure, and membership of Washoe County Health District and District Board of Health. (FOR POSSIBLE ACTION)

A presentation from Sparks Assistant City Manager Alyson McCormick providing an overview of the establishment, structure, and membership of Washoe County Health District (WCHD) and its governing body, the District Board of Health.

Washoe County sought clarification on the membership makeup prior to 1993 and requested a timeline of when and how assignments were made; Mrs, McCormick

explained the 1986 amendment included a limitation for the City of Sparks stating only one appointee could be an elected official. That limitation was amended again in 1993 and applied to all three jurisdictions. Additionally, Mrs. McCormick confirmed she did not have a timeline of board assignments for the Board of Health, but assignments were made by the Nevada Legislature and its various administrative agencies.

8. General Business

8.1 Consideration, discussion, and possible direction to staff to negotiate a proposed amendment of the interlocal agreement concerning the Washoe County Health District. (FOR POSSIBLE ACTION)

A presentation from Sparks Assistant City Manager Alyson McCormick providing an overview of amendment options available pertaining to an interlocal agreement with Washoe County Health District. Council expressed interest in options that might increase the influence of elected officials at the November 18, 2020 concurrent meeting.

Mrs. McCormick explained there are four options to consider.

The first option, "Packing the Board", is not considered a viable option since adding more elected members to the Board would violate Nevada law.

The second option, creating an appellate body, is another consideration which Mrs. McCormick explained is not likely to be a viable option -- while the Board may exercise appellate powers or establish appellate bodies in specific subject matter areas, those powers are created by specific Nevada statutes or regulations. Therefore, the Board likely does not have authority to hear generalized appeals or create a general appellate body.

Mrs. McCormick went on to explain the third option, terminating the interlocal agreement and establishing a new health district, was also not advised (particularly during the global COVID-19 pandemic) because only a health district is authorized to perform certain functions. Further, the State Board of Health must approve the creation of a new health district, meaning it would likely be several months before the parties could establish a new health district.

The final option, amending the interlocal agreement, was the most feasible method presented for restructuring WCHD and the Board, per Mrs. McCormick. She also explained the agreement itself describes how it may be amended: "This agreement may be amended by mutual consent of the parties hereto not later than 90 days before its annual renewal date." Section 7(D). The renewal date is December 31 of each year, so the agreement may be amended before October 2 of each year. *See* Section 7(B). The governing bodies could direct their respective staffs to negotiate a proposed amendment to address any concerns the governing bodies may have. The governing bodies could then approve the proposed amended agreement.

Continued discussion included: Potential impacts on current franchise agreements; whether changes during a pandemic is really the best option for the region; ways to ensure Board direction comes from the Board itself and is not just reported; considerations and clarifications of the current appeals process; considerations of a Board name change to something more reflective of a cooperative effort that is autonomous from Washoe County; roles of elected officials as Board Chair and/or Vice Chair to increase influence; ways to make the appeals process simpler and more cohesive for constituents; the possibility of establishing industry liaisons to relay input to the Board; the need to ensure evidence-based decisions remain at the forefront over partisanship in the Board's decision-making processes; ways to better communicate the Health District's roles and limitations to the public; and the importance of including the Board in discussions.

Each body voted individually:

Motion: Move to direct staff to present options for amending the interlocal agreement based on current discussion and input from the District Board of Health.
Moved by: Council Member Dahir
Seconded by: Council Member Bybee
Yes: Council Members Abbott, VanderWell, Anderson, Bybee, Dahir
No: None
Abstain: None
Vote: Motion passed unanimously, 5-0

Clarification was sought by Sparks Council on the deadline for action; City Attorney McCormick confirmed all three governing bodies would need approval by October 2, 2021 to be effective January 1, 2022. Additional discussion included when to reconvene and discuss options that include input from industry representatives and the Board.

Motion: Move to discuss and prioritize options presented regarding member, appeal, structure, and name, and present identified changes to a singular member for presentation to the governing entities and their managers.
Moved by: Washoe County Vice-Chair Hartung
Seconded by: Washoe County Chair Lucey
Yes: Commissioners Lucey, Hartung, Hill, Jung, Herman
No: None
Abstain: None
Vote: Motion passed unanimously, 5-0

Motion: Move to direct staff to identify issues with a problem statement clarifying the issues; ask for input from health staff, the Board, and elected officials, and jurisdictional staffs; and identify membership, appeal, structure, and name among issues to be addressed.

Moved by: Reno Council Member Duerr with additional discussion prior to a second.
Seconded by: Reno Council Member Brekhus with the amendment that each individual body will seek input and choose how they would like to proceed before reconvening and presenting with all three bodies.
Yes: Mayor Scheive, Council Members Brekhus, Duerr, Delgado, Weber, Jardon, Reese.
No: None
Abstain: None
Vote: Motion passed unanimously, 7-0

Sparks Council sought clarification on legal limits if non-voting liaisons are a consideration. Mrs. McCormick noted it depends on what the structure would look like; there are no limits pertaining to the Board seeking input from community members, but research would help determine if a formal liaison role could be pursued. Acting City Attorney Wes Duncan agreed with Mrs. McCormick and noted they will look at available options and present any legal limitations to Council for consideration.

9. Comments from the Council/Commission Members or City/County Managers

Reno Council Member Duerr thanked Mrs. McCormick for her thorough and insightful presentation and contributions to the discussion.

Sparks Mayor Lawson thanked everyone for their dedication to collaboration and cohesiveness.

10. Public Comment

Barry Duplantis, REMSA Chief Financial Officer, called in public comment noting REMSA is proud to service the region. He reminded that REMSA services and their franchise agreement with the jurisdictions are directly impacted by any decisions made regarding the Board of Health.

11. Adjournment

The meeting was adjourned at 3:24 p.m.

Ed Lawson, Mayor

ATTEST:

Lisa Hunderman, City Clerk

>>>LK