



January 20, 2021

Washoe County Commission
Reno City Council
Sparks City Council

Members of the Washoe County Commission, Reno City Council and Sparks City Council:

As you contemplate what the future structure of the Health District will look like, I want to provide some feedback that may help you in your decision making.

As you are aware, this past summer the legislature granted extra-ordinary authority to the health district through SB4 to enforce COVID mitigation guidelines. Our team members have gone to great lengths to ensure we are keeping our guests safe and that we're meeting all of the new mandates required by the legislature. We conduct constant education and continual performance improvement with our team members to make sure we are in compliance, but the reality is that sometimes we don't do things perfectly, and we get cited by the health district for a violation. Fortunately, these citations have only been for minor violations, but it has brought to our attention some of the short comings in the current appeals process.

As you meet today, we ask that you consider setting up a clear appeals process that allows us to appeal to a different body than the one that gave us the original citation. We also ask that only repetitive events be subject to a fine. If we continually make the same mistake, then yes, hold us accountable, but fining a business for a minor first offense is akin to pouring salt on the wound when our business levels have already been severely curtailed by 25% occupancy restrictions. OSHA serves as a good example of how inspections should work because they give us a warning for first offenses as long as we haven't been negligent and allow us to self correct and educate our workforce before a fine is issued.

Our highest priority is the safety of our team members and guests. Everyone on our team from our front line staff all the way up to our GM is keenly aware of the microscope that our industry is under and we take our responsibility of proving to visitors from all over the world that we are a safe place to visit very seriously. We hope that you consider these simple changes to the appeals process so that our team members aren't being penalized for things that are easily fixed.

Thank you for all the work you and your staff have done to keep our community safe during this stressful time. I'll close by saying we want to work collaboratively with the Health District in any way we can, including offering up our large parking lot or empty convention space at GSR as a community vaccination site.

Sincerely,

Andrew Diss
Vice President, Government Affairs
Meruelo Gaming

Your Name (First and Last)	Cameron Harris
Email Address	reno.local.90@gmail.com
Address	7450 west 4th street
Which City of Reno Ward do you reside?	Ward 1
Council Meeting Date	Jan 20, 2021
Agenda Item	General Public Comment
Please state if you are in favor or in opposition of the agenda item in which you are commenting:	No position stated - Concerned or Neutral
Your Comment	<p>It has been 119 days since I have been reporting illegally parked and abandoned vehicles on West 4th Street to the city and state. According to NRS Chapter 487</p> <p>(a) Abandoned vehicles constitute a safety hazard and a public nuisance and are detrimental to the health, safety and welfare of the general public.</p> <p>(b) Such vehicles produce scenic blight which degrades the environment and adversely affects the proper maintenance and continuing development of the State.</p> <p>I have brought these issues up to the NHP, RPD, and City of Reno. They have literally taken no steps to enforce state or local codes. My elderly parents have been watching strangers strip the abandoned vehicles of parts not even 30 yards from where they sleep. NHP has an MOU with the City of Reno which designates West 4th Street as in the jurisdiction of Reno and the jurisdiction of RPD yet RPD has no intention of claiming these vehicles their responsibility. Reno Direct won't pass this on to Code Enforcement or any other supervising department and I am at my wits end. There are at least 13 vehicles illegally parked on the side of SR 647 and are violating no less than 13 municipal codes each day which would add up to no less than 1,400 violations over the last 2 years.</p> <p>I have photographs that date back to 2018 of the vehicles violating local and state codes. These vehicles are legally and technically a safety hazard and are inhibiting the progress of the State of Nevada.</p>
Do you wish to sign-up for Reno Connect e-newsletters?	No
By checking the "Yes" option below, you	

agree that all the information above is true and accurate. For additional information, please refer to the agenda for today's meeting.

Yes

MEMORANDUM

To: City of Sparks
City of Reno
Washoe County

From: Dr. John Novak, DMD, District Board of Health Chair

Date: January 19, 2021

Re: Public Comment – Item #4 and #8

There are a number of processes that have been established for people that are aggrieved by decisions made by the Health District or who are seeking waivers from the requirements of the Health District. Several of these are appellate bodies that are established by the District Board of Health and some are appeals processes that involve the Nevada Division of Environmental Protection. The District Board of Health hears the appeals that come through the process established by the Board. The appeals boards have been in existence for over thirty years and have provided an opportunity for individuals and businesses to appeal Health District decisions and seek variances from regulatory requirements.

The appeal process for SB-4 was created by WCHD since it was not included in the State 447E regulations. All facilities are provided the opportunity to appeal within 10 business days of issuance of their written citation. If there is no resolution from that appeal process, the appeal will go to the DBOH for a final determination. To date, that has not occurred.

The DBOH Sewage, Wastewater, and Sanitation Board review and provide a determination on any appeal and/or variance that is brought forth resulting from either a Septic or Domestic Well issue. WCHD would provide an opinion of either Neutral, In Favor, or Against to the SWS Board for their review. Upon completion of the SWS review their recommendation goes to DBOH for approval. These items typically appear on the consent agenda. The regulations establishing the SWS Board and its functions are codified in District Board of Health Regulations 170.010 – 170.045.

Any appeal or request for variance from the NAC 445A construction regarding water systems would require a review and approval from NDEP in order for WCHD to proceed with the process. For individual oversight and permitting of water systems that process would also be through NDEP Bureau of Safe Drinking Water, but a different group than the one that reviews engineering and construction. Administrative review of action taken by the Division or the appropriate district board of health is addressed in 445A.66645 for water system construction requirements, and in 445A.491, 445A.519, and 445A.614 for permitting and operations of water systems.

Members of the Food Safety Hearing and Advisory Board (FSHAB) are appointed by the District Board of Health to serve as needed when an appeal or variance hearing is required. Any food establishment subject the Washoe County District Board of Health Regulations Governing Food Establishments can appeal a notice of violation or inspection finding by submitting a written request within ten business days of receiving the notice of violation. The FSHAB makes a finding and recommendation to the District Board of Health to make the final decision to sustain, modify or rescind the notice of violation, or order. The District Board of Health may also refer the appeal back to the Food Protection Hearing and Advisory Board for addition consideration (can only make one referral back to the FSHAB). The regulations establishing the FSHAB Board and its functions are codified in District Board of Health Regulations 240.085 – 240.110.

Any source that has been aggrieved by the Air Quality Management Division (AQMD) may file an appeal with the Air Pollution Control Hearing Board (APCHB). The APCHB is created and appointed pursuant to Section 445.481 of the NRS and consists of seven (7) members who are appointed by the Washoe County District Board of Health and are not the employees of the state or any of its political subdivisions. The regulations establishing the APCHB Board and its functions are codified in District Board of Health Regulations 020.025 – 020.040.

Notices of Violation that are appealed to the APCHB are initiated by filing an Appeal Petition to the Air Pollution Control Hearing Board form. This form must be submitted within ten (10) days of receipt of any order or Notice of Violation from the AQMD. All other matters requesting appeal by the APCHB shall be made in writing and presented to the Chairman of the APCHB. The APCHB is required to meet within sixty (60) days after the receipt of any Petition or written request.

During the appeal hearing, the APCHB will provide a decision and recommendation regarding the matter. Documentation to support the decision is then presented to DBOH for consideration and approval as a consent agenda item during a monthly meeting of the DBOH. Decisions made by the APCHB may be appealed to the DBOH.