

Governor Steve Sisolak
Chairman

Susan Brown
Clerk of the Board



Attorney General Aaron D. Ford
Member

Secretary of State Barbara K. Cegavske
Member

STATE OF NEVADA BOARD OF EXAMINERS

209 E. Musser Street, Room 200 / Carson City, NV 89701-4298
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<http://budget.nv.gov/Meetings>

MEETING MINUTES

Date and Time: January 12, 2021, 10:00 AM

Location: Pursuant to the Governor's Emergency Directive 006, as extended, there will be no physical location for this meeting. This meeting can be viewed on YouTube. The link will not go live until 10:00 am.

https://www.youtube.com/channel/UCF8zpKli9VhMDNVq_GsEYuQ/live

Conference Call Line 775-687-0999 or 702-486-5260
For Public Comment: Please call 775-684-0222 for a collaboration code

MEMBERS PRESENT:

Governor Steve Sisolak
Secretary of State Barbara Cegavske – on the phone
Attorney General Ford – on the phone

STAFF PRESENT:

Susan Brown, Clerk of the Board
Rosalie Bordelove, Board Counsel – on the phone
Dale Ann Luzzi, Board Secretary

1. Call to Order / Roll Call

Governor: I would like to call today's meeting for January 12, 2021 of the State of Nevada, Board of Examiners to order. Could I ask the Clerk to take the roll please?

Board Secretary: Governor Sisolak.

Governor: Here.

Board Secretary: Secretary of State Cegavske.

Secretary of State: I'm here. Thank you.

Board Secretary: Attorney General Ford.

Attorney General: Yes, thanks.

Clerk of the Board: Let the record reflect we do have a quorum.

- 2. Public Comment** (The first public comment is limited to comments on items on the agenda. No action may be taken upon a matter raised under public comment period unless the matter itself has been specifically included on an agenda as an action item. The Chair of the Board will impose a time limit of three minutes).

Governor: Item number 2, *Public Comment*. This is the first time set aside for public comment. Anyone wishing to address the Board on any item on today's agenda, please come forward, identify yourself for the record and comments will be limited to three minutes. Do we have any written public comments? Do we have anyone for Las Vegas? Do we have anyone for Carson City? Do we have anyone on the phone? Seeing and hearing none, I will close public comment.

- 3. Approval of the December 8, 2020 Minutes** (For possible action)

Governor: Item number 3, *Approval of the December 8, 2020 Minutes*. Do I have a motion?

Secretary of State: I move approval.

Governor: We have a motion on the floor from Secretary of State Cegavske. Is there any discussion on the motion? Hearing and seeing none. All in favor, signify by saying aye. Are any opposed? The motion passes.

- 4. Authorization to Contract with a Current and/or Former State Employee**
(For possible action)

A. Department of Employment, Training and Rehabilitation

Pursuant to Nevada Revised Statute (NRS) 333.705, subsection 1, the Department requests authority to contract with former employee Jeffrey Frishmann to perform administrative duties through Master Service Agreement #18404 between Department of Administration, Purchasing Division and HAT Limited Partnership, dba Manpower.

B. Department of Public Safety – Division of Emergency Management

Pursuant to NRS 333.705, subsection 1, the Department requests authority to contract with former employee Kelli Baratti to perform resource and incident management coordination duties through Master Service Agreement #18406 between the Department of Administration, Purchasing Division and Talent Framework, LLC.

C. Department of Transportation

Pursuant to NRS 333.705, subsection 1, the Department requests the authority to contract with a retired state employee, Lisa Schilling. Ms. Schilling retired from state service in October of 2020. She is now employed by Atkins North America, Inc., who is proposing to utilize Ms. Schilling to work on various Task Orders through current and future On-Call Service Provider Agreements with the Department - Traffic Operations Division.

D. Department of Transportation

Pursuant to NRS 333.705, subsection 1, the Department requests the authority to contract with a retired state employee, Paul Peterson. Mr. Peterson retired from state service in March 2019. He is now employed by Atkins North America, Inc., who is proposing to utilize Mr. Peterson to fill an Inspector position in the Full Administration of Contract 3842 on NDOT Agreement P745-19-040.

Governor: Item number 4, *Authorization to Contract with a Current and/or Former State Employee*. Ms. Brown.

Clerk of the Board: There are 4 requests to contract with former employees pursuant to NRS 333.705, subsection 1 under this agenda item. The first is from the Department of Administration, Purchasing Division on behalf of the Department of Employment, Training and Rehabilitation to contract with a former employee to perform administrative duties for the Pandemic Unemployment program. This individual will be employed through Manpower through MSA #18404.

The second request is from the Department of Administration, Purchasing Division on behalf of the Department of Public Safety, Division of Emergency Management to contract with a former employee to perform resource and incident management coordination duties. This individual will be employed through Manpower through MSA #18404.

The third request is from the Department of Transportation to contract with a former employee to work on Task Orders through the current and future On-Call Service Provider Agreements with the Traffic Operations Division. The individual will be employed by Atkins North America.

The fourth request is from the Department of Transportation to contract with a former employee as an Inspector for the Full Administration of Contract 3842. This individual will also be employed by Atkins North America. Are there any questions on any of these items?

Governor: Do we have any questions?

Attorney General: None here.

Governor: Do I have a motion on this item?

Attorney General: Move approval.

Governor: I have a motion for approval from General Ford. Is there any discussion on the motion? Hearing and seeing none. All in favor, signify by saying aye. Are any opposed? The motion passes.

5. Request for a Recommendation of Approval to the Interim Finance Committee for an Allocation Amount from the Contingency Account (For possible action)

A. Office of the Military

Pursuant to NRS 353.268, the Office requests the Board's recommendation to the Interim Finance Committee for \$816,237 from the Contingency Account to cover costs associated with the implementation and operation of the Nevada Youth Challenge Program and the maintenance of National Guard facilities.

B. Judicial Discipline Commission

Pursuant to NRS 353.268, the Commission requests the Board's recommendation to the Interim Finance Committee for \$69,000 from Contingency Account to cover the cost of judicial discipline investigations.

Governor: Item number 5, *Request for Recommendation of Approval to the Interim Finance Committee for an Allocation Amount from the Contingency Account.*

Clerk of the Board: This item is for 2 requests for a positive recommendation to the Interim Finance Committee pursuant to NRS 353.268. The General Fund contingency account has an approximate balance of \$8.4 million to cover unanticipated costs for the remainder of this biennium. If these items are approved, the remaining balance in the account will be approximately \$7.5 million.

The first request is from the Office of the Military for an allocation of \$816,237 to cover costs associated with the implementation and operation of the Nevada Youth Challenge Program and for maintenance of National Guard facilities.

The second request is from the Judicial Discipline Commission. This is for an allocation of \$69,000 to cover the cost of judicial discipline investigations. Are there questions on these items?

Governor: Do we have any questions?

Attorney General: None here.

Governor: Do we have anybody from the Office of the Military to answer this or I maybe I can go to Susan – my understanding, and correct me if I'm wrong here, is that this was

because of a delay in the implementation of the program and that's why it was carried over from one year to the next.

Clerk of the Board: That is correct, yes.

Governor: That answers my question. Do we have a motion on item number 5?

Attorney General: I'll move approval.

Governor: We have a motion on the floor. Is there any discussion on the motion? Hearing and seeing none. All in favor, signify by saying aye. Are any opposed? The motion passes.

6. Request to Pay a Court Order (For possible action)

Pursuant to Article 5, Section 21 of the Nevada Constitution, the State Board of Examiners may approve, settle or deny any claim or action against the State, any of its agencies or any of its present or former officers, employees, immune contractors or State Legislators.

Department of Employment, Training and Rehabilitation – Unemployment Insurance

The Department has been ordered to pay an Order of Contempt, case number CV20-00755. The Department requests approval to pay the Court's order of contempt in the amount of \$1,000 to Washoe Legal Services.

Governor: Item number 6, *Request to Pay a Court Order*.

Clerk of the Board: Item number 6 is a request for approval of a court-ordered payment of \$1,000 for an Order of Contempt in case CV20-00755 regarding a dispute concerning unemployment compensation for eligible unemployed Nevadans for the Department of Employment, Training and Rehabilitation.

Governor: Do we have any comments or questions on the request to pay a court order?

Attorney General: None.

Secretary of State: Governor, I just want to say I hope with all of the situations and changes that you've made that we'll have this under control now.

Governor: Well, I sure hope so.

Secretary of State: I know.

Governor: This is just, frankly, a division that was never set up to handle the amount of volume that was put into it quickly and-

Secretary of State: Right.

Governor: -the office that was there did an incredible job and-

Secretary of State: I know.

Governor: -it's a tough situation balancing the amount of fraud that was occurring and protecting the State against that and ultimately protecting the employers because if we pay the fraud, the rates are going to go up.

Secretary of State: Right.

Governor: It's a very difficult situation but hopefully, we're handling it.

Secretary of State: Do we have the fraud under control because I know that was the biggest issue of all of this, is how much has been taken and we'll never get it back I'm sure but I just hope we have that under control.

Governor: I think, certainly, it's much more under control than it was at the beginning. There will probably still be isolated cases but they did a magnificent job getting us this far. I can assure you of that.

Secretary of State: Thanks for answering my question.

Governor: Certainly.

Do we have a motion on this one?

Attorney General: Move approval.

Governor: We have a motion for approval. Is there any discussion on the motion? Hearing and seeing none. All in favor, signify by saying aye. Are any opposed? The motion passes.

Attorney General: I'm hearing that the video stream hasn't started yet for this meeting so if someone could check on that.

Governor: I've got a technician here. Is the video working or not working? It's not working.

Counsel, can we just keep going as it is? Alright, they'll post the recording later.

7. Approval of Proposed Leases (For possible action)

Governor: Item number 7, *Approval of Proposed Leases*.

Clerk of the Board: There are 5 leases in this for approval by the Board today. Are there any questions on any of these items?

Governor: I do not have any questions. You answered all of mine during my briefings. Do we have any questions on item number 7?

Secretary of State: No and since you mention it, I'd like to thank your staff for helping my staff go through all this. Thank you very much.

Governor: You're very welcome. I'm going to commend them again. I go into my briefings with all kinds of questions and sticky notes on my binder and come out with all the questions answered. They do a remarkable job. Thank you.

Do I have a motion on item number 7, *Approval of Proposed Leases*?

Secretary of State: Move for approval.

Governor: I have a motion for approval. Is there any discussion on the motion? Hearing and seeing none. All in favor, signify by saying aye. Are any opposed? The motion passes.

8. Approval of Proposed Contracts (For possible action)

Governor: Item number 8, *Approval of Proposed Contracts*.

Clerk of the Board: There are 26 contracts in this agenda item for approval by the Board this morning. Are there any questions on any of these items?

Governor: Any questions on the contracts? Do I have a motion?

Attorney General: Move approval.

Governor: We have a motion for approval from General Ford. Is there any discussion on the motion? Hearing and seeing none. All in favor, signify by saying aye. Are any opposed? The motion passes.

9. Approval of Proposed Master Service Agreements (For possible action)

Governor: Item number 9, *Approval of Master Service Agreements*.

Clerk of the Board: There are 7 Master Service agreements in agenda item 9 for approval by the Board this morning. Do we have additional questions on these items?

Governor: I do not have any questions on this. Do we have any questions on item number 9?

Attorney General: None here.

Secretary of State: No. Move for approval.

Governor: We have a motion for approval. Is there any discussion on the motion? Hearing and seeing none. All in favor, signify by saying aye. Are any opposed? The motion passes.

10. Information Item – Clerk of the Board Contracts

Pursuant to NRS 333.700, the Clerk of the Board may approve all contract transactions for amounts less than \$50,000. Per direction from the August 13, 2013 meeting of the Board of Examiners, the Board wished to receive an informational item listing all approvals applicable to the new threshold (\$10,000 - \$49,999). Attached is a list of all applicable approvals for contracts and amendments approved from November 17, 2020 through December 16, 2020.

Governor: Item number 10, *information item, Clerk of the Board Contracts*. Do we have any questions on this one?

Attorney General: No.

Secretary of State: None.

Governor: Hearing and seeing none. We'll close item number 10.

11. Public Comment (This public comment period is for any matter that is within the jurisdiction of the public body. No action may be taken upon a matter raised under public comment period unless the matter itself has been specifically included on an agenda as an action item. The Chair of the Board will impose a time limit of three minutes.)

Governor: Moving on to item number 11, *Public Comment*. This is the second time set aside for Public Comment. Anyone wishing to address the Board on any item, please step forward, identify yourself for the record and comments will be limited to three minutes. Do we have anybody for Las Vegas? No one. Anybody for Carson City? None. Do we have any written public comment? Do we have anyone on the phone? We do not. I will close item number 11.

12. Adjournment (For possible action)

Governor: Item number 12, *Adjournment*. Do we have a motion to adjourn?

Attorney General: So, moved.

Governor: Is there any discussion on the motion? Hearing and seeing none. All in favor, signify by saying aye. Are any opposed? The motion passes.

I look forward to having one of these meetings in person with you folks again soon. Thank you.

Attorney General: Yeah, I'm with you.

Secretary of State: Thanks, Governor.

Governor: All have a great day.