

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
Phone: (775) 684-0222 / Fax: (775) 684-0260
<http://budget.nv.gov/Meetings>

Date and Time: June 8, 2021, 10:00 AM

Location: Old Assembly Chambers of the Capitol Building
101 N. Carson Street
Carson City, Nevada 89701

Video Conference Location: Grant Sawyer Building
555 E. Washington Avenue, Ste. 5100
Las Vegas, Nevada 89101

MEMBERS PRESENT:

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

STAFF PRESENT:

Susan Brown, Clerk of the Board
Dale Ann Luzzi, Board Secretary

MEETING MINUTES

1. Call to Order / Roll Call

Governor: I'd like to call to order today's meeting of the State of Nevada, Board of Examiners for June 8th, 2021 at 10:00 a.m. to order. If I could I ask the clerk to take the roll, please?

Clerk of the Board: Governor Sisolak.

Governor: Here.

Board Secretary: Secretary of State Cegavske.

Secretary of State: Here.

Board Secretary: Attorney General Ford.

Attorney General: Here.

Board Secretary: 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: Thank you. This is agenda item number 2. This is the first time set aside for public comment. Anyone wishing to address the Board on any item on today's agenda, please step forward, identify yourself for the record and comments will be limited to three minutes. Would anybody like to be in public comment? No one in person in Las Vegas. Is there anybody in person in Carson City?

Board Secretary: There is not.

Governor: Do we have anybody on the phone?

Board Secretary: We do not.

Governor: Do we have any written public comments?

Board Secretary: We do not.

Governor: We'll close item number 2, *Public Comment*.

3. Approval of the May 11, 2021 Meeting Minutes (For possible action)

Governor: Moving on to agenda item number 3, *Approval of the May 11, 2021 Meeting Minutes*. Do we have a motion on the minutes?

Attorney General: Move approval.

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

4. Request for Approval to Pay a Tort Claim Pursuant to NRS 41.036
(For possible action)

Pursuant to NRS 41.036, the Office of the Attorney General submits the following Tort Claim request for approval:

Claimant: Calvary Chapel Dayton Valley
Claim No: TC19709
Settlement Amount: \$175,000
Date of Loss: May 22, 2020

Governor: Agenda item number 4, *Request for Approval to Pay a Tort Claim Pursuant to NRS 41.036.*

Clerk of the Board: Good morning. The Office of the Attorney General requests the Board of Examiners to approve a settlement agreement between Calvary Chapel Dayton Valley and the Governor in the amount of \$175,000 to comply with the consent decree in this case that requires the State of Nevada to pay reasonable attorney fees and this cost will come out of the Tort Claim Fund. Are there any questions on this item?

Attorney General: None here.

Governor: Do we have any questions? Do we have a motion?

Attorney General: Move approval.

Governor: We have a motion for approval. Is there any discussion? 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)

Department of Indigent Defense Services

Pursuant to NRS 353.268, the Department requests a recommendation to the Interim Finance Committee to reallocate \$31,500 of funds allocated to the Department in 2019, for expenses related to the Davis v. State court-ordered monitor during Fiscal Year 2021.

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

Clerk of the Board: This is a request for a recommendation to the Interim Finance Committee from the Department of Indigent Defense Services to reallocate the use of \$31,500 to cover expenses related to the Davis vs. State for a court-ordered monitor from

unused funding from a weighted caseload study. These funds have already been allocated and this is just a reallocation. Are there any questions on this item?

Governor: No, I don't have any questions. Do we have any questions on this item?

Attorney General: None here.

Secretary of State: None.

Attorney General: Move approval.

Governor: We have a motion for approval. Any discussion on the motion? Hearing and seeing none, all in favor signify by saying aye. Any opposed? The motion passes.

6. Approval of Proposed Leases (For possible action)

Governor: Item number 6, *Approval of Proposed Leases*.

Clerk of the Board: There are three leases in agenda item number 6 for approval by the Board today. Are there any questions on any of these items?

Governor: I do not have any questions on leases. Again, Susan, I want to thank you for the briefings that I get. It always resolves all the questions that I'd have at the Board Meeting. So, it's very helpful. Thank you. Do we have any questions on this item?

Attorney General: None here.

Secretary of State: Governor, I just want to echo what you said to Susan and her staff. We are very appreciative at the Secretary of State's Office. I'll move for approval.

Governor: Thank you. We have a motion. All in favor signify by saying aye. The motion passes.

7. Approval of Proposed Contracts (For possible action)

Governor: Agenda item number 7, *Approval of Proposed Contracts*. This is the thick part of the meeting materials here. Susan, go ahead.

Clerk of the Board: There are 160 contracts in agenda item 7 today for approval by the Board. Are there any questions on any of these items?

Governor: Again, I appreciate you helping me go through all of these and understand them in my briefing. I do not have any questions. Do we have any questions on this item?

Attorney General: No.

Governor: Do I have a motion?

Attorney General: Move approval.

Governor: We have a motion for approval on this item. Is there any discussion? All in favor signify by saying aye. The motion passes.

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

Governor: Agenda item number 8, *Approval of Proposed Master Service Agreements*.

Clerk of the Board: There are 23 master services agreements in agenda item 8 for approval by the board this morning. Are there any questions on any of these items?

Governor: I do not have any questions. Do we have any questions on this one?

Attorney General: No. I move approval.

Governor: We have a motion for approval. Is there any discussion on that motion? All in favor signify by saying aye. The motion passes.

9. 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 April 20, 2021 through May 17, 2021.

Governor: Agenda item number 9, *Information Item - Clerk of the Board Contracts*.

Clerk of the Board: There are 60 contracts under the \$50,000 threshold that were approved by the Clerk of the Board between April 20, 2021 and May 17, 2021. Are there any questions on any of these items?

Governor: I do not have any questions on this. Do you have any questions, Secretary?

Secretary of State: None. Thank you.

Governor: Thank you. This is an informational item.

10. Information Item Report

A. Department of Conservation and Natural Resources – Division of State Lands

Pursuant to NRS 321.5954, Subsection 4, the State Land Registrar is required to provide the Board of Examiners quarterly reports regarding lands or interests in lands transferred, sold, exchanged, or leased under the Tahoe Basin Act program. Pursuant to Chapter 355, Statutes of Nevada, 1993, on page 1153, the agency is to report quarterly on the status of real property or interests in real property transferred under the Lake Tahoe Mitigation Program. This submittal reports on program activities for the 3rd quarter of Fiscal Year 2021.

B. Statewide Quarterly Overtime Report – Fiscal Year 2021 3rd Quarter

Pursuant to NRS 284.180, the Department of Administration, Division of Human Resource Management must prepare and submit quarterly to the Budget Division of the Office of Finance a report regarding all overtime worked by employees of the Executive Department during the quarter. The Budget Division shall transmit quarterly to the Board of Examiners the report and the analysis of the Budget Division regarding the report. The Budget Division submits the 3rd Quarter Overtime Report and analysis for Fiscal Year 2021.

Governor: Moving on to item number 10, *Information Item Report*.

Clerk of the Board: There are two informational item reports under this item. The first informational report regarding lands or interest in lands transferred, sold, exchanged, or leased under the Tahoe Basin Act Program as well as quarterly report on the status of real property or interest in real property transfer under the Lake Tahoe Mitigation Program. This is required pursuant to NRS 321.5954 and Chapter 355, Statutes of Nevada.

This report is for the quarter ending March 31, 2021. There were no acquisitions of land in this quarter and there were four transactions under the Lake Tahoe Mitigation Program resulting in 573 square feet of restored land coverage and an increase of \$14,236 for the Nevada Land Bank. Are there any questions on this item?

Attorney General: None here.

Governor: None here.

Clerk of the Board: Moving on to the second report. This is a report on overtime and accrued compensatory leave for the third quarter of Fiscal Year 2021. This has been summarized into a three-page summary so, I'm not going to read all of the details but I will go over some highlights. Overtime pay and accrued compensatory leave account for a total of approximately \$16 million or 5.97% of total pay for this quarter. This is a decrease of 22% from the second quarter of Fiscal Year 2021.

The total overtime for the first three quarters of this year is about \$51 million, compared to \$36.7 million for the same period in Fiscal Year 2020. The Department of Corrections had the highest amount of overtime and compensatory time at \$5.71 million or 14.4% of base pay, followed by the Department of Health and Human Services at \$4.41 million or 5.81% of base pay, and the Department of Public Safety at \$1.9 million or 8.89% of base pay.

For the third quarter as a percentage of base of salary, the Department of Corrections had the highest overtime at 14.4%, followed by the Department of Veterans Services at 14.23% and the Department of Public Safety at 8.89%.

COVID-19 related overtime and comp time for the quarter is \$3 million and \$2.2 million of that is attributed to the Department of Corrections, followed by Health and Human Services at \$345,000. Are there any questions on this report?

Governor: No. I just want to clarify something that you told me in my briefing, Director, that some of these are reimbursable, correct?

Clerk of the Board: Some of these are reimbursements. For example, the \$2.2 million that is attributable to COVID-19 for the Department of Corrections is reimbursable through the Coronavirus Relief Funds and the total for the Fiscal Year of overtime and comp time this year that is eligible for reimbursement through the Coronavirus Relief Fund dollars is \$12.2 million.

Governor: Great. I appreciate that. Thank you. Any other questions?

Attorney General: No.

Governor: That was another information item.

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 agenda 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. Any of our gallery here in Las Vegas wishing to participate? We have attendees in Las Vegas but no one wishing to participate. Do we have anyone in Carson City?

Board Secretary: We also have attendees but no one wishes to participate.

Governor: Alright. Do we have anybody on the phone?

Board Secretary: We do not.

Governor: Do we have any written public comment?

Board Secretary: We do not.

Governor: Hearing and seeing none, I will close public comment.

12. Adjournment (For possible action)

Governor: Move on to agenda item number 12, which is *Adjournment*. Do we have a motion to adjourn?

Attorney General: Move to adjourn.

Governor: We have a motion on the floor. All in favor signify by saying aye. Are there any opposed? The motion passes. Thank you.