

Governor Steve Sisolak
Chairman

Amy Stephenson
Clerk of the Board



Attorney General Aaron D. Ford
Member

Secretary of State Barbara K. Cegavske
Member

STATE OF NEVADA BOARD OF EXAMINERS

209 East Musser Street, Room 200 / Carson City, Nevada 89701-4298
Phone: (775) 684-0222 / Fax: (775) 684-0260
<http://budget.nv.gov/Meetings>

MEETING MINUTES

Date and Time: September 13, 2022, 10:00 AM

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

Video Conference Location: Grant Sawyer Building
555 East Washington Avenue, Suite 5100
Las Vegas, Nevada 89101

MEMBERS PRESENT:

Governor Steve Sisolak
Secretary of State Barbara Cegavske
Attorney General Aaron Ford

STAFF PRESENT:

Amy Stephenson, Clerk of the Board
Greg Ott, Board Counsel
Dale Ann Luzzi, Board Secretary

OTHERS PRESENT:

Molly Lennon, Division Administrator, Department of Motor Vehicles
Charlie Donahue, Division Administrator, Department of Conservation and Natural Resources

1. Call to Order / Roll Call

Governor: I would like to call to order today's meeting for September 13, 2022 of the State of Nevada, Board of Examiners to order. If I could ask the Clerk to take the roll please.

Clerk of the Board: Governor Sisolak?

Governor: Here.

Clerk of the Board: Secretary of State Cegavske?

Secretary of State: I'm here.

Clerk of the Board: Attorney General Aaron Ford?

Attorney General: Here.

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

- 2. Public Comment** The first public comment period is limited to comments on items on the agenda. No action may be taken upon a matter raised under this public comment period unless the matter itself has been specifically included on the agenda as an action item. The Chair of the Board has imposed a time limit of three minutes. Public comment may be provided in person or via telephone. To provide public comment on an item on the agenda via telephone, dial 775-321-6111 or 702-329-3435. When prompted to provide the meeting ID, please enter 534 500 373#. When the Chair opens the public comment period, dial *5 to request to be unmuted. To resolve any issues related to dialing in to provide public comment for this meeting, please call (775) 684-0222.

Governor: I'll move on to item number 2, *Public Comment*. This is the time set aside for public comment. Anyone wishing to address the Board on any item on the agenda, please step forward and identify yourself for the record. Comments will be limited to three minutes. Is anybody in Las Vegas for public comment? I see no one. Do we have anyone in Carson City?

Clerk of the Board: We do not.

Governor: Do we have any telephonic public comment or written public comment?

Clerk of the Board: We do not.

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

- 3. Approval of the August 9, 2022 Meeting Minutes** (For possible action)

Governor: Moving on to item number 3, the August 9 meeting minutes. Do I have a motion for approval on the minutes?

Attorney General: So moved.

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

4. State Vehicle Purchases (For possible action)

Pursuant to NRS 334.010, no automobile may be purchased by any department, office, bureau, officer, or employee of the state without prior written consent of the State Board of Examiners.

AGENCY NAME	# OF VEHICLES	NOT TO EXCEED:
Department of Conservation and Natural Resources – Division of State Parks	2	\$500
Total	2	\$500

Governor: Item number 4, *State Vehicle Purchases*.

Clerk of the Board: There is one request under agenda item number 4. This request is from the Department of Conservation and Natural Resources, Division of State Parks to purchase two surplus trucks from Clark County School District, totaling \$500. Are there any questions on this item?

Governor: Inexpensive vehicles. Do we have any questions on item number 4? Do I have a motion?

Secretary of State: Yes, I move to approve but I wanted to thank your staff again for getting us the information because it did seem unrealistic to have two vehicles for \$500 so, thank you very much.

Governor: I agree with you. Thank you very much. We have a motion for approval. Is there any discussion? Hearing and seeing none. All in favor, signify by saying aye. Are any opposed? The motion passes.

5. Authorization for an Emergency Contract with a Current and/or Former State Employee (For possible action)

Department of Administration – Purchasing Division

Pursuant to NRS 333.705, subsection 4, the Department of Administration, Purchasing Division seeks a favorable recommendation regarding the Division's determination to use the emergency provision to contract with former employee Darlene Baughn to assist with processing transactions for the Office of the State Controller through Master Service Agreement #23927 with Marathon Staffing Group, Inc.

Governor: Item number 5, *Authorization for an Emergency Contract with a Current and/or Former State Employee*.

Clerk of the Board: There is one request under agenda item number 5. This item request is from the Department of Administration, Purchasing Division. They are seeking a favorable recommendation from the Board on their use of the emergency provisions to contract with a former employee. The department contracted through Marathon Staffing Group for the period of August 4, 2022 through November 30, 2022 to process fiscal transactions. Are there any questions on this item?

Governor: Do we have any questions on item number 5? Seeing none. Do I have a motion on item number 5?

Attorney General: Move approval.

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

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

A. Department of Administration – Purchasing Division

Pursuant to NRS 333.705, subsection 1, the Department of Administration, Purchasing Division requests authority to contract with current employee Lorin Correll to serve as an Adjunct Instructor for the Office of the Military, Division of Emergency Management and Homeland Security through Master Service Agreement #23927 with Marathon Staffing Group, Inc.

B. Department of Administration – Purchasing Division

Pursuant to NRS 333.705, subsection 1, the Department of Administration, Purchasing Division requests authority to contract with former employee Heather Field to assist with budget preparation for the 2023-2025 biennium for the Governor's Finance Office, Budget Division through Master Service Agreement #23928 with HAT Limited Partnership, dba Manpower.

C. Department of Transportation

Pursuant to NRS 333.705, subsection 1, the Nevada Department of Transportation (NDOT) requests authority to contract with former employee Jaime Fuller-Dunn, currently employed by C.A. Group, to work on various project agreements and through current and future on-call service provider agreements with NDOT's Project Management Division.

D. Department of Transportation

Pursuant to NRS 333.705, subsection 1, the Nevada Department of Transportation (NDOT) requests authority to contract with former employee DeAnn McKay, currently employed by Atkins North America, Inc. in their Right-of-Way unit, to work on right-of-way activities on NDOT highway projects as needed.

Governor: Item number six, *Authorization to Contract with a Current and/or Former State Employee*. We'll take A, B, C and D together. Is everybody okay with that?

Attorney General: Yes.

Secretary of State: Yes, Governor.

Clerk of the Board: There are four requests under agenda item number 6.

The first two requests are from the Department of Administration, Purchasing Division. Item A requests authority to contract with the current employee to serve as an adjunct instructor for the Office of the Military, Division of Emergency Management on an as-needed basis through Marathon Staffing Group through Master Service Agreement 23927 from August 12, 2022 through August 15, 2029.

Item B requests authority to contract with the former employee to assist budget preparation for the Governor's Finance Office. This individual will be employed by Manpower through Master Service Agreement 23928 through January 31, 2023 on a full-time basis.

The next two requests are from the Department of Transportation. Item C requests authority to contract with the former employee to work on various project agreements. This individual will be employed on a part-time basis through C.A. Group from September 13, 2022 to October 12, 2023.

Item D, requests authority to contract with the former employee to work on the right-of-way activities on NDOT projects. This individual will be employed on a part-time basis through Atkins North America, Inc. from September 13, 2022 to June 30, 2026. Are there any questions on these items?

Governor: No, I do not have any questions, but I want to reiterate what the Secretary said. We appreciate your responsiveness in addressing all the questions that I have and the Board Members have on all of these issues. Do I have a motion on item number 6?

Attorney General: Move approval.

Governor: We have a motion for approval on item number 6-A, 6-B, 6-C and 6-D. Is there any discussion? Hearing and seeing none. All in favor, signify by saying aye. Are any opposed? The motion passes.

7. Approval of Proposed Joinder (For possible action)

Department of Education

Pursuant to NRS 333.475, the department requests approval to enter into a Joinder contract to utilize the State of Missouri's contract with Kleo, Inc. DBA Class Wallet to provide fiscal management services and a payment platform for the administration of the American Rescue Plan Emergency Assistance to Non-Public Schools funds.

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

Clerk of the Board: Agenda item 7 is one joinder contract for the Department of Education requesting to utilize the State of Missouri's contract with Kleo, Inc., DBA Class Wallet to provide fiscal management services and a payment platform for the administration of the American Rescue Plan Emergency Assistance to Non-Public School funds. Are there any questions on this item?

Governor: No. Do we have any questions on item number 7? Or a motion on item number 7?

Attorney General: Move approval.

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

8. Approval of Proposed Leases (For possible action)

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

Clerk of the Board: There are two leases under agenda item number 8 for approval by the Board. One is for relocation and the other lease is an extension of an existing lease. Are there any questions on these items?

Governor: No. Anybody have any questions on either of these leases? Do I have a motion?

Attorney General: I move approval.

Governor: We have a motion for approval of item number 8, *Approval of Proposed Leases*. Is there any discussion? Hearing and seeing none. All in favor, signify by saying aye. Are any opposed? The motion passes.

9. Approval of Proposed Contracts (For possible action)

Governor: Item number 9, *Approval of Proposed Contracts*.

Clerk of the Board: There are 42 contracts under this agenda item for approval by the Board. Are there any questions on any of these items?

Governor: I do not.

Secretary of State: I do have a question on contract 42.

Governor: Please, go ahead, Secretary.

Secretary of State: I just wanted to ask one more time if we could. We need an assessment done and I don't know if that's been done. I haven't heard if that was done or not so, can we just find that out, please.

Governor: We have somebody from the Department of Motor Vehicles (DMV). Go ahead.

Molly Lennon: This is Molly Lennon, Administrator for the Department of Motor Vehicles and the DMV Transformation Effort project. Could you clarify what you're asking for and we'd be happy to get that to you.

Secretary of State: There was a needs assessment to be done and to our knowledge, it hasn't been done but I'll be more than happy to go over that with you afterwards.

Molly Lennon: I'm assuming you're talking about the product assessment?

Secretary of State: Yes.

Molly Lennon: We can certainly do that. The assessments have been completed so, yes, we'd be happy to have a conversation.

Secretary of State: Great.

Thank you, Governor.

Governor: Do I have a motion on item number 9?

Attorney General: Move approval.

Governor: We have a motion for approval on item number 9. Is there any discussion?

Secretary of State: I do have a comment, Governor. I just want us to be sure, as a Board, and I know my time is ending here soon, but I want us to make sure that we look at all the vendors very closely. That we contact those who have used the vendor and talk to them about their experience, whether it's good or bad, whatever it is, that all the agencies should be doing this ahead of time. I just want to make sure that we are looking at the vendors very closely in whatever we're doing, whatever agency it is. Thank you, Governor.

Governor: I think that's a good caveat to make sure that we do this and try to uncover any problems that might exist so we don't have any unintended consequences that could have been prevented, you're right.

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

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

Governor: Item number 10, *Approval of Proposed Master Service Agreements*.

Clerk of the Board: There are 19 Master Service Agreements under agenda item 10 for approval by the Board today. Are there any questions on these items?

Governor: No, I do not have any. Do we have any questions on item number 10? Do I have a motion on item number 10?

Attorney General: I move approval.

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

11. 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 \$100,000. Per direction from the September 14, 2021 meeting of the Board of Examiners, the Board wished to receive an informational item listing all approvals applicable to the new threshold (\$10,000 - \$99,999). Attached is a list of all applicable approvals for contracts and amendments approved from July 19, 2022 through August 23, 2022.

Governor: Item number 11, *Information Item – Clerk of the Board Contracts*.

Clerk of the Board: There are 66 contacts over \$10,000 and under the \$100,000 threshold that were approved by the Clerk of the Board between July 19, 2022 and August 23, 2022. This item is informational. Are there any questions on these items?

Secretary of State: Governor, I have a question.

Governor: Please go ahead.

Secretary of State: Yes, I just wanted to know why we're not using the Attorney General's Office, why we're using a private firm on contract 65.

Governor: General Ford, can you weigh in on that one? It's Licensing Boards and Commissions, Osteopathic Medicine. I think that includes lobbying, like all the other ones, does it not?

Clerk of the Board: It does not, sir.

Governor: Do we have anybody from the Osteopathic Board on the line?

Clerk of the Board: We do not.

Governor: Well, General Ford, let me ask you since the Secretary brought the question. Since it doesn't include lobbying, would that be something that your office would normally handle?

Attorney General: Not necessarily. Oftentimes, some boards and commissions have their own in-house general counsel, as approved by statute, and what we do as officers is, not to give them general advice but we give them advice on, for example, open meeting laws and matters of that sort. So, that's probably the scenario in this instance as well.

Governor: Secretary, are you comfortable moving forward with this? Do you want to have them come to the next meeting?

Secretary of State: No, that's fine. It's alright. Thank you.

12. Information Item Reports

A. Department of Motor Vehicles – Complete Streets Program

Pursuant to NRS 482.1825, subsection 2, the Department of Motor Vehicles shall certify monthly to the Board of Examiners the amount of the voluntary contributions collected for each county by the department and its agents, and that the money has been distributed as provided in statute. This submittal reports program activities for the month of July for fiscal year 2023.

B. Department of Conservation and Natural Resources – Division of State Lands – Fiscal Year 2022, 4th Quarter

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. This submittal reports program activities for the 4th quarter of fiscal year 2022.

C. Statewide Quarterly Overtime Report – Fiscal Year 2022, 4th 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 4th Quarter Overtime Report and analysis for fiscal year 2022.

Governor: Item number 12, *Information Item Reports*. Department of Motor Vehicles – Complete Streets Program, Department of Conservation and Natural Resources – Division of State Lands and Statewide Quarterly Overtime Report.

Clerk of the Board: There are three informational reports under agenda item 12 today. Would you like me to go into further details on any of those reports, sir?

Governor: No, I'm comfortable. Would you like details on these?

Attorney General: No, I'm good as well.

Secretary of State: I'd just like to know on item 12-B, how much is the budget account right now for the Tahoe mitigation and what do we use it for?

Clerk of the Board: The balance is \$2,217,138.36 and I have a representative from the agency to answer the use question.

Governor: Great.

Charlie Donohue: Good morning, Governor, Members of the Board. I'm Charlie Donohue, I serve as the administrator for the Division of State Lands. Madam Secretary, I appreciate the question. The Nevada Land Bank serves as agents for the Tahoe Regional Planning Agency. That program mitigates the impact of land coverage up in the Lake Tahoe Basin. We also use those funds to acquire sensitive lands in the basin and I can go into more detail if you'd like.

Secretary of State: Nope, that's what I wanted, just to have it on the record and I thank you very much, Charlie for telling us about the Nevada Land Bank. Thank you.

Charlie Donohue: You're quite welcome.

Secretary of State: Thank you, Governor.

Governor: Thank you, Secretary Cegavske.

Governor: Any further questions on these three information items? Hearing none. I'm going to close item 12.

13. 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 this public comment period unless the matter itself has been specifically included on an agenda as an action item. The Chair of the Board has imposed a time limit of three minutes. Public comment may be provided in person or via telephone. To provide public comment via telephone, dial 775-321-6111 or 702-329-3435. When prompted to provide the meeting ID, please enter 534 500 373#. When the Chair opens the public comment period, dial *5 to request to be unmuted. To resolve any issues related to dialing in to provide public comment for this meeting, please call (775) 684-0222.

Governor: Moving on item number 13, *Public Comment*. This is the second time set aside for public comment. Anyone wishing to address the Board on any item under our purview, please step forward, identify yourself for the record and comments will be limited to three minutes. Do we have anybody in Las Vegas for public comment? We do not. Do I have anybody in Carson City for public comment?

Clerk of the Board: We do not.

Governor: Do have anybody on the phone or written public comment?

Clerk of the Board: We do not.

14. Adjournment

Governor: Thank you everybody. We are adjourned.