

Governor Joe Lombardo
Chairman

Amy Stephenson
Clerk of the Board



Attorney General Aaron D. Ford
Member

Secretary of State Francisco V. Aguilar
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: August 8, 2023, 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 Joe Lombardo
Secretary of State Francisco V. Aguilar
Attorney General Aaron Ford

STAFF PRESENT:

Amy Stephenson, Clerk of the Board
Rosalie Bordelove, Board Counsel

OTHERS PRESENT:

Bob Mergell, Division Administrator, Department of Conservation and Natural Resources
Megan Peterson, Deputy Superintendent, Department of Education
Troy Jordan, Deputy Director, Department of Employment, Training, and Rehabilitation
Katie Wellman, ESD Program Specialist 2, Department of Employment, Training, and Rehabilitation
Kent LeFevre, Division Administrator, Department of Administration
Christy McGill, Deputy Superintendent, Department of Education
Jessica Adams, Division Administrator, Aging and Disability Services

1. Call to Order / Roll Call

Governor: Let's call to order in the Nevada State Board of Examiners' meeting scheduled for August 8, 2023 at 10:00 A.M. Can I please have the Clerk take the roll.

Clerk of the Board: Governor Lombardo.

Governor: Present.

Clerk of the Board: Secretary of State Aguilar.

Secretary of State: Here.

Clerk of the Board: Attorney General Ford.

Attorney General: Here.

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

Governor: Alright, we will close Agenda Item 1.

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 906 527 990#. 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: Agenda Item 2, *Public Comment*. This is the first public commentary, limited to comments on items on the agenda. No action may be taken upon any matter raised under the public comment period unless the matter itself has been specifically included on the agenda as an action item. Please limit your comments to three minutes. Do we have any public comment to the south, Mr. Aguilar?

Rosalie Bordelove: Governor?

Governor: Go ahead.

Rosalie Bordelove: Sorry to interrupt, but can you, for this period of public comment, give the phone number and instructions because of that new requirement? The phone number is 775-321-6111 or 702-329-3435 and for the meeting ID, enter 906 527 990#. We have a requirement to give the number.

Governor: So, when we get to the second public comment, will I need to read the number again?

Rosalie Bordelove: No. You only need to read it for the first period of the day.

Governor: Do we have any public comment to the south?

Secretary of State: We do not.

Governor: Do we have anyone here in Carson City? Seeing none.

Do we have anyone on the phone for public comment? We do not.

We will close the public comment.

3. Approval of the July 11, 2023 Meeting Minutes (For possible action)

Governor: Alright. We will close the public comment once again and we move to Agenda Item number 3, *Approval of the July 11, 2023 Meeting Minutes*. Do I have any questions of any Board Members?

Secretary of State: No questions. Motion to approve.

Governor: We have a motion. All those in favor, signify by saying aye. The motion passes unanimously.

Governor: We will close Agenda Item 3.

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 Forestry	3	\$1,290,000
Department of Conservation and Natural Resources – Division of State Parks	42	\$1,927,560
Department of Wildlife – Game Management Division	3	\$153,654

Governor: Moving to Agenda Item 4, *State Vehicle Purchases*. Ms. Stephenson.

Clerk of the Board: Thank you, sir. There are three requests under this item. The first request is from the Department of Conservation and Natural Resources, Division of Forestry. The division request approval to purchase three replacement vehicles for a total amount not to exceed \$1,290,000. The vehicles being replaced have met the age and/or mileage requirement in the State Administrative Manual (SAM) and funds are available for this purchase. The second request is also from the Department of Conservation Natural

Resources, Division of State Parks. The division requests approval to purchase 42 vehicles for a total amount not to exceed \$1,927,560. The third request is from the Department of Wildlife, Game Management Division. The division request approval to purchase three replacement vehicles for a total amount not to exceed \$153,654. The vehicles being replaced have met the age/or mileage requirement in SAM and funds are available for this purchase. Are there any questions on these items?

Governor: Yes. Do we have a representative from Department of Conservation and Natural Resources here today? From State Parks. This is for a matter of procedure and for future reporting and so on.

Bob Mergell: Bob Mergell, Administrator for Department of Conservation and Natural Resources, Division of State Parks for the record.

Governor: I noticed you have 42 separate vehicles listed but no identifiers on the vehicles. Are we going to be made aware as the purchases take place?

Bob Mergell: We can absolutely do that. Frankly, this is the first time we've asked to do this in bulk. In the past, we've done them as individual purchases. because we're roughly \$11,000 short per vehicle this go around, we know we're not going to get the 40 vehicles. We're going to do the best that we can to get the vehicles that will fill the need. So, we just know we're going to come up short. So, if that would be the preference, we are happy to report on that.

Governor: Yes. I think through the fiscal years, if the Governor's Office of Finance could be made aware as the purchases take place so we can track it.

Bob Mergell: Absolutely.

Governor: And the other question is, and I don't know what the reason why is, but you identified all the vehicles as F-350s as compared to what currently is in your inventory.

Bob Mergell: Bob Mergell for the record. We requested all three-quarter ton vehicles. We have a variety of vehicles. We have a fleet of about 200 vehicles roughly. Some of them are law enforcement vehicles, some of them are maintenance vehicles.

All of them into their life as seasonal vehicles, as a vehicle is no longer suitable for public safety, strip the equipment off of it and that becomes the seasonal vehicle because the season can be a little tough on vehicles. We try not to buy new vehicles for that purpose. So because of that, we do actually have different, I would say, vehicle requirements. We need the one-ton vehicles for our maintenance fleet because we put the big utility boxes on those and they have to also be able to tow trailers with equipment on them. Our law enforcement vehicles, we've found the three-quarter ton trucks do actually hold up better in the state park settings that we have these vehicles operate in but we've been unsuccessful in getting enough money over the years to do a fleet of three-quarter tons so, most of them are half-ton vehicles.

Governor: So, is that the intent now?

Bob Mergell: Unfortunately, we will probably be buying half-ton crew cabs.

Governor: Because of availability.

Bob Mergell: And because it's like I said, we're \$11,000 short per vehicle to get three-quarter tons right out of the gate.

Governor: Thank you. Any other questions from any other Board Members?

Secretary of State: Governor, this is Cisco. I have a question. So you said you're \$11,000 short per vehicle to get the vehicle you need. What is the total substantial shortfall?

Bob Mergell: Bob Mergell for the record. It would be roughly \$11,000 multiplied by 40. Of the 42 vehicles, two vehicles are water trucks and we are fine for funds with those two vehicles. The 40 vehicles are the light truck vehicles.

Secretary of State: So, is there a reason why you didn't request that? Why do you have a shortfall? I guess I'm trying to understand why the shortfall exists.

Bob Mergell: The shortfall exists because when we built the budget, you have to build it using a drop-down menu of the vehicle that you're requesting. That vehicle, that exact same vehicle on the current, contract list is \$11,206 different. If you take the drop-down menu three-quarter ton extended cab 4x4 long bed truck, when we budgeted for it, that was \$41,044. If you bring that exact same vehicle up now on the contract price, it's \$52,250. There's nothing we can do about that. When you budget you have to use what's in the drop-down menu and so that's what we did.

Secretary of State: And so the vehicle you need is a three-quarter ton not a half ton?

Bob Mergell: The vehicle that we would prefer would be a three-quarter ton, yes, sir. For our maintenance vehicles we would prefer the one tons because we have to buy those cabin chassis typically and then we do have separate funding for the utility boxes for those. So, we feel like we're okay with those. If we had to get three-quarter ton vehicles for those vehicles, we could do that. It would just limit which vehicles we could use to transport equipment around the state. So, those vehicles would likely be able to hold the utility box, but we probably couldn't tow as much from one park to the other. The law enforcement vehicles, we've made do with half ton vehicles. Like I said, they perform fine in a law enforcement setting. It's when they enter their second half of their life where they become a seasonal vehicle that they don't hold up as well as the three-quarter ton truck would, but frankly, we exceed the mileage almost always before we exceed the age and we exceed the age and mileage on far more than these 40 vehicles that we're requesting.

Secretary of State: This next question is for the Governor's Finance Office if that's okay. Is there a way to help them with the shortfall to get the vehicles they need?

Governor: Go ahead.

Clerk of the Board: We can work with them on funding as shortfalls are identified.

Secretary of State: Thank you.

Governor: Mr. Aguilar, I think one of the issues is going to be availability on this request anyway. So, as we work through the process, that's why I want to get a continual update on the purchases because as the process works out, it could be a budget request into the second biennium as the finance committee requests. Your point is well taken.

Secretary of State: Thank you. That's it.

Bob Mergell: Could I make one more comment if you would?

Governor: Go ahead Bob.

Bob Mergell: Bob Mergell for the record. That's one of the reasons that we're asking to purchase all of these vehicles at one time because we've reached out to everybody that that has a contract and they've all said basically that there's a waiting list and a lottery type system. So, we want to get our vehicles queued up to purchase rather than buy five now, if you will, and then try to get to a later Board of Examiners meeting and ask for 10 more or whatever it may be. So, we're trying to get in the line before everybody behind me starts buying vehicles.

Governor: Are there any other questions? I'll move to approve. All those in favor, signify by saying aye. The motion passes unanimously. We will close Agenda Item 4.

5. 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 former employee Jon Benedict to assist with US Geological Survey review for the Department of Conservation and Natural Resources, Division of Water Resources 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 Susan Brown to assist in the hands-on training of fiscal staff relating to all areas of fiscal processes for the Nevada Department of Corrections through Master Service Agreement #23927 with Marathon Staffing Group.

C. 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 Susan Brown to assist in the oversight of the American Rescue Plan Act funded Vegas Strong Resiliency capital improvement project for the Statewide Victim Resource Center for the Department of Health and Human Services, Division of Child and Family Services through Master Service Agreement #23928 with HAT Limited Partnership dba Manpower.

D. 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 Charles Wolf to assist with engineering tasks associated with the State Revolving Fund Program for the Department of Conservation and Natural Resources, Division of Environmental Protection through Master Service Agreement #23928 with HAT Limited Partnership dba Manpower.

E. 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 Phyllis Zink to assist in the preparation of annual financial statements and transitioning of accounting functions to her eventual replacement for the Department of Business and Industry, Nevada Housing Division, through Master Service Agreement #23928 with HAT Limited Partnership dba Manpower.

Governor: Moving to Agenda Item 5, *Authorization to Contract with a Current and/or Former State Employee*. Ms. Stephenson.

Clerk of the Board: Thank you sir. There are five requests under Agenda Item 5. Request A is from the Department of Conservation Natural Resources, Division of Water Resources through the Department of Administration, Purchasing Division. The department requests authority to contract with a former employee to assist with U.S Geological Survey review. The office intends to contract with the employee from the date of approval through December 31, 2023 on a part-time basis through Marathon Staffing Group, Inc.

Request B is from the Nevada Department of Corrections through the Department of Administration, Purchasing Division requesting authority to contract with a former employee to assist in the hands-on training of fiscal staff relating to all areas of the fiscal processes. The department intends to contract with the employee from August 14, 2023 through December 31st, 2023 on a part-time basis through Marathon Staffing Group, Inc.

Request C is from the Department of Health and Human Services, Division of Child and Family Services through the Department of Administration, Purchasing Division to contract with the former employee to assist in the oversight of the American Rescue Plan Act funded Vegas Strong Resiliency Capital Improvement project for the statewide Victim Resource Center. The department intends to contract with the employee from August 8, 2023 through February 8, 2024 on a part-time basis through Manpower.

Request D is from the Department of Conservation and Natural Resources, Division of Environmental Protection through the Department of Administration Purchasing Division. They request authority to contract with a former employee to assist with engineering tasks associated with the state revolving fund program. The division intends to contract with the employee from the date of approval through December 31st 2023 on a part-time basis through Manpower.

Request E is from the Department of Business and Industry, Nevada Housing Division through the Department of Administration Purchasing Division. They request authority to contract with the former employee to assist in the preparation of annual financial statements and accounting functions. The division intends to contract with employee from the date of approval through December 31, 2023 on a part-time basis. Are there any questions on any of these items ?

Governor: Do we have any questions of any Board Members?

Secretary of State: No question.

Governor: Mr. Ford?

Attorney General: No questions.

Governor: I guess it's more procedurally. So, if we look at 5-B and C, I observed that Susan Brown will be contracting for two different departments. Is that correct?

Clerk of the Board: Yes, sir, that is correct.

Governor: Both of them are part-time?

Clerk of the Board: Yes, sir, that is correct.

Governor: So, are the departments on their own going to control her work hours so we assure that we don't have any excess and other requirements?

Clerk of the Board: Yes. Each department will track their hours for the 20 and then our office will also be tracking to make sure that she doesn't exceed the 40 hours between the two.

Governor: So, the 40 would be the max. Are these employees eligible for overtime?

Clerk of the Board: I will verify with the agency.

Governor: I'll take a motion if there are no further questions.

Secretary of State: I move approval.

Governor: We have a motion. All those in favor signify by saying aye. The motion passes unanimously. We will close Agenda Item 5.

6. Request for the Allocation and Disbursement of Funds for Salary Adjustments (For possible action)

The 2021 Legislature, through Assembly Bill 493, section 5, made appropriations from the General Fund and the Highway Fund to the Board of Examiners to meet salary deficiencies that may be created between the appropriated money of the State's respective departments, commissions, and agencies and the salary requirements for the personnel of those departments, commissions, and agencies. The Board of Examiners, upon recommendation of the Director of the Governor's Finance Office, may allocate and disburse amounts, from the appropriate fund, to the departments, commissions and agencies of the State for the purpose of paying personnel salary deficiencies.

The following department, commission, and agency requests for allocations from the General Fund and/or Highway Fund salary adjustment accounts are recommended by the Director of Finance:

BA#	BUDGET ACCOUNT NAME	GENERAL FUND ADJUSTMENT
1020	Lieutenant Governor	\$4,349
	Total	\$4,349

Governor: And move on to Agenda Item 6, *Request for the Allocation and Disbursement of Funds for Salary Adjustments*. Ms. Stephenson.

Clerk of the Board: Thank you, sir. The 2021 Legislature, through Assembly Bill 493, section 5, made appropriations from the General Fund and the Highway Fund to the Board of Examiners to meet salary deficiencies that may be created between the appropriated money of the State's respective departments, commissions, and agencies and the salary requirements for the personnel of those departments, commissions, and agencies. The

Board of Examiners, upon recommendation of the Director of the Governor's Finance Office, may allocate and disburse amounts, from the appropriate fund, to the departments, commissions and agencies of the State for the purpose of paying personnel salary deficiencies. This request is a request for allocation from the general fund salary adjustment account as recommended by the Director of the Governor's Finance Office. It's for the Lieutenant Governor for \$4,349. Are there any questions on this item?

Governor: Do we have any questions?

Secretary of State: No question.

Governor: No questions here. I'll entertain a motion.

Attorney General: Move approval.

Governor: We have a motion. All those in favor, signify by saying aye. The motion passes unanimously. We will close Agenda Item 6.

7. 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:	Rino Tenorio
Claim No:	TC20623
Settlement Amount:	\$475,000.00
Date of Loss:	January 8, 2019

Governor: Move to Agenda Item 7, *Request for Approval to Pay a Tort Claim Pursuant to NRS 41.036*. Ms. Stephenson.

Clerk of the Board: Thank you, sir. Pursuant to NRS 41.036, the Office of the Attorney General submits the following tort claim request for approval. Claimant is Rino Tenorio. Claim number is TC20623 and the settlement amount of \$475,000. Date of loss was January 8, 2019. Are there any questions on this item.

Secretary of State: No questions.

Governor: Hearing no questions.

Attorney General: Move approval.

Governor: We have motion. All those in favor, signify by saying aye. The motion passes. We'll close Agenda Item 7.

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

A. Department of Business and Industry

Pursuant to NRS 353.268, the department requests the Board's recommendation to the Interim Finance Committee for an allocation of \$169,688 from the Interim Finance Committee Contingency Account to support one Deputy Director position and associated costs for the newly created Office of Nevada Boards, Commissions, and Councils Standards.

B. Office of the Military – Division of Emergency Management

Pursuant to NRS 353.268, the office requests the Board's recommendation to the Interim Finance Committee for an allocation of \$510,796 from the Interim Finance Committee Contingency Account to cover costs associated with providing supplemental security and enhanced healthcare system availability to Clark County during the November 2023 Formula One race and the February 2024 Super Bowl.

C. Office of the Lieutenant Governor

Pursuant to NRS 353.268, the office requests the Board's recommendation to the Interim Finance Committee for an allocation of \$22,327 from the Interim Finance Committee Contingency Account to cover to cover projected shortfalls for fiscal year 2023.

Governor: Moving to Agenda Item 8, *Request for a Recommendation of Approval to the Interim Finance Committee for an Allocation Amount from the Contingency Account* for possible action. Before we proceed, Ms. Stephenson, do we have any modifications of this.

Clerk of the Board: We do, sir. Item 8-A has been withdrawn by the agency.

Governor: That's the Department of Business and Industry?

Clerk of the Board: Correct, sir.

That leaves two requests under Agenda Item 8. The first one is for the Office of the Military, Division of Emergency Management pursuant to NRS 353.268, the office requests the Board's recommendation to the Interim Finance Committee for an allocation of \$510,796 from the Interim Finance Committee Contingency Account to cover costs associated with providing supplemental security and enhanced Health Care System availability to Clark County during the November 2023 Formula One race and the February 2024 Super Bowl. The second request is from the Office of the Lieutenant Governor pursuant to NRS 353.268, the office request the Board's recommendation to the Interim Finance Committee for an

allocation of \$22,327 from the Interim Finance Committee Contingency Account to cover projected shortfalls for fiscal year 2023. Are there any questions on these items?

Governor: Do we have any questions?

Secretary of State: No questions.

Governor: With no questions, I'll entertain a motion.

Secretary of State: Motion to approve items B and C of Agenda Item 8.

Governor: We have a motion. All those in favor, signify by saying aye. The motion passes. We will close Agenda Item 8.

9. Request for Approval of Payment from the Statutory Contingency Account (For possible action)

A. Department of Indigent Defense Services – State Public Defender

Pursuant to NRS 7.155 the department requests an allocation of \$417,530 from the Reserve for Statutory Contingency Account to ensure payment of post-conviction costs, expenses, and compensation through the end of the state fiscal year 2023.

B. Department of Indigent Defense Services – State Public Defender

Pursuant to NRS 212.070 the department requests payment in the amount of \$27,684 from the Reserve for Statutory Contingency Account to ensure compensation of expenses and costs related to prosecuting any person for the commission of any crime while in state prison.

C. Office of the Lieutenant Governor

Pursuant to NRS 353.262, the Office of the Lieutenant Governor's requests \$12,000 from the Reserve for Statutory Contingency Account to fund part of a total terminal leave payoff of \$21,204.65.

Governor: Move to Agenda Item 9, *Request for Approval of Payment from the Statutory Contingency Account.*

Clerk of the Board: There are three requests under this agenda item. The first request is from the Department of Indigent Defense Services, State Public Defender's Office. Pursuant to NRS 7.155, the department requests an allocation of \$417,530 from the Reserve for Statutory Contingency Account to ensure payment of post-conviction costs expenses and compensation through the end of state fiscal year 2023.

The second request is from is also from the Department of Indigent Defense Services State Public Defender's Office. Pursuant to NRS 212.070 the department request payment in the amount of \$27,684 from the Reserve for Statutory Contingency Account to ensure compensation of expenses and costs related to prosecuting any person for the commission of any crime while in state prison.

Then, the final request is from the Office of the Lieutenant Governor. Pursuant to NRS 353.262 the office requests \$12,000 from the Reserve for Statutory Contingency Account to fund part of the total terminal leave payoff. Are there any questions on these items?

Secretary of State: Not from me.

Attorney General: None here.

Governor: Hearing no questions, I'll entertain a motion.

Secretary of State: Motion to approve.

Governor: We have a motion. All those in favor, signify by saying aye. The motion passes unanimously. We will close the Agenda Item 9.

10. Request for a Recommendation of Approval to the Interim Finance Committee for a Grant or Loan from the Disaster Relief Account
(For possible action)

Office of the Military – Division of Emergency Management Disaster Response and Recovery Act

Pursuant to NRS 353.2705 to 353.2771 inclusive, the Division requests an approval of a \$256,107 grant from the Disaster Relief Account to cover emergency response and management costs associated with the March 2023 winter storms.

Governor: Agenda Item 10, *Request for a Recommendation of Approval to the Interim Finance Committee for a Grant or Loan from the Disaster Relief Account.* Ms. Stephenson.

Clerk of the Board: Thank you, sir. Pursuant to NRS 353.2705 to 353.2771 inclusive the Office of Military, Division of Emergency Management Disaster Response and Recovery Act request an approval of a \$256,107 grant from the Disaster Relief Account to cover emergency response and management costs associated with the March 2023 winter storms. Are there any questions on this item?

Governor: Do you have any questions?

Secretary of State: No questions.

Governor: I'll entertain a motion.

Attorney General: None here. I move to approve.

Governor: We have a motion for approval. All those in favor, signify by saying aye. The motion passes. We will close Agenda Item 10.

11. Request for Approval of Land Lease Agreement (For possible action)

Department of Conservation and Natural Resources – Division of State Lands

Pursuant to NRS 321.335, State Lands is requesting the approval of a Land Lease Agreement to American Rail Bike Adventures for occupancy and use of ground at the Nevada State Railroad Museum in Boulder City. This item is contingent upon IFC approval.

Governor: Move to Agenda Item 11, *Request for Approval of Land Lease Agreement*. Ms. Stephenson.

Clerk of the Board: Thank you, sir. Pursuant to NRS 321.335, the Department of Conservation Natural Resources, Division of State Lands requests the approval of a land lease agreement to American Rail Bike Adventures for occupancy and use of ground at the Nevada State Railroad Museum in Boulder City. This item is contingent upon Interim Finance Committee (IFC) approval. Are there any questions on this item?

Governor: Do we have any questions?

Secretary of State: No questions.

Attorney General: None here. Move approval.

Governor: We have a motion for approval. All those in favor, signify by saying aye. The motion passes unanimously. We will close Agenda Item 11.

12. Approval of Proposed Leases (For possible action)

Governor: Move to Agenda Item 12, *Approval of Proposed Leases*. Ms. Stephenson.

Clerk of the Board: Thank you, sir. There are seven leases under this agenda item for approval by the Board today. Are there any questions on any of these items?

Governor: Are there any questions?

Secretary of State: None.

Governor: Hearing no questions, can I entertain a motion?

Secretary of State: Motion to approve.

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

13. Approval of Proposed Contracts (For possible action)

Governor: Move on to Agenda Item 13, *Approval of Proposed Contracts*. Ms. Stephenson.

Clerk of the Board: Thank you. There are 30 contracts under this agenda item for approval by the Board today. Are there any questions on any of these items?

Governor: Yes. I have two separate questions. So, contract number 10 Department of Education, Office of Early Learning and Development. Do we have a representative?

Megan Peterson: Good morning. Deputy Superintendent Megan Peterson for their record.

Governor: Just a quick question. Is this item in conjunction with what the Commission on Education is tasked with doing or are we in conflict or in communication?

Megan Peterson: It is not in conflict with the work they're doing and it is actually separate.

Governor: It's under the people-centered funding plan.

Megan Peterson: Yes, change management. So, it is in addition to the work that the commission on school funding is doing, the work that the commission is doing will inform in part what is communicated as part of the change management plan. What we're looking to do is find effective ways to communicate with our stakeholders not only internally within the department but also with school districts and parents so that way they understand the system as it's being updated and revised based on the recommendations from the commission.

Governor: Okay, I just wanted to make sure they weren't in conflict and we're paying two people for the same job.

Megan Peterson: Ultimately, I think that we have obviously seen this over the years and especially under the Nevada plan. Finance for a lot of folks happens to be a big black box.

Governor: Right.

Megan Peterson: We're hoping to shed light on that and explain and help them understand what is transpiring.

Governor: Thank you. Next is contract number 29 under Department of Employment, Training and Rehabilitation (DETR), Workforce Development.

Troy Jordan: Troy Jordan, Deputy Director of DETR for the record. Good morning.

Governor: Good morning.

Troy Jordan: With me is Katie Wellman from our Workforce Investment Support Services Unit.

Governor: Katie, is this particular item being coordinated with Department of Health and Human Services (DHHS) or they are two conflicting workforce programs.

Katie Wellman: Good morning. Katie Wellman, ESD Program Specialist 2 with DETR. No, we do not believe there's a conflict and we do coordinate with DHHS. I've been in communications with the Children's Cabinet and we can coordinate with them in the future after the contract's been executed.

Governor: So, this is specific to the Children's Cabinet?

Katie Wellman: Correct.

Governor: Very good. Alright, thank you.

Do we have any other questions on the contracts by any other Board Member?

Secretary of State: Yes, Governor. I have a question on number six and this is more just educational for me, is understanding the bid process of how these contracts work especially when it comes to construction of new buildings and construction of state activities. Can you explain to me the bid process and this may require a conversation longer than we have now. So, Governor's Finance Office, would you mind just kind of educating me on the bid process for this contract.

Clerk of the Board: Secretary Aguilar, I do have a member of the Department of Administration, State Public Works Division to help you walk through that process because it's a little bit different.

Secretary of State: Okay. Thank you.

Kent LeFevre: Kent LeFevre for the record. Thank you for that question Secretary of State. So, Professional Services are relative to that contract, the division is in compliance with NAC 341.141 and we are also in compliance with the NRS 625.530 wherein professional contracts are negotiated, selected, and then negotiated based on experience and competence. They are not bid for example, like a contractor's bid. They are negotiated. I hope that answers your question.

Secretary of State: So, how many architects are qualified to do business with the state?

Kent LeFevre: Offhand, I would say probably in the order of 30 or 40 firms.

Secretary of State: Of those 30 at 40 how many applied are tried to get this work?

Kent LeFevre: This particular contract was direct selected based on NAC 341.141 and it is the reason we direct selected it is because of the schedule and the need for the building to

get started get designed. We also have confidence in this particular vendor for the following reasons and the statute outlines them, but there is the familiarity with the site. This particular vendor has completed the master plan for the campus for the campus here in Carson City. They have performed exemplary on that project and others relative to the capital complex.

Secretary of State: Again, I guess it goes back to a previous question then for them to design the master plan for this complex were they the only firm selected for that master plan or were there others given the opportunity to apply for that master plan opportunity.

Kent LeFevre: The master plan was commissioned a couple of years ago and they were direct selected on that.

Secretary of State: Thank you for the clarification. I appreciate it.

Kent LeFevre: Thank you.

Governor: Do we have any further questions?

Secretary of State: No, Governor.

Governor: I will entertain a motion for approval.

Secretary of State: The Secretary of State's Office has a contract on here which is number three and I know I can vote in favor of it, but I do want to make the motion to approve.

Attorney General: I'll move to approve.

Governor: All those in favor, signify by saying aye. The motion passes unanimously.

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

Governor: We'll move on to Agenda Item 14, *Approval of Proposed Master Service Agreements*.

Clerk of the Board: Thank you, sir. There are 16 Master Service Agreements under Agenda Item 14 for approval by the Board today. Are there any questions on any of these items?

Attorney General: No questions here.

Governor: No questions for myself. Mr. Aguilar any questions?

Secretary of State: No questions. Thank you.

Governor: I'll entertain a motion for approve.

Secretary of State: Motion to approve.

Governor: We have a motion. All those in favor, signify by saying aye. The motion passes. We'll close Agenda Item 14.

15. 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 June 15, 2023 through July 16, 2023.

Governor: Move on to Agenda Item 15, *Information Item Clerk of the Board Contracts*. Ms. Stephenson.

Clerk of the Board: Thank you, sir. There are 81 contracts over \$10,000 and under the \$100,000 threshold that were approved by the Clerk of the Board between June 15, 2023 and July 16, 2023. This item is informational. Were there any questions on these items?

Secretary of State: I just want to comment. I know how hard Athletic Commissioner inspectors work and I appreciate their efforts. Thank you.

Governor: I have a question. I just want to make sure my notes are under the same contract 25, Department of Education, Internal Institute for Restorative Justice Practices. Is this in concert or in conflict or it's not an issue with, is it aligned with the school safety bill that was just passed Assembly Bill 330?

Christy McGill: Christy McGill for the record. Yes, it is aligned with both 330 and 285. Both have the requirements for not only training but to embed restorative practices into their existing practices and align that with the progressive safety plans and restorative practices.

Governor: So, it just made adjustments for the new law.

Christy McGill: Correct.

Governor: Alright, thank you. Additionally, contract number 28 and 29. That would be the Department of Health and Human Services, Aging and Disability Services. I'm having trouble understanding the difference between these two contracts and note the fact that when they're separated, they're under the \$100,000 threshold of requirement.

Jessica Adams: Jessica Adams with Aging and Disability Services Division. These are for two different externs that we use with University of Nevada, Reno. One is a clinical psychology extern and the other one is a behavioral services extern. So both graduate level students that work part-time at the regional center.

Governor: So you said psychology and what's the other one?

Jessica Adams: Behavioral services, like a board-certified behavioral analyst.

Governor: Great. So there is a separation of responsibility.

Jessica Adams: Correct.

Governor: Thank you. This is informational only, no action required. Any questions of any Board Members before we move on?

Attorney General: None for me.

Governor: We will close agenda Item #15.

16. Information Item Reports

A. Governor’s Finance Office – Budget Division

Pursuant to NRS Chapter 353, the Governor’s Finance Office, Budget Division presents a reconciled fund balance report for the Tort Claim Fund, Statutory Contingency Account, Stale Claims Account, Emergency Account, Disaster Relief Account, IFC Unrestricted Contingency Funds and IFC Restricted Contingency Funds as of June 30th, 2023.

The Tort Claim Fund is the State Treasury Fund for Insurance Premiums. The Statutory Contingency Account, Stale Claims Account, Emergency Account, Disaster Relief Account, IFC Unrestricted Contingency Funds and IFC Restricted Contingency supplement funding for eligible agencies within statutory authority.

Below is the available balance for each account prior to any projected outstanding claims.

Tort Claim Fund	\$ 850,044.79
Statutory Contingency Account	\$ 14,285,627.50
Stale Claims Account	\$ 1,052,132.98
Emergency Account	\$ 354,763.00
Disaster Relief Account	\$ 10,581,285.47
IFC Contingency Fund	\$ 485,638,444.26

B. Department of Motor Vehicles – Complete Streets Program

Pursuant to NRS 482.1825, subsection 2, the department shall certify 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 by month for the fourth quarter of fiscal year 2023 for the period beginning April 1, 2023 and ending June 30, 2023.

Governor: Move to 16, *Information Item Reports*. Ms. Stephenson.

Clerk of the Board: Thank you, sir. There are two reports under Agenda Item 16. The first report is from the Governor's Finance Office Budget Division. Pursuant to NRS Chapter 353, the Governor's Finance Office Budget Division presents a reconciled fund balance report for the Tort Claim Fund, Statutory Contingency Account, Stale Claims Account, Emergency Account, Disaster Relief Account, IFC Unrestricted Contingency Funds, and IFC restricted contingency funds as of June 30, 2023. The available balance for each account prior to any projected outstanding claims is as follows. Tort claim fund, \$850,044.79, Statutory Contingency Account, \$14,285,627.50, Stale Claims account is \$1,052,132.98, Emergency Account is \$354,763, Disaster Relief Account is \$10,581,285.47, and the IFC Contingency Fund is \$485,638,444.26. Are there any questions on that report or would you like me to go to the next one?

Governor: Any questions on 16-A?

Secretary of State: No problems.

Attorney General: None here.

Governor: We'll move to 16-B.

Clerk of the Board: Thank you, sir. The second report is from the Department of Motor Vehicles Complete Streets Program. Pursuant to NRS 482.1825 subsection 2, the department shall certify 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. The submittal reports program activities by month for the fourth quarter of fiscal year 2023 for the period beginning April 1, 2023 and ending June 30, 2023. Are there any questions on this item?

Attorney General: None here.

Governor: Douglas County, I see it's planned to be built by 2025. So, can we track that so we don't have a continuance of the use of the intended money? I think we've gone across three separate fiscal years on that, correct?

Clerk of the Board: Correct.

Governor: Alright. No further questions on 16-B.

Secretary of State: No questions, Governor.

Governor: Mr. Ford, any questions?

Attorney General: I'm good. No questions here.

Governor: We'll close this item.

17. 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 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 906 527 990#. 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: Move to agenda Item 17, second opportunity for public comment. Do we have any public comment identified there to the South?

Secretary of State: Sir, no public comment here.

Governor: Do we have any public comment here in Carson City? Seeing none. Do we have any on the phone? Alright, no public comment. We will close the public comment section.

18. Adjournment (For possible action)

Governor: Move for adjournment. Can I have a motion to adjourn?

Secretary of State: Motion to adjourn.

Governor: We have a motion. All those in favor, signify by saying aye. Thank you everybody, appreciate your time.