

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:** January 9, 2024, 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

**OTHERS PRESENT:**

Felicia Denney, Assistant Director, Department of Transportation

#### 1. Call to Order / Roll Call

**Governor:** We will call to order the State of Nevada Board of Examiners meeting scheduled for today, January 9, 2024 at 10:00 a.m. Can I have the Clerk please call 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:** I'm here.

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

**Governor:** Thank you. We will close the roll call.

**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 228 553 855#. 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 to agenda item number 2, *Public Comment*. This first public comment period is limited to comments on items on the agenda. No action may be taken upon a matter raised under the public comment period unless the matter itself has been specifically included on the agenda as an action item. We will limit your comments to three minutes and if you wish to call in via phone, please utilize the phone number 775-321-6111 or 702-329-3435 and the meeting ID number is 228 553 855#.

Do we have any public comment there in Carson City?

**Clerk of the Board:** No, sir.

**Governor:** Do we have any public comment here in Las Vegas? Seeing none.

Do we have anyone for public comment on the phone?

**Clerk of the Board:** No, sir.

**Governor:** We will close this first item for public comment.

**3. Approval of the December 12, 2023 Meeting Minutes** (For possible action)

**Governor:** Agenda item number 3, *Approval of the December 12, 2023 Meeting Minutes*. Do we have any questions of any Board Members? Hearing none.

**Secretary of State:** Motion to approve the minutes.

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

**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.

<b>AGENCY NAME</b>	<b># OF VEHICLES</b>	<b>NOT TO EXCEED:</b>
Department of Administration – Fleet Services Division	7	\$367,678
Department of Corrections – Southern Desert Correctional Facility	4	\$247,984
Department of Public Safety – Nevada Highway Patrol Division	2	\$112,253

**Governor:** Agenda item number 4, *State Vehicle Purchases*.

**Clerk of the Board:** Thank you, sir. There are three requests under agenda item number 4. The first request is from the Department of Administration, Fleet Services Division. The division requests approval to purchase seven new vehicles for a total amount not to exceed \$367,678.

The second request is from the Department of Corrections, Southern Desert Correctional Facility. The department requests approval to purchase 4 new vehicles for a total amount not to exceed \$247,984.

The last request is from the Department of Public Safety, Nevada Highway Patrol Division. The division requests approval to purchase two replacement vehicles for a total amount not to exceed \$112,253. Are there any questions on any of these items?

**Governor:** Do we have any questions?

**Attorney General:** None here. I move approval.

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

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

**Department of Transportation**

Pursuant to NRS 333.705, subsection 4, the department seeks a favorable recommendation regarding its determination to use the emergency provision to contract with former employee Jason Marty to provide maintenance management activities through statewide contract #99SWC-NV21-7577 with HAT Limited Partnership dba Manpower.

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

**Clerk of the Board:** Pursuant to NRS 333.705, subsection 4, the Department of Transportation seeks a favorable recommendation regarding its determination to use the emergency provision to contract with a former employee to provide maintenance management activities from January 2, 2024 to April 30, 2024 on a full-time basis through Manpower.

**Governor:** Do we have any questions?

**Secretary of State:** No questions, motion to approve.

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

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

**A. Department of Conservation and Natural Resources – Division of Environmental Protection**

Pursuant to NRS 333.705, subsection 1, Department of Administration, Purchasing Division requests authority to contract with former employee Shane Martin to facilitate permitting actions for the Department of Conservation and Natural Resources, Division of Environmental Protection through statewide contract #99SWC-NV21-7576 with Marathon Staffing Group, Inc.

**B. Department of Conservation and Natural Resources – Division of Environmental Protection**

Pursuant to NRS 333.705, subsection 1, Department of Administration, Purchasing Division requests authority to contract with former employee Paige Menicucci to provide technical and administrative support to the Department of Conservation and Natural Resources, Division of Environmental Protection through statewide contract #99SWC- NV21-7576 with Marathon Staffing Group, Inc.

**C. Department of Conservation and Natural Resources – Division of Water Resources**

Pursuant to NRS 333.705, subsection 1, Department of Administration, Purchasing Division requests authority to contract with former employee Jon Benedict to assist in completing an independent hydrologic review for the Department of Conservation and Natural Resources, Division of Water Resources through statewide contract #99SWC-NV21-7576 with Marathon Staffing Group, Inc.

#### **D. Department of Taxation**

Pursuant to NRS 333.705, subsection 1, Department of Administration, Purchasing Division requests authority to contract with former employee Matthew Tomich to assist with finalizing the documentation on programming databases to encompass duties and accounting rules for the transition to the new Modernize Your Nevada Tax database system for the Department of Taxation through statewide contract #99SWC-NV19-2461 with Guidesoft, Inc. DBA Knowledge Services.

#### **E. Department of Transportation – Maintenance and Asset Management Division**

Pursuant to NRS 333.705, subsection 1, the Department of Administration, Purchasing Division requests authority to contract with former employee Jason Marty in the Department of Transportation, Maintenance and Asset Management Division through statewide contract #99SWC-NV21-7577 with HAT Limited Partnership dba Manpower.

**Governor:** Agenda item number 6, *Authorization to Contract with a Current and/or Former State Employee.*

**Clerk of the Board:** There are five requests under this agenda item. The first request is from the Department of Conservation and Natural Resources, Division of Environmental Protection, through the Department of Administration, Purchasing Division. The division intends to contract with a former employee from January 9, 2024 through April 30, 2024 on a full-time basis through Marathon Staffing Group.

The second request is from the Department of Conservation and Natural Resources, Division of Environmental Protection through the Department of Administration, Purchasing Division. The division intends to contract with a former employee from January 9, 2024 through June 30, 2024 on a part-time basis through Marathon Staffing Group.

The third request is from the Department of Conservation and Natural Resources, Division of Water Resources through the Department of Administration, Purchasing Division. The division intends to contract with a former employee from January 9, 2024 through July 10, 2024 on a part-time basis through Marathon Staffing Group.

The fourth request is from the Department of Taxation through the Department of Administration, Purchasing Division. The department intends to contract with a former employee from January 9, 2024 through March 31, 2024 on a full-time basis through Knowledge Services.

The last request is from the Department of Transportation, Maintenance and Asset Management Division through the Department of Administration, Purchasing Division. The

division intends to contract with a former employee from May 1, 2024 through June 11, 2024 on a full-time basis through Manpower. Are there any questions on these items?

**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.

**7. 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 Public Safety – Division of Dignitary Protection**

Pursuant to NRS 353.268, the department requests a recommendation to the Interim Finance Committee for an allocation of \$85,175 from the Interim Finance Committee Contingency Account to cover costs associated with providing dignitary protection to the Governor.

**B. Governor’s Office for New Americans**

Pursuant to NRS 353.268, the office requests a recommendation to the Interim Finance Committee for an allocation of \$21,880 from the Interim Finance Committee Contingency Account to cover a projected shortfall for the remainder of the fiscal year.

**Governor:** Agenda item number 7, *Request for a Recommendation of Approval to the Interim Finance Committee for an Allocation Amount from the Contingency Account*. We will take these items separately.

There are 2 requests under this agenda item. The first request is from the Department of Public Safety, Division of Dignitary Protection. Pursuant to NRS 353.268, the department requests a recommendation to the Interim Finance Committee for an allocation of \$85,175 from the Interim Finance Committee Contingency Account to cover costs associated with providing dignitary protection.

The second request is from the Governor’s Office for New Americans. Pursuant to NRS 353.268, the office requests a recommendation to the Interim Finance Committee for an allocation of \$21,880 from the Interim Finance Committee Contingency Account to cover a projected shortfall for the remainder of the fiscal year. Are there any questions on these items?

**Governor:** Do Members have any questions?

**Secretary of State:** No questions. Motion to approve.

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

## **8. Request to Designate Positions in State Government as Critical Labor Shortages** (For possible action)

### **Department of Transportation**

Pursuant to NRS 286.523, the department requests approval of a critical labor shortage designation for Highway Maintenance Worker III positions.

**Governor:** Agenda item number 8, *Request to Designate Positions in State Government as Critical Labor Shortages*.

**Clerk of the Board:** Pursuant to NRS 286.523, the Department of Transportation requests the approval of a critical labor shortage designation for Highway Maintenance Worker III positions. Are there any questions on this item?

**Governor:** Yes, I have a question. Could we have a representative from the Department of Transportation?

**Felicia Denney:** Good morning, Governor. I'm Felicia Denney with the Nevada Department of Transportation. I'm here to answer any questions.

**Governor:** In reading through this item, I notice you have approximately 91 vacancies in this particular classification. What is the department going to do proactively to prevent us from having to do critical labor exceptions?

**Felicia Denney:** We have attended many job fairs and we've done a lot of outreach. Our problem that we've been experiencing has been that these positions require a commercial driver's license (CDL) and it takes some time for training of these positions and we've really been working hard to recruit for them. We also have a lot of positions posted on the State website and we're working very hard to train people and get them up to speed as fast as we can.

**Governor:** Do you have the ability to waive the CDL for hiring and do that training in-house?

**Felicia Denney:** We do do in-house training. I don't believe we can waive the CDL but I can find that out. These are large pieces of equipment and it's very important for safety that these workers are qualified.

**Governor:** I understand that you wouldn't waive the qualification, but I would just like you to take it for consideration to have the ability to hire them and then do in-house training for the CDL because that's an exorbitant amount of vacancies.

Additionally in the Governor's Executive Order, the suspension of qualifications, in order to enable hiring, is that helping at all?

**Felicia Denney:** It has been helping us to recruit, however, we are still struggling.

**Governor:** Thank you. We have another question.

**Secretary of State:** Have you reached out to organizations like Hope for Prisoners who are doing this kind of work for CDL training as part of their programming?

**Felicia Denney:** I do not know. We welcome the suggestion and I will reach out to see if that's something we're doing.

**Secretary of State:** Thank you.

**Governor:** Thank you. We have no further questions. I'll entertain a motion.

**Secretary of State:** Motion to approve.

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

## **9. Approval of Proposed Leases** (For possible action)

**Governor:** Agenda item number 9, *Approval of Proposed Leases*.

**Clerk of the Board:** There are 5 leases under agenda item number 9 for approval by the Board today. Are there any questions on any of these items?

**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.

## **10. Approval of Proposed Contracts** (For possible action)

**Governor:** Agenda item number 10, *Approval of Proposed Contracts*.

**Clerk of the Board:** There are 53 contracts under this item for approval by the Board today. Are there any questions on any of these items?

**Governor:** Do we have any questions?

**Secretary of State:** No questions. Move approval.

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



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

**Governor:** Agenda item number 11. *Approval of Proposed Master Service Agreements.*

**Clerk of the Board:** Thank you, sir. There are 5 Master Service Agreements under agenda item number 11 for approval by the Board today. Are there any questions on these items?

**Governor:** Any questions?

**Attorney General:** None here. Move to approve.

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

**12. 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 November 21, 2023 through December 12, 2023.

**Governor:** Agenda item number 12, *Information Item – Clerk of the Board of Contracts.*

**Clerk of the Board:** There are 32 contracts over \$10,000 and under the \$100,000 threshold that were approved by the Clerk of the Board from November 21, 2023 through December 12, 2023. Are there any questions on these items?

**Governor:** No questions here. Hearing none. We will close this item.

**13. Information Item Reports**

**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 the IFC Contingency Fund as of December 19, 2023.

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

Tort Claim Fund	\$ 3,465,635.28
Statutory Contingency Account	\$ 11,365,938.59

Stale Claims Account	\$ 5,011,129.33
Emergency Account	\$ 500,000.00
Disaster Relief Account	\$ 11,045,555.03
IFC Contingency Fund	\$ 467,062,576.93

**Governor:** Agenda item number 13, *Information Item Reports – Governor’s Finance Office – Budget Division.*

**Clerk of the Board:** Thank you, sir. 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 the IFC Contingency Fund as of December 19, 2023. The available balance is as follows: Tort Claim Fund, \$3,465,635.28; Statutory Contingency Account, \$11,365,938.59; Stale Claims Account, \$5,011,129.33; Emergency Account, \$500,000.00; Disaster Relief Account, \$11,045,555.03; and the IFC Contingency Fund, \$467,062,576.93. Are there any questions on this item?

**Governor:** None here.

**Attorney General:** None here.

**Secretary of State:** No questions.

**Governor:** We will close item number 13.

**14. 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 228 553 855#. 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 number 14, *Public Comment.* This is the second opportunity for public comment. Please limit your comments to three minutes. As a matter of protocol, if you wish to call in via phone, please utilize the phone number 775-321-6111 or 702-329-3435 and the meeting ID number is 228 553 855#.

Do we have anybody for public comment in Carson City?

**Clerk of the Board:** We do not.

**Governor:** Do we have anybody here in Las Vegas? Seeing none. Do we have anybody on the phone?

**Clerk of the Board:** No, sir.

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

**15. Adjournment** (For possible action)

**Governor:** Agenda item number 15. I move for adjournment. All those in favor, signify by saying aye. The motion passes unanimously. Thank you everyone.