

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>

Date and Time: October 2, 2024, 10:00 AM

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

Video Conference Location: The McCarran Center, Nevada Building
1 State of Nevada Way, Governor's Conference Room
Las Vegas, Nevada 89119

MEMBERS PRESENT:

Governor Joe Lombardo
Secretary of State Francisco V. Aguilar
Attorney General Aaron Ford

STAFF PRESENT:

Amy Stephenson, Clerk of the Board
Greg Ott, Board Counsel

OTHERS PRESENT:

Joy Grimmer, Director, Department of Administration
Charlie Donohue, Administrator, Department of Conservation and Natural Resources

MEETING MINUTES

1. Call to Order / Roll Call

Governor: Let me call to order the State of Nevada Board of Examiners meeting scheduled for today, October 2, 2024 at 10:00 a.m. We'll start with the roll call, Ms. Stephenson.

Clerk of the Board: Governor Lombardo.

Governor: Here.

Clerk of the Board: Attorney General Ford.

Governor: Here.

Clerk of the Board: Secretary Aguilar.

Secretary of State: Here.

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

- 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 904 000 369#. 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: We will move on to agenda item number two, *Public Comment*. This is the first opportunity for 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 – that telephone number being (775) 321-6111. When prompted, provide the meeting ID number, which is 904 000 369#. When I open up the public comment period, dial *5 to request to be unmuted. Do we have anybody there for public comment there in Carson City?

Clerk of the Board: Yes, sir.

Gennady Stolyarov, II: Attachment A

John Dekoekkoek: Attachment B

Governor: Is there any further comment there in Carson City?

Clerk of the Board: We do not, sir.

Governor: Is there any public comment here in Las Vegas? Seeing none.

Is there anybody on the phone for public comment?

Clerk of the Board: No, sir.

Governor: Hearing no further comment, we will close the first opportunity for public comment.

3. Approval of the August 13, 2024 and the September 11, 2024 Meeting Minutes (For possible action)

Governor: We will move to agenda item number three, *Approval of the August 13, 2024 and the September 11, 2024 Meeting Minutes*. Are there any questions or concerns?

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.

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 Wildlife – Conservation Education Division	2	\$93,101
Department of Wildlife – Law Enforcement Division	2	\$96,101
Department of Wildlife – Game Management Division	2	\$94,403
Department of Wildlife – Fisheries Management Division	1	\$55,748
Department of Wildlife – Diversity Division	1	\$45,172
Department of Wildlife – Habitat Division	3	\$141,604

Governor: We will move on to agenda item number four, *State Vehicle Purchases*.

Clerk of the Board: There are six requests under this item. The first request is from the Department of Wildlife, Conservation Education Division requesting approval to purchase of two replacement vehicles for total amount not to exceed \$93,101.

The second request is also from the Department of Wildlife, Law Enforcement Division requesting approval to purchase two replacement vehicles for a total amount not to exceed \$96,101.

The third request is from the Department of Wildlife, Game Management Division requesting to purchase two replacement vehicles for total not to exceed \$94,403.

The fourth request is from the Department of Wildlife, Fisheries Management Division to purchase one replacement vehicle for total amount not to exceed \$55,748.

The next request is from the Department of Wildlife, Diversity Division requests approval to purchase one replacement vehicle for total amount not to exceed \$45,172.

The last request is from the Department of Wildlife, Habitat Division for approval to purchase three replacement vehicles for a total amount not to exceed \$141,604. Are there any questions on any of these items?

Governor: Do we have any questions?

Attorney General: No questions. 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 Kenneth Siri to manage highway maintenance through statewide contract #99SWC-NV21-7577 with HAT Limited Partnership dba Manpower.

Governor: Moving on to agenda item number five, *Authorization for an Emergency Contract with a Current and/or Former State Employee*.

Clerk of the Board: This request is from the 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 Kenneth Siri to manage highway maintenance through Manpower. Are there any questions on this item?

Governor: I have a question before I entertain a motion. Do we have a particular issue? Is there somebody from the Department of Transportation available?

Clerk of the Board: We do not have anybody here.

Governor: Are you familiar enough with this item to provide an opinion or clarifications?

Clerk of the Board: Yes, sir.

Governor: So, reading through, it appears that this individual didn't abide by the 90-day cooling off period on separation per NRS.

Clerk of the Board: That is correct.

Governor: In reading through the request, it is presented as an emergency request, as this individual has already worked through the contract term provided. Is that correct?

Clerk of the Board: That is correct, sir.

Governor: So, they didn't abide by the 90-day requirement but they've completed performing this work.

Alright. I'm going to make an unfavorable motion on the recommendation being that it was in violation of the statute of the 90-day cooling off period, but my understanding it would be nothing more than an admonishment, correct? Is that correct, Ms. Stephenson, if it's unfavorable?

Clerk of the Board: Yes, sir.

Governor: So, hopefully, the unfavorable recommendation will prevent further similar types of action in the future. So, the motion is for an unfavorable recommendation.

Secretary of State: With unfavorable, we are not approving the contract.

Governor: The contract has already been served. It's nothing more than just to prevent further similar type action in the future.

Secretary of State: Understood.

Governor: So, all those in favor of the unfavorable recommendation signify by saying aye. The motion passes unanimously. Thank you.

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

A. Department of Business and Industry – Office of the Labor Commissioner

Pursuant to NRS 333.705, subsection 1, the Department of Administration, Purchasing Division requests authority to contract with a former employee Lupita Martinez to do apprenticeship compliance work for the Department of Business and Industry, Office of Labor Commissioner through statewide contract #99SWC-NV21-7577 with HAT Limited Partnership dba Manpower.

B. 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 complete review of the final hydrologic model for the Department of

Conservation and Natural Resources, Division of Water Resources through statewide contract #99SWC-NV21-7576 with Marathon Staffing Group, Inc.

C. Department of Health and Human Services – Division of Public and Behavioral Health

Pursuant to NRS 333.705, subsection 1, Department of Administration, Purchasing Division requests authority to contract with former employee Dr. Susan Loring to transfer knowledge and assist with evaluations for the Department of Health and Human Services, Division of Public and Behavioral Health through statewide contract #99SWC-NV20-5284 with Reliable Health Care Services of Southern Nevada, Inc.

Governor: We'll move on to agenda item number six, *Authorization to Contract with a Current and/or Former State Employee*.

Clerk of the Board: There are three requests under this agenda item. The first request is from the Department of Business and Industry, Office of the Labor Commissioner pursuant to NRS 333.705, subsection 1, the department requests authority to contract with former employee Lupita Martinez to do apprenticeship compliance work with Manpower.

The second request is from the Department of Conservation and Natural Resources, Division of Water Resources pursuant to NRS 333.705, subsection 1, the department requests authority to contract with former employee John Benedict, to complete review of the Final Hydrologic model through Marathon.

The final request is from the Department of Health and Human Services, Division of Public and Behavioral Health pursuant to NRS 333.705, subsection 1, the division requests authority to contract with former employee Dr. Susan Loring to transfer knowledge and assist with the valuations through Reliable Healthcare Services of Southern Nevada. Are there any questions on any of these items?

Governor: Do we have any questions?

Secretary of State: No questions.

Governor: If there are no questions, I'll entertain a motion.

Secretary of State: Motion to approve items 6.A-C.

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

7. Request for Approval of Proposed State Administrative Manual Changes (For possible action)

Governor's Finance Office – Budget Division

Pursuant to NRS 353.040 the office requests modifications to the policies and procedures of the State Board of Examiners adopted and collected in the following chapters of the State Administrative Manual (SAM). This revision to SAM brings the SAM into alignment with current business practices, Nevada Administrative Code, and Nevada Revised Statutes.

- a. SAM Chapters 0107-3814

Governor: Move on to agenda item number seven, *Request for Approval of Proposed State Administrative Manual Changes*.

Clerk of the Board: Pursuant to NRS 353.040, the Governor's Finance Office, Budget Division requests modifications to the policies and procedures of the State Administrative Manual chapters 0107 through 3814. These changes were posted for review as required, and there were about 70 feedback forms received. Director of Administration, Joy Grimmer will present a highlight of the changes.

Joy Grimmer: Good morning, Board Members. Joy Grimmer, Director of the Department of Administration for the record. This was our best effort to modernize this document. Over the years small changes to the State Administrative Manual, Nevada Revised Statutes, and the Nevada Administrative Code did not carry throughout the document. Prior to the draft document being sent to the Governor's Office and the Board of Examiners, the Department of Administration conducted a peer review process with multiple departments, agencies, and stakeholders. I'll now go over a few of the significant changes in the document.

In section 210, removes one hundred percent of Continental United States rate and allows the Department head to determine and approve an appropriate rate for reimbursement when there's a host hotel for a conference or a special event has raised the GSA rate significantly.

Section 218 allows for gratuity for commercial transportation up to 20 percent and allows scanned copies of original receipts for reimbursement.

Section 305 consolidates various limits for competition on procurement of supplies, materials, equipment, and services.

Section 500 outlines current policies and procedures for various state insurance programs managed by the risk management division.

Section 1323 is a new section dealing with adding telematics in state owned vehicles.

Lastly, section 2630, I would like to suggest a modification to what was presented.

Governor: Are you sure you want to do that?

Joy Grimmer: Yes, please. To address the Board, the limiting of plants and decor was an effort to protect the assets that the State has recently purchased. This biennium we've made a large investment into building acquisitions, furniture replacement, and renovations of existing offices to provide a more productive and pleasant work environment for staff. These changes to SAM are an effort to limit holes in walls being left when employees move to other positions and damage caused by installing and removing items adhered to walls.

We did several tours of existing buildings. We observed damage to furniture and carpet and the presence of nats due to overwatering of plants. Our hope is these changes will lead to well-maintained offices for current and future employees.

For section 2630, subsection D, I would like to add the following: No live plants are permitted in any state-owned or leased building acquired during the current 2023 - 2025 biennium and going forward.

I would like to amend subsection E to state: Hanging of items on building walls is permitted only if the wall display will be permanent to the State or Department and the work is completed by Department of Administration, State Public Works Division, Buildings and Grounds. This applies to any state-owned or leased building acquired during the current 2023 - 2025 biennium and going forward.

Lastly, section 2652, allows for the purchase of appliances for the break room after consultation with Department of Administration, State Public Works Division, Buildings and Grounds. It prohibits toasters, ovens, and many refrigerators in state-owned and leased buildings when appliances have been provided by Department of Administration, State Public Works Division, Buildings and Grounds.

With that, I'll be happy to take any questions.

Governor: Do we have any questions of any Board Members of Ms. Grimmer?

Attorney General: Yes, question and maybe a couple comments. Specifically around 2630, I kind of anticipated that these were the reasons for the changes but frankly, I think it's probably a bit too onerous of a response to what I suspect is not too large of a problem. I'm certain you had certain issues where nats were there, and maybe some problems with holes in walls, but it seems to me that there's probably a less restrictive way of approaching this than to disallow folks who, as you've heard in public comment, who will be in these offices for several hours a week to make it feel a little more homely.

That said, I wonder what alternative we have as a Board, although, I'm thinking out loud here, she just amended that I guess we could amend it as well, right? If we were so inclined, we could strike the entirety of the proposed change to section 2630. I guess that's a question for the Board Counsel.

Does Board Counsel know the answer to that question?

Greg Ott: Deputy Attorney General Greg Ott. So, there is a requirement in state law under NRS 232.004 to post proposed modifications to the State Administrative Manual 30 days in advance. That's been done. Once the proposed is placed on the agenda, that provision does not restrict this Board from deviating from what has been proposed. So, the Board is free to make amendments so long as those amendments are not so substantial that they would fail to give the general public notice of what was going to go on. So, you can tinker around the edges, but I wouldn't wholly rewrite the SAM in this session.

Attorney General: I guess the bottom line is, if I wanted to excise proposed changes to section 2630, this Board could do that.

Greg Ott: That would be legal. Yes, you could do that. That's an acceptable motion.

Attorney General: Governor, before making a motion, I'd love to hear the thoughts from the Board Members on 2630 and whether there are any amendments that we could make that would address this because my office, I've received quite a lot of opposition to this particular amendment. We've heard public comment. We have 75 responses in writing addressing this. So, I think it's incumbent upon us to have some type of response to it.

Governor: I agree with you General. My recommendation would be that we approve the proposed SAM changes with the exception of that particular section pending further evaluation. Then, we could come forward again in a future meeting for approval or disapproval.

Then, I also have a question on one particular section. So, I'm seeking clarification from Ms. Grimmer before we make a motion.

Attorney General: Yes, sir. That makes a lot of sense to me. Whenever you're ready for the motion after you get clarification, I'd be happy to make it.

Governor: Secretary Aguilar?

Secretary of State: Yes. Works for me.

Governor: Ms. Grimmer, can you go to section 3610. I was reading through the different public comments that we asked employees to provide. This one was separate from 2630, obviously, but it has to do with first official policy and reading the description of the concern. Apparently, there is a conflict in the language as to current policy here. I can provide you the document if you want to look at it. And then maybe we need some clarification on that before we approve 3610 also.

Joy Grimmer: Do we have anyone here from our Purchasing Division that could assist me in addressing this?

Clerk of the Board: I don't see anyone, Joy. I'm sorry.

Joy Grimmer: Okay. I don't have the answer. I don't have the statement from the Purchasing Division.

Governor: So, we can put a stay on that particular section, additionally, until we can get an appropriate answer. General Ford, do you want to make a motion? The motion would be for approval of the proposed SAM changes with the exception of the proposed changes to sections 2630 and 3610.

Attorney General: Yes, sir, so moved. With the caveat that I, as a licensed attorney in Nevada, would receive a potential indirect accumulate benefit based on the change of section 2629 that allows for the payment of professional licenses. I'm just putting it out there.

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

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

A. Office of the Military – Division of Emergency Management

Pursuant to NRS 353.268, the division requests a recommendation to the Interim Finance Committee for an allocation of \$306,483 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 2024 Formula One race.

B. Department of Veterans Services

Pursuant to NRS 353.268, the department requests a recommendation to the Interim Finance Committee for an allocation of \$503,938 from the Interim Finance Committee Contingency Account to cover rental expenses and emergency replacement costs of the Heating, Ventilation, and Air-Conditioning system at the Northern Nevada Veterans Home.

Governor: We'll move to agenda item number 8, *Request for a Recommendation of Approval to the Interim Finance Committee for an Allocation Amount from the Contingency Account.*

Clerk of the Board: There are two requests under this agenda item. The first request is from the Office of Military, Division of Emergency Management. Pursuant to NRS 353.268, the division requests a recommendation to the Interim Finance Committee for an allocation of \$306,483 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 2024 Formula One race.

The second request is from the Department of Veterans Services. Pursuant to NRS 353.268, the department requests a recommendation to the Interim Finance Committee for an allocation of \$503,938 from the Interim Finance Committee contingency account to cover rental expenses and emergency replacement costs of the heating, ventilation, and air conditioning system at the Northern Nevada State Veterans Home. Are there any questions these items?

Governor: Do we have any questions?

Secretary of State: No questions.

Attorney General: Move to approve.

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

9. Request for Approval to Pay a Stale Claim from the Stale Claims Account Pursuant to NRS 353.097 (For possible action)

Department of Corrections

Pursuant to NRS 353.097, subsection 4, the department requests approval to pay a total of \$428,471.42 from the Stale Claims account for a court-ordered settlement for claims from fiscal years 2019, 2020, 2021, 2022, and 2023.

Governor: We'll move on to agenda item number nine, *Request for Approval to Pay a Stale Claim from the Stale Claims Account Pursuant to NRS 353.097*.

Clerk of the Board: This request is from the Department of Corrections pursuant to NRS 353.097, subsection 4. The department requests approval to pay a total of \$428,471.42 from the Stale Claims Account for a court ordered settlement for claims from fiscal years 2019, 2020, 2021, 2022 and 2023. Are there any questions on this item?

Governor: Do we have any questions?

Secretary of State: No questions. Motion to approve.

Governor: We have a motion for approval on agenda item number 9. All those in favor, signify by saying aye. The motion passes unanimously.

10. Request for Approval of Sale or Lease of State Lands (For possible action)

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

Pursuant to NRS 321.335, subsection 2, whenever the State Land Registrar deems it to be in the best interests of the State of Nevada that any lands owned by the State and not used or set apart for public purposes be sold or leased, the State Land Registrar may, with the approval of the State Board of Examiners and the Interim Finance Committee, cause those lands to be sold or leased.

The State Land Registrar has determined the following state-owned properties are no longer needed for a public purpose:

- A. Grant Sawyer State Office Building
555 East Washington Avenue, Las Vegas
- B. Former Fire Marshal Office
2855 South Jones Boulevard, Las Vegas
- C. Former NDF Residence & Fire Station
161 Blue Crest Drive, Spring Creek

Governor: Moving on to agenda item number 10, *Request for Approval of Sale or Lease of State Lands*.

Clerk of the Board: Pursuant to NRS 321.335, subsection 2, whenever the State Land Registrar deems it to be in the best interest of the State of Nevada that any lands owned by the State and not used or set apart for public purposes be sold or leased, the State Land Registrar may, with the approval of the State Board of Examiners and the Interim Finance Committee, cause those lands to be sold or leased. The State Land Registrar has determined the following state-owned properties are no longer needed for a public purpose. The first one is Grant Sawyer State Office Building located at 555 East Washington Avenue in Las Vegas, Nevada. The second one is the former Fire Marshal Office located at 2855 South Jones Boulevard in Las Vegas. The last one is a former Nevada Division of Forestry Residence and Fire Station located at 161 Blue Crest Drive, Spring Creek, Nevada. Are there any questions on this item?

Governor: My understanding that the residents and the station and the offices have been removed from the property so, we're not making a decision on buildings, it's just actually the land. Is that correct? This would be specific to B and C.

Charlie Donohue: Good morning, Governor Lombardo and Members of the Board. Charlie Donohue – I serve as the State Land Registrar. You're correct. The properties in Elko and on Jones Avenue down in Las Vegas are vacant.

Governor: Then, 10.A, the Grant Sawyer State Office Building, it's considered to be completely vacated now, is that correct?

Charlie Donohue: That's my understanding.

Governor: Alright, with that information, I'll make a motion for approval. All those in favor, signify by saying aye. The motion passes unanimously. Thank you, Charlie.

11. Approval of Proposed Leases (For possible action)

Governor: We'll move on to agenda item number 11, *Approval of Proposed Leases*.

Clerk of the Board: There are 14 leases under agenda item number 11 for approval by the Board today. Do you have any questions on any of these leases?

Governor: We have any questions on any leases? Hearing none, I'll take a motion.

Attorney General: Move approval.

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

12. Approval of Proposed Contracts (For possible action)

Governor: We'll move on to Agenda item number 12, *Approval of Proposed Contracts*.

Clerk of the Board: There are 67 contracts for approval by the Board today. Please note that contract number 64 is retroactive to July 1st and not upon BOE approval. Are there any questions on any of these contracts?

Secretary of State: No questions. Motion to approve with the amendment to contract number 64 applied retroactively.

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

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

Governor: We will move on to agenda item number 13, *Approval of Proposed Master Service Agreements*.

Clerk of the Board: There are 21 Master Service Agreements for approval by the Board today. Are there any questions on these items?

Governor: Do we have any questions of any Board Members? No questions. I'll entertain motion for approval.

Secretary of State: Motion to approve.

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

14. 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 17, 2024 through September 4, 2024.

Governor: We'll move on to agenda item number 14, Information Item – Clerk of the Board Contracts.

Clerk of the Board: There are 119 contracts over \$10,000 and under the \$100,000 threshold that were approved by the Clerk of the Board between July 17, 2024 through September 4, 2024. This item is informational. Are there any questions on these items?

Governor: Are there any questions from any Board Members?

Secretary of State: No questions.

Attorney General: No questions.

Governor: There are no questions.

15. Information Item Reports

A. Governor's Finance Office – Budget Division

Pursuant to NRS Chapter 353, the division presents a reconciled fund balance report for the Tort Claim Fund, Statutory Contingency Account, Stale Claims Account, Emergency Account, Disaster Relief Account, and the IFC Contingency Fund as of September 11, 2024 for FY 2024. Additionally, a reconciliation of the Extradition Coordinator budget account has been prepared at the request of the Board.

B. State Department of Conservation and Natural Resources – Division of State Lands – Fiscal Year 2024, 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 report covers the period of April 1, 2024 through June 30, 2024.

C. Statewide Quarterly Overtime Report – Fiscal Year 2024, 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. This report covers the period of April 1, 2024 through June 30, 2024.

Governor: We'll move on to Agenda item number 15, *Information Item Reports*.

Clerk of the Board: There are three reports under agenda item number 15. 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, and the IFC Contingency Fund as of September 11, 2024 for fiscal year 2024.

The following is the available balance for each account prior to any projected outstanding claims. Tort Claim Fund is \$2,638.79. Statutory Contingency Account is \$2,563,338.57. Stale Claims Account \$3,347,420.10. Emergency Account is \$500,000. Disaster Relief Account is \$12,512,757.35. IFC Contingency Unrestricted General Fund is \$13,174,826.04. The IFC Contingency Unrestricted Highway Fund is \$1,184,685.35. IFC Contingency Restricted General Fund is \$126,569,722. IFC Contingency Restricted Highway Fund is \$19,142,217. The Extradition Coordinator Budget Account is \$59,916.08. Are there any questions on this report?

Governor: Yes, on the Disaster Relief Account, knowing what you know out of the Governor's Finance Office reference to the Davis Fire, are we well positioned with the amount available in that account?

Clerk of the Board: Yes, sir, we're well positioned. I can't say we have an abundance because we don't, but we're well positioned.

Governor: Well, thank you for that vote of confidence. We'll move on to the next report.

Clerk of the Board: The second report is from the State Department of Conservation and Natural Resources, Division of State Lands for fiscal year 2024, fourth 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 interest in lands transferred, sold, exchanged, or leased under the Tahoe Basin Act program. This report covers the period of April 1, 2024 through June 30, 2024. Are there any questions on this report?

Secretary of State: No questions.

Attorney General: No.

Governor: No questions. We'll move on to the next report.

Clerk of the Board: The third report is the Statewide Quarterly Overtime Report, Fiscal Year 2024, 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 their report and the analysis and the analysis of the Budget Division regarding the report. This report covers the period of April 1, 2024 through June 30, 2024. Are there any questions on this report?

Governor: Yes. Ms. Stephenson, in reviewing all these charts going through the quarters, do you have any opinion on whether the filling of the vacancies has had a direct effect on the overtime cost?

Clerk of the Board: It's somewhat hard to tell because the overtime cost is actually more expensive with the cost-of-living adjustments so, looking at hours and not actual costs, we can correlate the vacancies are truly helping the overtime.

Governor: It is tracked by dollars and hours and it looks like each one of those different departments are trending in the right direction. The only one that isn't is the Department of Transportation and I think that's directly related to the number of vacancies.

Are there any questions or concerns or comments from any Board Members on this overtime report?

Attorney General: None here.

Governor: Hearing none, we will close this item.

16. 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 904 000 369#. 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: Item 16, *Public Comment*. This is the second opportunity for public comment. Do you have any public comment there in Carson City?

Clerk of the Board: No, sir.

Governor: Do we have any here in Las Vegas? Do we have anybody on the phone?

Clerk of the Board: No, sir.

Governor: Hearing none and seeing none, we will close the second opportunity for public comment.

17. Adjournment (For possible action)

Governor: Move for adjournment. All those in favor, signify by saying aye. The motion passes. Thank you everybody.

ATTACHMENT A

Gennady Stolyarov, II: Thank you very much. My name is Gennady Stolyarov, II. I'm a State employee, but here on my own time in a personal capacity to reflect the thoughts of what I know to be many state employees' strong opposition to Item E of the proposed changes to the State Administrative Manual in Section 2630 Decorating Offices, which would prohibit non-permanent wall decorations or decorations not installed by buildings and grounds.

These changes are unnecessary, unjustified and would create office environments that are drab, generic, and unenjoyable to work in. They would be a severe detriment to State employee morale and would act to reduce job satisfaction and increase employee turnover, contrary to the goals of this administration, to reduce turnover and lower vacancy rates. Especially given the recent mandates for State employees to return to office settings, many of these employees will be spending 40 hours per week or 23.8% of the best years of their lives in the office without the ability to customize their work environments, to beautify them, and to simultaneously express pride in the great State of Nevada like we do here through imagery and other decorations on the wall.

Many State employees will have suboptimal work experiences. They will be less motivated to do their best work and less productive than they would've been in environments where they or at least their agencies have more discretion about how to configure their surroundings.

Furthermore, there is no evidence that there's any problem this proposed Item E would solve. The vast majority of wall hangings in State offices are currently in good professional taste, and most of them display some aspects of State of Nevada history, notable places and symbolism. Individual agencies currently have the ability to ensure that any decorations brought in by employees are appropriate to an office setting. There is no epidemic of inappropriate office decorations in the State of Nevada.

Indeed, the ability to decorate offices has been an important way to soften many State employee's dissatisfaction with recent return to office mandates, and thus to reduce turnover. While this administration has sought to attract and retain State employees through salary increases, and this is indeed a necessary and salutary approach, money is not the only motivator and sometimes is not even the primary reason why individuals choose to come to and stay at particular jobs. The quality of the work environment and the day-to-day work experience are often even more important. Nor is the quality of the work environment determined by utilitarian or functional considerations alone. Aesthetics are capable of influencing a person's ability and willingness to work on a deeper and more profound level.

The employees of the State of Nevada are dedicated professionals who strive every day to do their best to assist the consumers and businesses of this state. It is fitting to afford a bare modicum of respect to these professionals by allowing them their historic prerogative to customize their immediate work environments and make the day-to-day experience of doing their jobs just a little bit more pleasant. And this is not too much to ask. It is part of the organizational culture and almost every public and private employer in the country. And I urge the administration to reject Item E of section 2630 and simply allow State employees to do what they've been able to do all along, which is to somewhat customize their immediate office surroundings. Thank you very much.

ATTACHMENT B

John Dekoekkoek: My name is John Dekoekkoek. I'm a State employee and I have taken annual leave today so I could be here to provide public comments regarding some of the proposed changes to the State Administrative Manual.

Section 1028 of energy conservation located on page 76 of the proposed changes removes the requirements for temperature ranges in state owned and leased buildings and replaces them with "optimum energy, efficiency, and comfort." There are several reasons why I don't believe this change is in the best interest of the state. Who is going to define what 'comfort' is? It is almost certainty that comfort will be defined very differently between everyone involved. Many, if not all, of state leased property leases include the temperature range language in the BOE approved lease documents. This helps prevent building owners from subjecting state employees to extreme temperature ranges. It also provides remedies for the state if they're not able to maintain these temperatures. If this change is approved, the state leasing documents that include these temperature ranges would no longer align with state policy.

Second, section 2630, again, talking about decorating offices located on page 147 of the proposed changes. Letter D of this section will prohibit "live plants in any state owned or leased building." We all know plants use carbon dioxide and produce oxygen so they actually benefit the environment, including the work environment. There are multiple studies that show plants can help reduce stress, create a calming and pleasing environment, and therefore, increase productivity.

Letter E of this section will prohibit hanging items on walls only if it is permanent and property of the State or department and the work must be done by Buildings and Grounds. Based on the way this policy change is written, if employees have personally owned artwork, pictures of family and friends, a map of Nevada, or even a calendar, it will have to be removed.

State employees spend eight hours per day in an office environment. Many of us work more than eight hours, depending on the time of year, budget session, or legislative session. Some of us spend more time at work than with our families and friends. Many employees have some form of family pictures or artwork made by our children and grandchildren. These items help remind us of why we do what we do for each other and for the State of Nevada.

The proposed changes to 2630 appear to sterilize and depersonalize the workplace. The state workers that I have discussed these changes with believe, as I do, that this would likely have a negative impact on employee morale.

I know this public comment has basically been describing the problems with the proposed changes, and I did provide public possible alternatives in the feedback form on the GFO website. There just isn't enough time to describe those alternatives in three minutes of public comment. I'm asking the Board of Examiners to consider staff concerns regarding the proposed changes to the State Administrative Manual and potentially postpone decisions to a future meeting until these policies can be revised and/or amended to accurately reflect needs of the state in conjunction with supporting an environment state employees deserve to work in. Thank you.