

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: November 14, 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
Denice Castillo, Board Secretary

1. Call to Order / Roll Call

Governor: We'll call to order the State of Nevada Board of Examiners Meeting scheduled for today, November 14, 2023, at 10:00 a.m. I ask the Clerk to call the roll, please. Ms. Stephenson.

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: Yes.

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

- 2. Public Comment** The first public comment period is limited to comments on items on the agenda. No action may be taken upon a matter raised under this public comment period unless the matter itself has been specifically included on the agenda as an action item. The Chair of the Board has imposed a time limit of three minutes. Public comment may be provided in person or via telephone. To provide public comment on an item on the agenda via telephone, dial 775-321-6111 or 702-329-3435. When prompted to provide the meeting ID, please enter 645 102 724#. 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'll move 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 matters raised under this 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. As a matter of protocol, if you want to dial in, the number is 775-321-6111 or 702-329-3435, enter meeting ID: 645 102 724#, which is also be on the public announcement. So, we will open for public comment. Do we have any there in Carson City?

Denice Castillo: We do not and none on the phone.

Governor: Do we have any here in Las Vegas? None.

- 3. Approval of the October 10, 2023 Meeting Minutes** (For possible action)

Governor: Agenda item number 3, *Approval of the October 10, 2023 Meeting Minutes*. Do we have any questions or concerns?

Secretary of State: Motion to approve.

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

- 4. State Vehicle Purchases** (For possible action)

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

| AGENCY NAME | # OF VEHICLES | NOT TO EXCEED: |
|-----------------------------------------------------------------------------------------|---------------|----------------|
| Department of Agriculture – Veterinary Medical Services Division | 1 | \$71,557 |
| Department of Conservation and Natural Resources – Division of Environmental Protection | 1 | \$46,908 |
| Department of Health and Human Services – Division of Child and Family Services | 2 | \$97,168 |
| Department of Health and Human Services – Division of Child and Family Services | 2 | \$101,391 |

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

Clerk of the Board: There are four requests under agenda item number 4. The first request is from the Department of Agriculture, Veterinary Medical Services Division. The Division requests approval to purchase one new vehicle for a total amount not to exceed \$71,557.

The second request is from the Department of Conservation and Natural Resources, Division of Environmental Protection. The Division requests approval to purchase one new vehicle for a total amount not to exceed \$46,908.

The third request is from the Department of Health and Human Services, Division of Child and Family Services. They request approval to purchase two replacement vehicles for a total amount not to exceed \$97,168.

The last request is from the Department of Health and Human Services, Division of Child and Family Services to purchase two replacement vehicles for a total amount not to exceed \$101,391. Are there any questions on any of these items?

Governor: Do we have any questions?

Secretary of State: No question. Motion to approve.

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

5. Request Approval of Proposed State Administration Manual Changes (For possible action)

Pursuant to NRS 353.040 the Governor’s Finance Office, Budget Division 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 will establish standard reimbursement rates for employees on travel status while camping.

- a. SAM Chapter 0206 Agency Policies Regarding Travel

Governor: Agenda item number 5, *Request Approval of Proposed State Administration 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 Board of Examiners adopted and collected in the following chapters of the State Administrative Manual. This revision to SAM will establish standard reimbursement rates for employees on travel status while camping. That is SAM Chapter 0206. Are there any questions on this item?

Governor: Do we have any questions on this item?

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.

6. 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 requests for approval:

- A. Claimant: Rebecca Leavitt, Little Blue Sky Briggs, Jodie Eltzroth, Britney Jackson, Moniqa Martinez, Sharon Newman, Stacy Tai, Lance Elder
Claim No: TC20782
Settlement Amount: \$340,000.00
Date of Loss: April 20, 2021

- B. Claimant: Sonja Mack
Claim No: TC20810
Settlement Amount: \$126,500.00
Date of Loss: February 19, 2017

Governor: Agenda item number 6, *Request for Approval to Pay a Tort Claim Pursuant to NRS 41.036.*

Clerk of the Board: Pursuant to NRS 41.036, the Office of the Attorney General submits the following Tort Claim requests for approval. The first one, the claimants are Rebecca Leavitt, Little Blue Sky Briggs, Jodie Eltzroth, Britney Jackson, Moniqa Martinez, and Sharon Newman, Stacy Tai, Lance Elder. Claim number TC20782 for the amount of \$340,000. The date of loss was April 20, 2021.

The second claim is for Sonja Mack, claim number TC20810 for the amount of \$126,500. Date of loss was February 19, 2017. Are there any questions on these items?

Governor: Do we have any questions?

Secretary of State: No questions.

Attorney General: None here, Governor.

Governor: I will entertain a motion.

Secretary of State: Motion to approve.

Governor: We have a motion for approval of agenda item number 6, items A and B. 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)

Department of Education

Pursuant to NRS 353.268, the department requests a recommendation to the Interim Finance Committee for an allocation of \$337,914 from the Interim Finance Committee Contingency Account to replenish the Account for State Special Education Services.

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

Clerk of the Board: The request for agenda item number 7 is from the Department of Education. Pursuant to NRS 353.268, the Department requests the Board's recommendation to the Interim Finance Committee for an allocation of \$337,914 from the Interim Finance Committee Contingency Account to replenish the Account for State Special Education Services. Are there any questions on this item?

Governor: Are there any questions?

Attorney General: None here. Move approval.

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

8. Approval of Proposed Leases (For possible action)

Governor: Agenda item number 8, *Approval of Proposed Leases.*

Clerk of the Board: There are five leases under agenda item number 8 for approval by the Board today. Are there any questions on any of these items?

Governor: Do we have any questions on any of the leases?

Secretary of State: No question.

Attorney General: None here, Governor. I'll move approval.

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

9. Approval of Proposed Contracts (For possible action)

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

Clerk of the Board: There are 39 contracts under agenda item number 9 for approval by the Board. Contract number 38 for the Department of Motor Vehicles with Waitwell, Inc. is contingent upon Interim Finance Committee approval of funding. Are there any questions on any of these items?

Governor: Are there any questions on any of the proposed contracts?

Secretary of State: No question.

Attorney General: No, sir. Move approval.

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

10. 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 September 19, 2023 through October 23, 2023.

Governor: Agenda item number 10, *Information Item – Clerk of the Board Contracts*.

Clerk of the Board: There are 80 contracts over \$10,000 and under the \$100,000 threshold that were approved by the Clerk of the Board between September 19, 2023 through October 23, 2023. This item is informational. Are there any questions on any of these contracts?

Governor: Are there any questions?

Attorney General: None here.

Secretary of State: No questions.

11. 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 September 30, 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 | \$ 6,048,980.34 |
| Statutory Contingency Account | \$ 11,381,962.10 |
| Stale Claims Account | \$ 998,556.22 |
| Emergency Account | \$ 354,763.00 |
| Disaster Relief Account | \$ 10,442,714.00 |
| IFC Contingency Fund | \$ 482,245,310.43 |

Governor: Agenda item number 11, *Information Item Reports*. The Governor's Finance Office, Budget Division; and the Department of Motor Vehicles, Complete Streets Program.

Clerk of the Board: There are two reports. So, the first one comes from the Governor's Finance Office, Budget Division. Pursuant to NRS Chapter 353, the Governor's Finance Office, Budget Division presents a reconciled balance report as of September 30, 2023. The available balance for each account prior to any projected outstanding claims are as follows: Tort Claim Fund is \$6,048,980.34; Statutory Contingency Account is \$11,381,962.10; Stale Claims Account is \$998,556.22; Emergency Account is \$354,763; Disaster Relief Account is \$10,442,714; and the IFC Contingency Fund is \$482,245,310.43. Are there any questions on this item?

Governor: Do we have any questions on these amounts?

Secretary of State: No question.

Attorney General: None here.

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 first quarter of fiscal year 2024 for the period beginning July 1, 2023 and ending September 30, 2023.

Governor: We'll move on to agenda item 11-B.

Clerk of the Board: 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. This submittal reports program activities by month for the first quarter of fiscal year 2024 for the period beginning July 1, 2023 and ending September 30, 2023. Are there any questions on this item?

Governor: Are there questions on this item?

Attorney General: None here.

Secretary of State: No, sir.

Governor: Hearing none.

This may seem like we went through the agenda items relatively quickly for such complex items but I want the public to know that we did a large amount of due diligence associated with each one of these items prior to today's meeting. Many questions were presented and the answers provided and subsequently, as a result of those answers, we were able to move through the agenda very quickly. I think it's important for people to know that because we're talking about a significant amount of contribution.

Secretary of State: I just want to thank the Governor's Finance Office for being so diligent on the preparation of the agenda and materials. It's very helpful, so, thank you.

Attorney General: Governor, I'll chime in as well. My team and Governor's Finance Office prepare us as well, and well before the meetings so that we are comfortable to proceed as quickly as we do. So, thanks so much for acknowledging that.

Governor: I appreciate that General Ford and Secretary Aguilar.

General Ford, your office was very responsive to some of the specific litigation questions that we had and I appreciate that.

12. 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 645 102 724#. 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 to the second opportunity for public comment, item number 12. This public comment period is for any matter that is within the jurisdiction of the public body. Please limit your comments to three minutes. Do we have any public comment there in Carson City?

Denice Castillo: We do not, sir, and no one on the phone.

Governor: Do we have anyone here in Las Vegas?

Hearing none, we will close the public comment period.

13. Adjournment (For possible action)

Governor: Move for adjournment. Hearing unanimous, we are adjourned. Thank you, everybody.