

MINUTES OF THE EMERGENCY SPECIAL MEETING
HOUSING AUTHORITY OF THE CITY OF RENO
BOARD OF COMMISSIONERS
December 7, 2021

The emergency special meeting of the Board of Commissioners of the Housing Authority of the City of Reno (Agency) was called to order by Executive Director Jones at 11:03 am on Tuesday, December 7, 2021 in the Agency's Boardroom. As per NRS 241.020(11); as used in this section, "emergency" means an unforeseen circumstance which requires immediate action and includes but is not limited to: (a) Disasters caused by fire, flood, earthquake or other natural causes; or (b) Any impairment of the health and safety of the public.

Commissioners Present

Mark Sullivan, Chairman **via phone**
Dave Aiazzi, Vice Chairman **via phone**
Mayor Hillary Schieve **via phone**
Oscar Delgado **via phone**

Commissioners Absent

Staff Present

Amy Jones, Executive Director
Chuck Zeh, Legal Counsel **via phone**
Heidi McKendree, Deputy Executive Director
Kathy Merrill, Executive Administrative Assistant

Staff Absent

Others Present

No others were present.

There being a quorum present, the order of business was as follows:

- **Call to order and roll call.**
- **This meeting is being called on an emergency basis and at the request of the County due to a cold snap in the weather that poses an imminent threat to the health and safety of a significant portion of the homeless population. To reduce the threat, the County would like to lease additional land of the RHA adjacent to an existing homeless shelter to provide for the overflow of homeless seeking shelter from the cold and other adverse elements reflected in the short-term weather forecast. Hostile weather will arrive before the three-day notice provisions of NRS 241.020 could be satisfied.**
- **Receive introduction of guests.**

There were no guests.

Public Comment. Public comment, if any, must be limited to any item on the agenda which is listed as an item for action by the Board. Comment from the public is limited to three minutes per person, under these items.

There was no public comment.

➤ **Approval of agenda (For Possible Action)**

Vice Chairman Aiazzi motioned to approve the agenda posted on December 7, 2021. Chairman Sullivan seconded the motion. Hearing no further discussion, Executive Director Jones called for the question. The vote was all ayes, no nays. Executive Director Jones declared the motion carried and the agenda approved.

- 1. Consider Resolution 21-12-01 RH authorizing the Executive Director to enter into a lease agreement with Washoe County (County), under Board counsel direction, to lease a portion of the 4th Street parcel; APN: 008-211-50, as defined in Exhibit 211201-A, for but not limited to, providing immediate relief to individuals experiencing homelessness due to the predicted extreme nighttime temperatures. The Board may approve the Resolution, modify it, or reject it. This action by the Board is intended to provide immediate relief from imminent weather conditions that would pose an immediate threat to the health and safety of a significant portion of the homeless population. (For Possible Action)**

Legal Counsel Zeh advised to strike any references to “but not limited to” as stated in the item. That language cannot appear in the lease or the resolution. The lease and the resolution will be revised to strike this language.

Executive Director Jones explained the RHA was approached by the County to expedite the proposed lease of the 4th Street property that was slated to appear on the December 14th Board agenda. The County is concerned the upcoming weather will have an adverse impact on the homeless population. Space at the current shelter is near capacity and the County believes more individuals will be seeking shelter in the coming days as nighttime temperatures fall. The County is requesting to expedite the lease agreement to accommodate additional individuals seeking shelter due to the severe weather the area will be experiencing.

The initial lease included a portion of the storage units, but now the County would like to incorporate all units within the structure. The County also requests to lease the office space and the space to the north of the main building for construction storage. The County will use the units to the west to accommodate individuals located at the safe camp with the intent to move the tents into the units for shelter from the weather. Units located on the east side of the site will be warming units for individuals seeking shelter from the weather. The units that are currently occupied have been notified, agreeing to move their belongings by the end of the month.

Vice Chairman Aiazzi posed the question to legal counsel as to the legality of considering this item as an emergency thereby holding this meeting in accordance with the Open Meeting Law.

Executive Director Jones stated individuals at the safe camp will move into the units on Wednesday this week.

Executive Director Jones stated she attended the Community Homelessness Advisory Board (CHAB) meeting on Monday, where all three jurisdictions were present. Several public comments brought up concerns with the upcoming weather, asking the County and CHAB members what could be done to help shelter individuals from the cold weather. County Manager Housing and Homeless Services, Searcy, updated the CHAB members on the current situation at the shelter stating there is a possible opportunity to work with the Reno Housing Authority for assistance though no commitment was affirmed. The CHAB Board made it clear that keeping individuals protected from the severe weather is paramount in the upcoming days and weeks.

Vice Chairman Aiazzi posed the question that if a party is requesting action from the Board because the party may take future action, does it constitute an emergency? Legal Counsel Zeh assured the Board that the County's intent is to take possession of the site on Wednesday, December 8, 2021, to provide shelter to homeless individuals due to the severe weather forecast.

Vice Chairman Aiazzi stated he supports the lease but wants to be assured that any action by the Board during this meeting is lawful. His concern is that the lease does not contain a date as to when the County will start utilizing the site for their intended purpose, thereby not constituting an emergency. He is seeking legal advice from Board counsel that this constitutes an emergency meeting.

Legal Counsel Zeh informed the Board that the statute states it can be used for unforeseen circumstances which requires immediate action and includes but is not limited to disasters caused by fire, flood, earthquake or other natural causes or any impairment of the health and safety of the public. Legal Counsel Zeh opined that the threat of the inclement weather and the situation with respect to the homeless will fall within the statutes. Legal Counsel Zeh further agreed that adding language that the County will take over the property and commence usage in fact as of Wednesday should be and can be included in the lease.

The Board and staff agreed that if the County does not intend to use the property immediately then there is no need for an emergency meeting.

Executive Director Jones stated she was in contact with County Manager Eric Brown, who indicated that he would seek authorization to sign the lease due to the emergency situation, which will then receive approval from the County Chairman to finalize. The cost of the lease to the County is one dollar per month, covering a six-month period.

Vice Chairman Aiazzi further questioned whether the executive director has the authority on her own to enter into this agreement without Board approval as it does not go over the \$50K contract threshold stipulation in her contract.

Executive Director Jones stated her concern is that her contract stipulates that she cannot encumber Housing Authority assets.

Vice Chairman Aiazzi moved to grant Executive Director Jones and Board Legal Counsel Zeh the authority to negotiate the details of the lease on behalf of the Agency in order to expedite this request. Commissioner Delgado seconded the motion. Hearing no further discussion, Executive Director Jones called for the question. The vote was all ayes, no nays. Executive Director Jones declared the motion carried and approved.

Vice Chairman Aiazzi further commented this lease is important to the community. He clarified his concerns were a matter of legal nuances and not disavowing support of the County and homeless individuals seeking shelter. Executive Director Jones was appreciative of Vice Chairman Aiazzi's concerns, as well as his support of the community.

- 2. Public Comment. The opportunity for public comment is reserved for any matter within the jurisdiction of the Board. No action on such an item may be taken by the Board unless and until the matter has been noticed as an action item. Comment from the public is limited to three minutes per person.**

There was no public comment.

3. Adjournment. (For Possible Action)

Comissioner Schieve motioned to adjourn the meeting. Chairman Mark Sullivan seconded the motion. Hearing no further discussion, Executive Director Jones called for the question. The vote was all ayes and no nays. Executive Director Jones declared the motion carried and the meeting adjourned at 11:20 am.