

**MINUTES OF THE SEPTEMBER 15, 2022
MEETING OF THE
WASHOE COUNTY SCHOOL DISTRICT
ZONING ADVISORY COMMITTEE**

1.01 Call to Order

The meeting of the Zoning Advisory Committee (ZAC) of the Board of Trustees was called to order at 5:30 p.m. at the Washoe County School District Central Administration Building, 425 East Ninth Street in Reno Nevada.

1.02 Roll Call

Chair Christine Hull, Vice Chair Tyler Rogers and committee members Shannon Coley, Polly Boardman, Kristen DeHaan, Kristie Essa, Lauren Rushing, Adriana Publico, Amy Howe, Darren Fleck, and Brooke Snyder were present. Committee member Natalie Ghysels was absent.

1.03 Public Comment

No Public comment

2. Items for Presentation, Discussion, and/ or Possible Action

2.01 Introduction of new members to the Zoning Advisory Committee (FOR INFORMATION ONLY)

Shannon Coley Trustee Zone F Representative and Martha Ramirez Hernandez recording secretary.

2.02 Discussion and Possible Action to select a Chair of the Zoning Advisory Committee for a term ending June 30, 2023, from the current membership: Shannon Coley, Polly Boardman, Kristen DeHaan, Tyler Rogers, Christine Hull, Kriste Essa, Adriana Publico, Natalie Ghysels, Lauren Rushing, Amy Howe, Darren Fleck and Brook Snyder. (FOR POSSIBLE ACTION)

Lauren Rushing nominates Christine Hull for Chair of Zoning Advisory Committee second by Kristen DeHaan. All in favor, motion passed.
Public Comment: Pablo Nava Duran

2.03 Discussion and Possible Action to select a Vice- Chair of the Zoning Advisory Committee for a term ending June 30, 2023, from the current membership: Shannon Coley, Polly Boardman, Kristen DeHaan, Tyler Rogers, Christine Hull, Kriste Essa, Adriana Publico, Natalie Ghysels, Lauren Rushing, Amy Howe, Darren Fleck and Brook Snyder.

Adriana Publico nominates Tyler Rogers for Vice Chair of Zoning Advisory Committee second by Polly Boardman. All in favor, motion passed.

Public Comment: Pablo Nava Duran

2.04 Possible Action to Approve the Minutes of the May 19, 2022, meeting of the Zoning Advisory Committee (FOR POSSIBLE ACTION)

Tyler Rogers to move forward with approval of minutes, Polly Boardman seconds. All in favor. Minutes approved.

2.05 Presentation from the Washoe County School District Off of General Counsel on Nevada Open Meeting Law (Nevada Revised Statues 241) requirements for public bodies (FOR INFORMATION ONLY)

Neil Rombardo, Chief of Legal Counsel for Washoe County School District gave a presentation where he defines the Open Meeting Law NRS 241, the Legislature finds and declares that all public bodies exist to aid in the conduct of people's business, intent of the law that their actions be taken openly and that their deliberations be conducted openly. Open Meeting Law applies to "Public Bodies as defined in NRS 241.015 (3) In school district to Board of Trustees and to subcommittees. Doesn't apply to staff meetings of the executive branch. Definition of a Public Meeting per NRS 241.015 (2)(a)(1) gathering of member of a public body at which a quorum is present to deliberate toward a decision or to act on any matter over which the public body has a supervision, control, jurisdiction, or advisory power.

A quorum makes up 51% or more. It is still a meeting if a series of gatherings with the amount of the quorum number. Adriana Publico asked if it pertains to text messages, messengers, Facebook. Mr. Rombardo's answer was Yes. He also reminded that electronic communication must not be used to circumvent the spirit or letter of the Open Meeting Law includes email, text, fax, and phone. It is not a violation if you Blind Carbon Copy in an email. Social functions are not deliberate, (NRS 241.015 (2)(b)(1)), a non-meeting information regarding potential or existing litigation. Mr. Romabardo also explained the definition of an action, which is any decision or consensus, any commitment or promise it includes serial communications that may also constitute meetings per NRS 241.015 (1)(a) and (b). Shannon Coley asked about

the Bcc'ing, Mr. Rombardo recommended to in the email blind carbon copy and indicate in the introduction of the email that all are being Bcc'd. He strongly recommended to wait until the meetings to hold conversations, that way no violations are being committed, taxpayers are in the right to know of what you are doing (referring to the advisory committee).

Mr. Rombardo then proceeded to speaking about the Board of Regents 1998 case, can privately discuss public issues or even lobby votes, can't poll each other's vote creating a quorum. Continuing with the legislator updating the way to hold meetings that include via telephone, via video conference, in 2013 (NRS 241.010) if a videoconference is being conducted or through phone all members of public must be able to see or hear. Definition of not a meeting a social function member doesn't deliberate toward a decision or decide or act. (NRS 241.015(2)(b)(1)).

The next discussion Mr. Rombardo proceeded with was the definition of Action, which as he states is any decision, consensus, commitment, or promise including serial communication that may constitute meetings under NRS 241.015 (1)(a) and (b). He keeps emphasizing because if a violation is committed it will most likely be committed by one of those factors. He started stating the vote of a quorum who is present giving an example of the present quorum, which is seven, they can pass an item with four members voting in the affirmative, this is with a public body who have no elected officials. However, if all members of a public body are elected officials, an affirmative vote taken by a majority of all members of the public body. (NRS 241.015(1)(d)). Moving on to the Ethical Consideration under NRS 281A.420- for the members of a public body, applies to public officials and officers. Always recommend if there is conflict of interest if it affects directly to you. If truly conflicted will shrink the quorum. Chair Christine Hull let Mr. Rombardo know that they follow into letting the committee Liaison if any issue does cause any conflict of interest since they are all part of the community. Mr. Rombardo then proceeds to give a background regarding the steps to gather for a meetings which are the following: The Time, place and location of the meeting per NRS 241.020(2)(a), a list of locations where the notice has been posted, NRS 241.020 (2)(b), the name and contact information of the public body designee to obtain support material NRS 241.020(2)(c), locations where support material may be obtained NRS 241.020(2)(c), an agenda, should include a statement for additional assistance for physically handicap NRS 241.020(1). The agenda as NRS 241.020(d) (1-7) be composed by the following- clear and complete it gives notice to the public, not vague, obtain competent, a list of items to discuss and act on ("FOR POSSIBLE ACTION"), public comment periods, closed meeting-name of person, agenda management statement, items out of order, combine items, and remove from agenda, any restriction on public comment. If a public comment is missed go back and make sure the item is reopened and asked the committee if the comment will change the vote.

Vice Chair Tyler Rogers asked if they should ask for public comment on every single agenda item.

Mr. Rombardo replied by saying, they do not have to take a public for every single agenda item, but they must on action items. It is up the chair if they want to take

public comments for other non-action items. NRS 241.020(2)(c)(3) for public comment says a three-minute limitation per person, after agenda item and before the action to adjourn.

Vice Chair Tyler asked if he is to take roll call before every agenda item, at least that is that he is understanding. Mr. Rombardo answered, "No, he will update the slides, they are to take general public comments before the action to adjourn."

Moving forward if the committee is going to talk about somebody you must give that person notice, this differs from a casual or tangential reference to a person, in this case it doesn't require the public body to notice that person. NRS 241.033(7). Golden Rule of the Open Meeting Law, used by Mr. Rombardo, "If the public body is not sure whether a certain act should be done in the open, it should ALWAYS perform that act at a properly noticed open meeting and there will not be an Open Meeting Law issue."

Public Records Act: District records are public, official business, and limited exceptions are attorney/client privilege, confidential employee records and personal notes, etc. Official business on your electronic device is still a public record.

Public Comment: Pablo Nava Duran

2.06 Information and discussion of the anticipated cadence of committee work, including potential for timeline for rezoning needs, during the 2022-2023 School Year, including any request from the Board of Trustees (FOR INFORMATION AND DISCUSSION ONLY)

Lauren Ford, Liaison for the Zoning Advisory Committee went over the cadence for the year 2022-2023:

September- Introduction of new members, presentation of Nevada's Open Meeting Law, introduction to Lemmon Valley rezoning. Meeting location District Office as a neutral place. In **October** the meeting will be held at O'Brien dig deeper into Lemmon Valley area and discuss options list them for possible action. Looking into **November**, where we could come back if there are questions or more information that is needed. **December will be canceled**, and then in **January through May**, at the next meeting we will share some hot spots. In January Adam will share the Modernization Study to figure out what we will go into or not based on the study. January it will be updated. Lauren Ford asked for any questions.

Vice Chair Tyler Rogers wanted to know a little more about the Modernization Plan since it is the first time, he has heard about it.

Adam Searcy Chief of Operations addressed it briefly, School Board approved to move forward with a consultant agreement which is underway hired national architecture firm by the name of Canon Design, a national firm that has conducted types of projects across the nation to conduct a comprehensive study of all existing schools in our district, looking at diverse quantitative and qualitative academic performance, demographics including other variables like architectural modern elementary middle and high schools to drive purposed scope and program of projects to try and create a higher degree from a facility stand point.

Emails went out to a large group of people, announcing the community virtual forum with the consultant on Wednesday September 21st. Will also attend the Superintendents Town Hall at Desert Skies Middle School.

Vice Chair Tyler Rogers asked. "Regards to the qualitative aspects on what the firm is doing are they anticipating on asking any zoning related questions of the public?"

Chief of Operations Adam Searcy responded saying that he doesn't recall it coming up, community forums are scribed and see how the conversations go, analyzing data and possibly a dynamic engagement saying they see something on their side that it maybe something to be considered, and it will come to the zoning advisory committee.

Chair Christine Hull suggested that it would be a good idea for some or all the committee to attend a forum in their area that they represent, in case something comes up they can bring it back to the committee. She will try to attend if any need for rezoning they will bring it up.

Vice Chair Tyler Rogers asked Lauren Ford if they can present the dates of the forums.

Chief of Operations Adam Searcy took the question: will make sure to keep them abreast for the dates and times. Wanted to comment that the October hot spots will be bringing back a presentation on areas of interest, an opportunity to improve enrollment in schools.

2.07 Information and discussion regarding proposed enrollment zone adjustments for the 2023- 2024 School Year potentially impacting the following schools: Cold Springs Middle School, William O'Brien Stem Academy, Desert Heights Elementary School, Nancy Gomes Elementary School, Michael Inskip Elementary School, Lemmon Valley Elementary School, Silver Lake Elementary School, Alice Smith Elementary School, and Stead Elementary School. (FOR INFORMATION AND DISCUSSION ONLY)

Chief of Operations Adam Searcy: North Valleys area current enrollment and boundaries, Desert Heights ES, Lemmon Valley ES, Silver Lake ES and Stead ES, the four schools that feed into O'Brien Middle School. Recapped the recent school zoning/facilities milestones: referencing the PowerPoint presentation:

- May 26, 2020- Board of Trustees approved zoning boundaries for the new Michael Inskeep ES in Cold Springs, effective 2021/2022 school year, the new school to relieve overcrowding at Gomes ES and allow for the repatriation of 5th grade students from Cold Springs MS back to Gomes ES
- November 24, 2020- Board of Trustees approved rezoning of Silver Lake ES, Stead ES, and Desert Heights ES to relieve overcrowding at Silver Lakes ES and to allow for the repatriation of 5th grade students from Cold Springs MS back to Silver Lake ES, effective 2021/2022 school year.
- May 11, 2021, the Board of trustees approved rezoning of the Panther Valley area from Alice Smith ES to Allen ES and Bennett ES; from O'Brien MS to Desert Skies; and from North Valleys HS to Hug HS, effective 2022/2023 school year.
- August 2021- The new Michael Inskeep ES opened
- August 2022- The new O'Brien MS building (replacing old school building) opened.

Looking into existing utilization for capacity and current enrollments to feed into Cold Springs MS: Gomes ES is at 51%, Inskeep ES 68%, Silver Lake ES 71% and Cold Springs MS is at 44%, there is capacity for future growth. Moving forward with the O'Brien feeders and the current enrollments and capacity utilization the numbers are Desert Heights 54%, Lemmon Valley ES at 96%, Alice Smith ES at 67%, Stead ES at 90% O'Brien is a 6th through 8th grade with room to grow. What kind of better distributions across those schools in the future years. This information is just a primer of more for next month's meeting it is not a composed draft option yet.

Adriana Publico: Curious about the split feeders, if Desert Heights is the only split feeder, half feed into O'Brien and half feed into Cold Springs. What was the reason it was done this way. Wanted to confirm if it was because buses would pass O'Brien.

Lauren Ford: Desert Heights is the only split school, had to do with the number of students and pulling them out of Cold Springs into O'Brien which would lower the capacity of Cold Springs done right before COVID, also because buses would pass by O'Brien.

Chair, Christine Hull mentioned that there was a last-minute change at the Board of Trustees meeting where they didn't fully take decision on that item due to roadway issues.

Chief of Operations Adam Searcy; addressed that it could have been the roadways, good point brought up to look and reevaluate, but not open it back up unless felt strong about pandemic has changed a lot at that time enrollments and forecast of enrollments at Silver Lake ES were challenging therefore making tough choice that were made at the time, current situation changed due to the pandemic.

Adriana Publico mentioned they used to have five or six guiding principles.

Lauren Ford addressed the comment mentioning they have a policy, which contain items that must be considered when making decisions, there are two regulations, they will be placed in the next meeting for the committee. Not called guiding principles.

Vice Chair Tyler Rogers- Question 1- Is the vision that the new school to replace the new school Stead ES? Question 2- How safe is it to cross 395 to Stead?

COO Adam Searcy Replied to question 1- that is not the current thinking, it will be an addition given the anticipated residential growth in that area but it's a few years out. Reply to question 2- stating that they have recently improved Lemmon Dr intersection, line between Lemmon ES and Alice Smith ES on the opposite side of 395 will have options.

Vice Chair Tyler Rogers stated that he was referring to the opposite side of what Mr. Searcy was referring to, walking across 395.

Lauren Ford commented that they will be having bussing.

Kristie Essa- Mentioned the traffic on Lemmon Drive to go in and come out is very congested, huge transportation and congestion issues because there are only two ways in and two ways out in the entire valley.

Chair Christie Hull mentioned the input about parents needing to get into town from North to South gets very difficult. North Valleys is very congested.

Chief of Operations Adam Searcy just wanted to add to Adriana's thinking when they can make recommendations, they will a full school year notice ahead.

Darren Fleck- Referring to the charts regarding the temporary, asking if it would be portables, why are there portables at a school with fifty percent capacity or where they there when those schools were with a higher population?

Chief of Operations Adam Searcy responds with appreciation and addressing that they were temporary portable classrooms, a capacity fifty would be a representative of one portable unit, two classrooms of twenty-five student capacity each. Desert Heights ES still has a portable because it is a remnant from when they needed it.

Darren Fleck- is there any way to get information on the number of variances provided due to those numbers include an average number of variances or is it just based on previous years. Numbers go up high just with variances.

Lauren Ford- Variances are looked at from the office of school leadership to verify how many variances a school has, if it is impacting, it will be brought up to the committee. There is also a rezoning variance that is for the highest grade and for example the student

rising from fourth grade to the fifth grade, the fifth grader can stay if they have a sibling they can stay, no transportation provided for a rezoned variance. There is a lack of students taking advantage of that, especially in the North Valleys. When Silver Lake was rezoned, the expectation was that they would stay but they did go to the new rezoned school because no transportation is provided.

Chair Christine Hull- mentioned that Lauren and her department are good at keeping variance numbers down. High schools get a ton of variances with that clause that allows them.

Lauren Ford- Juniors and Seniors because of athletics, Juniors and Seniors can stay and their siblings.

Darren Fleck- There are schools that are subsidizing their space by bringing in kids. An example as 145 variances with a base group of kids of 680 the school is at 835 students, making it a big difference looking into a neighborhood, is this anywhere else. It's a float so we don't have a massive redesign of the structure of the school. Numbers get skewed when you see a principal trying to hold on to capacity in order to not have a massive layoff of four or five teachers, to put that into an understanding of what the actual numbers represent outside the zoning and high school football, etc.

No more questions from the Zoning Advisory Committee.

3. Closing Items

3.01 Public Comment

Grace Wright emailed a public comment.

Pablo Duran Nava commented in person

3.02 Announcement of Next Meeting October 20, 2022, at O'Brien Middle School.

3.03 Adjourn Meeting Time: 7:01