

# Board of County Commissioners

CLARK COUNTY, NEVADA

MARILYN KIRKPATRICK  
Chair  
JAMES B. GIBSON  
Vice Chair  
JUSTIN JONES  
WILLIAM MCCURDY II  
ROSS MILLER  
MICHAEL NAFT  
TICK SEGERBLOM

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COMMISSION CHAMBERS, GOVERNMENT CENTER  
500 SOUTH GRAND CENTRAL PARKWAY  
LAS VEGAS, NEVADA 89106  
TUESDAY, JULY 20, 2021

## CALL TO ORDER

The Board of County Commissioners of Clark County, Nevada met in an emergency session, in full conformity with law and bylaws of said Boards, at the regular place of meeting in the Commission Chambers, Government Center, Las Vegas, Clark County, Nevada on Tuesday, the 20th day of July, 2021 at the hour of 1:00 p.m. The meeting was called to order at the hour of 2:45 p.m. by Chair Kirkpatrick and, on roll call, the following members were present, constituting a quorum of the members thereof:

### CHAIR AND COMMISSIONERS

Michael Naft  
Justin Jones  
Marilyn Kirkpatrick  
Jim Gibson  
Tick Segerblom  
Ross Miller  
William McCurdy II

Absent: None

### Also present:

Yolanda King, County Manager  
Mary-Anne Miller, Deputy District Attorney  
Jewel Gooden, Assistant Clerk, BCC  
Lori Sabella, Deputy Clerk

ITEM NO. 1. Public Comment

At this time, Chair Kirkpatrick asked if there were any persons present in the audience wishing to be heard on any items on the agenda as posted.

SPEAKER(S): Present

Interested parties expressed opposition to mask mandates, business closures, and or forced vaccinations which included:

Katrin Ivanoff  
Deana Villei  
Jim Blockey  
Susan Proffitt  
Lorena Cardenas  
Wanda Jackson  
Abby McCoy  
Carolyn St. John  
Travis Ebard  
Judy Leslie  
John Carlo  
Hilda Guerrero  
Michelle Whaley  
Alex Rodrigues  
Natalie Reda  
Jennifer Bailey  
Jennifer Phillips  
Blake Corl-Baietti  
Monica Ursua  
Mary Tortomasi  
Emily Palmer  
Lucille Petroskey  
Susan Boop  
Michelle Nielson  
Holly Stevenson  
Beverly Stevermer  
Roseann Palazzolo  
Jena Gifford  
Cami Plumb  
Natalie Maria  
Frances Deane  
Anna Binder  
Dave Crete

Cody Cunningham stated that COVID cases had risen in states that mandated masks and that COVID cases dropped in states that did not.

Amanda Knowles recommended following the new American Association of Pediatrics (AAP) guidelines related to opening schools, urged continued protection of children, and encouraged the use of masks but not as a mandate.

Virginia Valentine spoke in support of the resort industry, commented that vaccination was the best tool in fighting COVID, and encouraged all resort industry employees to wear masks.

Henry Thorns stated that the pandemic was real, and that masks and shots helped.

David Dazlich expressed support of a mask mandate through August 2021.

Stephanie Kinsley encouraged following science in the fight against COVID, and expressed opposition to mask mandates, business closures, and or forced vaccinations.

Teresa Hall commented on unnecessary hospitalizations made under the guise of COVID.

Christine Barrello expressed opposition to mask mandates, business closures, and or forced vaccinations, and expressed the importance of the promotion of supplements and healthy eating that enhanced the immune system.

David Cochran commented that science was created and written by man and held no validity in COVID treatments that had been dictated, and expressed opposition to mask mandates, business closures, and or forced vaccinations.

Nate Roodell stated that data and statistics that reflected cases of recovery from COVID had not been reported, that the use of face masks were a cause of other respiratory diseases, and expressed opposition to mask mandates, business closures, and or forced vaccinations.

Theresa Moorhead spoke on COVID as a means of biological warfare supported by eugenicists, that vaccines caused a shed of protein spikes that initiated contamination and carried a sophisticated tracking system, and expressed opposition to mask mandates, business closures, and or forced vaccinations.

Ben Cucio commented on COVID as a cause of inflation, issues with the Paycheck Protection Program, and expressed opposition to mask mandates, business closures, and or forced vaccinations.

Pam Norman suggested that Clark County School District online learning be continued for those who were more comfortable wearing masks, and expressed opposition to mask mandates, business closures, and or forced vaccinations.

Alicia Shafter stated that virus mutations were more easily spread yet less lethal, and expressed opposition to mask mandates, business closures, and or forced vaccinations.

Daniel Braisted spoke and encouraged the promotion of nutritional guidelines and supplements in the fight against COVID, and expressed opposition to mask mandates, business closures, and or forced vaccinations.

Heidi Kirtchner commented on the promotion of nutritional guidelines and supplements in the fight against COVID, and expressed opposition to mask

mandates, business closures, and or forced vaccinations. Listen to other ideas, educating citizens re health approaches, against

Ed Uehling expressed concerns regarding unreliable information shared by the media as related to COVID antibodies and how the virus was best fought.

There being no other persons present in the audience wishing to be heard on any items listed on the agenda as posted, Chair Kirkpatrick closed the public comments.

ITEM NO. 2. Approval of Agenda. (For possible action)

**ACTION:** It was moved by Commissioner Jim Gibson that the agenda be approved.

<b>Voting Aye:</b>	Michael Naft Justin Jones Marilyn Kirkpatrick Jim Gibson Tick Segerblom Ross Miller William McCurdy II
<b>Voting Nay:</b>	None
<b>Absent:</b>	None
<b>Abstain:</b>	None

ITEM NO. 3. Discuss the increasing positivity rates of COVID-19 in Clark County and the recent recommendations from the Southern Nevada Health District; and take possible action in implementing measures to mitigate the infection rate. (For possible action)

**SPEAKER(S):** Present

**DISCUSSION:** The Board received a presentation from Dr. Cort Lohff, Chief Medical Officer for the Southern Nevada Health District (SNHD), who advised that the Delta variant of COVID-19 was much more contagious than the original strain and accounted for approximately 80 percent of the reported cases; vaccinations in Clark County had declined; stated that the SNHD had issued a recommendation that masks were to be worn in any indoor public spaces or at large gatherings, regardless of vaccination status; shared information on increased hospitalizations which included that the majority of those hospitalized were unvaccinated; and that increases in positive test results would be proportionate to hospitalizations and deaths.

In response to questions from the Board, the speaker advised that SNHD's recommendation that masks were to be worn in any indoor public spaces or at large gatherings was intended for all people not just employees; COVID hot spots

were being identified so targeted efforts to increase vaccine accessibility could be made; populations most resistant to vaccination included eligible younger individuals aged 12 and older, and African Americans; ease of accessibility in certain zip codes, aggressive marketing efforts and social media campaigns through influencers were amongst efforts made by SNHD to reach those resistant groups; the goal of the population threshold for herd immunity was 70 percent, and stated 160,000 vaccinations or 4,000 per day were still needed; data related to the number of hospitalizations indicated that the numbers were not as severe as during the early stages of the pandemic, were primarily driven by the elderly and those with underlying health problems which made them predisposed to being sicker and being hospitalized, and that the majority of the hospitalizations were the unvaccinated; the most effective tool towards the prevention of closures and the prevention of virus transmission was an increased vaccination rate in the community, followed by face masks, social distancing, frequent washing of the hands, and covering of the mouth when coughing or sneezing; metrics utilized by SNHD to determine the need for a mask mandate were the four-fold increases in COVID cases since June, and the increased positive tests and proportionate increase in hospitalization and mortality; the Delta variant of the disease was much more highly transmissible; milestones that determined escalation of prevention measures had not yet been determined; airports, casinos, large stores and large gatherings were more common places of exposure or hot spots but would not identify actual points of infection; the recommendation of the SNHD to the Board was that a mask mandate be put in place should the Board determine that was the best course of action; stated that the vaccination would need to have received full approval by the Food and Drug Administration (FDA) before the SNHD could recommend employer-mandated vaccinations for employees; mandated employee vaccinations had been initiated by some employers within the health care system and those mandates had held up in a court of law; advised that although individuals who had contracted the virus had developed antibodies, the levels of antibodies and how long those antibodies remained in the system would vary based on the person and the level of infection, and that the long-term immune response was not yet understood due to insufficient experience with the virus; data indicated that the effectiveness of the vaccine showed that immune response was able to prevent infection regardless of having been infected; shared that the age demographics of vaccinated individuals reflected that older individuals had the highest vaccination rates in the country, while younger groups had the lowest which may have been due in part to older individuals having had access to the vaccination for a longer period of time, and the fear that their age posed for an increased risk of possible complications; due to the resurgence of cases driven primarily by the Delta variant that the mask mandate was appropriate; the Wastewater Surveillance Program looked for concentrations of the COVID virus within wastewater and sewage and enabled identification of variants, provided an early indication of potential increases in infections, and was a good key indicator on what was happening in the community before cases were able to be identified in the community due to delays in incubation periods and test results; data related to the overall scope of breakthrough infections was not available, and that while no vaccine was 100 percent effective, the COVID vaccine was a preventative measure to people getting severely ill, hospitalized or

even death; stated the recent SNHD press release regarding masks encouraged their use indoors primarily due to the enclosed close spaces and poor air circulation for the virus that traveled through the air; if the mask mandate was adopted it was deemed that use of the mask would not be required while in individual or private offices or cubicles; the SNHD currently had no recommendations for closures as those recommendations had come from the State; through wastewater research no correlations had been found between infections from or through visitors versus residents; it was a myth that a quarantine period was not necessary if an infection occurred after vaccination; it was a public health benefit for masks to be worn by all persons, vaccinated or not, as it offered protection against those who were either not vaccinated or not wearing masks; vaccines were not 100 percent effective and those with breakthrough cases could be symptomatic or asymptomatic and still spread the virus.

In response to Commissioner Naft, management staff advised that the County had offered vaccinations to all employees and on-site vaccination clinics, and that as public servants it was the responsibility of County employees to set examples for the community; additional vaccination clinics could be offered again; and that a manager's report would be prepared that outlined ideas on how best to work towards the vaccination goals, considered new approaches and ideas that had worked in private businesses, and that report would be shared with the Board and partner agencies.

Commissioner Tick Segerblom commented that the Service Employees International Union (SEIU) should be included in conversations, and that the Board and County management should consider mandatory vaccinations for all County employees.

At the hour of 4:40 p.m., the Chair called for a recess.

Chair Kirkpatrick called the meeting back to order at 4:56 p.m.

Commissioner Jim Gibson made a direction to staff to secure the services of a social media and communications expert to ensure that communication that went out to the public was thoroughly and effectively provided.

Commissioner Kirkpatrick expressed interested in the review of plans from entities, the recommendations of the options that had been offered, and what steps had been taken to ensure employee safety; and that a great number of inquiries had been received from around the country regarding the safety of Las Vegas for trade shows and conventions, and whether exposure to employees at show locations would be safe for the attendees.

Commissioner Jim Gibson commented that consideration of personal accountability played a role in steps towards mitigation of the virus and should not be dismissed; that in spite of testing and vaccinations that had been offered, hospitals had become crowded again, and that it was up to the public to not

permit that condition to persist; the County had already been through a shut down and start-up, and could not afford to repeat that process; the County and partner agencies had shared information intended to educate the community; stated that major trade shows and conventions supported midweek occupancies which helped sustain the local economy; that those groups could select other locations; some of the major trade shows had made contact with the Las Vegas Visitors and Convention Authority (LVCVA) and questioned whether Las Vegas was safe and what was done to stunt the growth of the virus; expressed a preference not to remove personal choices but that something had to be done in order to avoid overcrowded conditions in hospitals or harm to the economy; employee masks in publicly accessible spaces was a beginning but was unsure that would be sufficient, and the decision was dependent on the impact the mask mandate would have on infection rates; the SNHD recommended that immediate action needed to be taken and that a mask mandate for employees in public spaces during the workday was a start; and that the Board needed to move forward, follow the recommendation of SNHD and other partners, and assure that confidentiality as well as submissions to the Nevada Gaming Control Board, would be preserved.

Commissioner Jim Gibson made a motion to follow the recommendation of SNHD that employers, including large employers within the hospitality industry, required employees to wear masks when indoors in public spaces, and that a plan be submitted electronically to the Business License Department by close of business Friday July 23, 2021; and further stated that plans and activities were already under way for previously scheduled events, and that the appropriate language was required in the motion and the mandate that maintained confidentiality.

Legal Counsel advised that an information sheet for employers would be created that included the promise of confidentiality to encourage compliance. Commissioner William McCurdy suggested that the timeline also be stipulated for employers to operate with predictability, and for compliance to be met per SNHD recommendations; per SNHD recommendations the suggested effective date was August 15, 2021, and it was imperative that the public come together in order to evaluate the effectiveness of the mask policy in the mitigation of the virus and offer a level of predictability for employers and business owners.

Commissioner Jim Gibson recommended August 17, 2021 as the effective date which was in keeping with a scheduled Board meeting.

Commissioner Justin Jones expressed concerns about the effectiveness of the mandate; stated that masked employees may not provide a sufficient impact to mitigate infections, and that businesses should be required to post signage that reflected the SNHD request that all people in indoor spaces wear masks, not just employees; also stated that the most meaningful action would be for all people to be vaccinated; that recommendations needed to be presented from the SNHD to the County well before August 17, 2021; and that the services of a social media and communications expert be promptly pursued and engaged in order to

effectively communicate to the community that the most meaningful action was to get vaccinated in order to ensure meeting the 70 percent vaccination rate.

Commissioner Marilyn Kirkpatrick advised that the message regarding the engagement of a social media and communications firm by SNHD would be delivered at the July 22, 2021 SNHD meeting, as well as follow-up on the availability of signage templates on their website for use by businesses.

Commissioner William McCurdy added that August 17 would be the target date for the second conversation on the subject, and to review the progress attained towards mitigation of virus, and recommended that the effective start date was July 21, 2021 at midnight.

In response to Commissioner Tick Segerblom, Commissioner Gibson stated that the Nevada Gaming Control Board indicated that the hotels and casinos would follow and support the lead of the County Commission.

Discussion took place between the Board regarding mask mandates, vaccinations, and infection rates; preventative measures; conversations with other agencies; information sharing at upcoming agency meetings; regular updates from the SNHD regarding rates of infections, hospitalizations, and demographics of the infected; advisories regarding travel to Las Vegas by major jurisdictions; economic considerations on measures that would be taken; metrics that indicated risk levels that would be shared with the public; consequences of not using a mask or receiving the vaccination; adjustment of the frequency of regional multi-agency communication meetings if needed; inclusion of regular updates on COVID infection at all meetings; and that only one plan was required for businesses with multiple locations.

**ACTION:** It was moved by Commissioner Jim Gibson that a mandate be issued for Clark County employers to require all employees working indoors to wear a mask in public spaces; both public and private large employers such as casinos, malls, grocery stores, and large venues must submit a plan of enforcement to Clark County by July 26, 2021 at 8:00 a.m.; submitted plans would remain confidential; legible signage reflecting the Southern Nevada Health District's guidelines on wearing mask indoors must be posted; and the mask requirement for employees would be effective July 22, 2021 at midnight and continue through August 17, 2021.

<b>Voting Aye:</b>	Michael Naft Justin Jones Marilyn Kirkpatrick Jim Gibson Tick Segerblom Ross Miller William McCurdy II
<b>Voting Nay:</b>	None
<b>Absent:</b>	None
<b>Abstain:</b>	None



## **PUBLIC COMMENTS**

At this time, Chair Kirkpatrick asked if there were any persons present in the audience wishing to be heard on any items not listed on the agenda as posted.

**SPEAKER(S): Present**

Steve Grammas expressed concerns about a blanket mask mandate; requested the motion on Item No. 3 be rescinded and modified; and reminded the Board that Nevada was a collective bargaining state and urged the Board to practice caution regarding the use of dismissive statements directed towards the public.

Ed Uehling expressed concerns about selective questions posed by the Board, and the lack of reference to co-morbidities in COVID patients.

Kim Parker commented that the meeting contents were inauthentic and negated references to proven therapies other than masks and vaccinations.

Blake Corl-Baietti spoke in opposition to false claims made by the public health official, concerns that the Board made no attempts to question the claims; and that publications did not substantiate many of the claims that were made.

Todd Koren stated that exhibitors had expressed concerns about safety in Las Vegas, whether would refunds be made if it was not, and protection of local employees from visitors.

There being no further business to come before the Board at this time, at the hour of 5:44 p.m., Chair Kirkpatrick adjourned the meeting.

**APPROVED:**

/s/ Marilyn K. Kirkpatrick  
MARILYN K. KIRKPATRICK, CHAIR

**ATTEST:**

/s/ Lynn Marie Goya  
LYNN MARIE GOYA, COUNTY CLERK