

STATE OF NEVADA

STEVE SISOLAK
Governor

Members of the Board

BRENT C. ECKERSLEY, Chair
SANDRA MASTERS, Vice-Chair
PHILIP E. LARSON, Board Member
CAM WALKER, Board Member
GARY COTTINO, Board Member



MICHAEL BROWN
Director

BRUCE K. SNYDER
Commissioner

MARISU ROMUALDEZ ABELLAR
Executive Assistant

DEPARTMENT OF BUSINESS AND INDUSTRY LOCAL GOVERNMENT EMPLOYEE-MANAGEMENT RELATIONS BOARD

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(702) 486-4504 • Fax (702) 486-4355
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EMRB
1969-2019

May 20, 2019

PUBLIC NOTICE OF OPEN MEETING **(Meeting No. 19-13)**

Pursuant to Nevada's Open Meeting Law, notice is hereby given that the Local Government Employee-Management Relations Board will hold a consolidated meeting of the Board sitting *En Banc*, as well as that of **Panel C, Panel A, and Panel E** on:

Wednesday, May 29, 2019, at the hour of 8:15 a.m., at the Nevada State Business Center, 3300 West Sahara Avenue, Fourth Floor, Tahoe Room, Las Vegas, Nevada 89102. The meeting will be video-conferenced to the Department of Business & Industry's Director's Office, 1830 E. College Parkway, Suite 100, Carson City, Nevada 89706.

Chair Brent C. Eckersley, Esq., shall be the Presiding Officer of the Board sitting *en banc* and for each of the panels, except for Panel C, in which Philip E. Larson shall be the Presiding Officer.

Vice-Chair Sandra Masters and Board Member Philip E. Larson shall attend the meeting by video-conference from Carson City. Board Member Cam Walker may attend telephonically.

All items are for consideration by the full Board except for those items assigned to a specific panel. There is a panel designation prior to the agenda items for a respective panel.

THE AGENDA

Note: The Board may take possible action on any item on this agenda unless that item is marked as "Information Only." Items marked as "Information Only" may be discussed by the Board after any

presentation is made but no action may be taken on that particular item. The Board may take items out of order, may combine two or more agenda items for consideration, may remove items from the agenda or may delay discussion of any item at any time.

The Board Sitting *En Banc*

The following 5 items are for consideration by the full Board:

1. **Call to Order & Roll Call** ***Information Only***
2. **Public Comment** ***Information Only***
The Board welcomes public comment. Public comment must be limited to matters relevant to or within the authority of the Local Government Employee-Management Relations Board. No subject may be acted upon unless that subject is on the agenda and is scheduled for possible action. If you wish to be heard, please raise your hand and the Presiding Officer will recognize you. The amount of discussion on any single subject, as well as the amount of time any single speaker is allowed, may be limited. The Board will not restrict public comment based upon viewpoint. However, the Board may refuse to consider public comment prior to the commencement and/or conclusion of a contested case or a quasi-judicial proceeding that may affect the due process rights of an individual. See NRS 233B.126.
3. **Approval of the Minutes** ***For Possible Action***
For possible action on the minutes of the *en banc* meeting held April 29, 2019.
4. **Case 2018-006** ***For Possible Action***
Charles Ebarb v. Clark County and Clark County Water Reclamation District
Deliberation and decision on the hearing previously held on this matter. The hearing was bifurcated and the deliberation and decision on this matter relates to the first part of the bifurcation.
5. **Reports by the Commissioner** ***For Possible Action***
 - A. Report on the status of bills in the legislature.
 - B. Setting of the assessment rate and civil penalty fee for Fiscal Year 2020.

Panel C

The following 2 items are for consideration by Panel C:

6. **Approval of the Minutes** ***For Possible Action***
For possible action on the minutes of the meeting of Panel C held February 12, 2019.
7. **Case 2019-001** ***For Possible Action***
Las Vegas Police Managers and Supervisors Association v. Las Vegas Metropolitan Police Department
Deliberation and decision on the Motion to Dismiss.

Panel A

The following 4 items are for consideration by Panel A:

8. **Approval of the Minutes** ***For Possible Action***
For possible action on the minutes of the meeting of Panel A held March 12, 2019.
9. **Case 2018-014** ***For Possible Action***
International Union of Operating Engineers Local 501, AFL-CIO v. Esmeralda County NV; Board of Commissioners Michelle Bates, Commissioner District 1, De Winsor, Commissioner District 2, Ralph Keyes, Commissioner District 3; and Robert Glennen, III, District Attorney
Deliberation and decision on the Memorandum (Motion) for Fees and Costs. Pursuant to NAC 288.271 Board Member Cottino substituted for Vice-Chair Masters at the hearing on this matter and the subsequent deliberations on that hearing, which resulted in an order. Accordingly, Board Member Cottino will continue to substitute for Vice-Chair Masters for the deliberation on the pending memorandum (motion).
10. **Case 2019-002** ***For Possible Action***
Water Employees Association of Nevada v. Las Vegas Valley Water District
Deliberation and decision on (1) Respondent Las Vegas Valley Water District's Motion to Dismiss and for Deferral; (2) Motion to Dismiss Respondent's Counterclaim; and (3) Special Motion to Dismiss Respondent's Counterclaim.
11. **Case 2019-004** ***For Possible Action***
International Union of Operating Engineers Local 501 v. University medical Center of Southern Nevada
Deliberation and decision on Respondent University Medical Center of Southern Nevada's Motion to Dismiss and/or For More Definite Statement. If the motion to dismiss is denied, either in full or in part, then deliberation and decision on the request of the Commissioner and the parties to grant a hearing for the case and to consolidate this case with case 2018-010, which is already set for hearing on August 27, 2019.

Panel E

The following 2 items are for consideration by Panel E:

12. **Approval of the Minutes** ***For Possible Action***
For possible action on the minutes of the meeting of Panel E held April 9-10, 2019.
13. **Case 2018-012** ***For Possible Action***
Nye County Management Employees Association v. Nye County
Deliberation and decision on the hearing previously held on this matter.

The Board Sitting *En Banc*

The following 3 items are for consideration by the full Board:

14. **Report of the Deputy Attorney General** *Information Only*
A report by the Nevada Attorney General's Office as to the status of cases on judicial review or at the Nevada Supreme Court, and other matters related thereto.
15. **Additional Period of Public Comment** *Information Only*
Please refer to agenda item 2 for any rules pertaining to public comment.
16. **Adjournment** *For Possible Action*

Posting

This meeting has been posted at the following locations and websites at least three days prior to the scheduled date of this meeting, in accordance with NRS 241.020(2):

Local Government Employee-Management Relations Board, 3300 W. Sahara Avenue, Suite 260, Las Vegas, Nevada
Department of Business & Industry, 3300 W. Sahara Avenue, Fourth Floor, Las Vegas, Nevada
Department of Business & Industry, 1830 College Parkway, Suite 100, Carson City, Nevada
Nevada State Library, 201 S. Carson Street, #100, Carson, City, Nevada
Department of Administration Public Meeting Notice Web Site: <http://notice.nv.gov/>
Employee-Management Relations Board Web Site: <http://emrb.state.nv.us>

Special Accommodations

Members of the public who are disabled and require special accommodations or assistance at the meeting are requested to notify the EMRB at the address or telephone number above. Please notify us as soon as possible to allow time to secure any necessary equipment or provisions prior to the meeting.

Board and Panel

All references to the term "Board" shall also mean "Panel" when certain Board members are meeting as a panel in lieu of the Board members meeting *en banc*.

Inquiries and Supporting Materials

You may obtain copies of any supporting materials by contacting the Board Secretary, Marisu Romualdez Abellar, at the address at the top of page one of this document or by calling 702-486-4505.

Closed Session

The Board or Panel may go into closed session pursuant to NRS 288.220 for consideration/discussion of any complaint, petition or appeal herein noticed. Any motion to go into closed session may include one or more items on the agenda in the motion. The Board or Panel will return to open session for final adjudication. While in closed session the Board or Panel may retire to the offices of the EMRB, located in Suite 260 of the Nevada State Business Center.