

**CITY COUNCIL
REGULAR MEETING AGENDA**

**COUNCIL CHAMBER, 401 CALIFORNIA AVENUE,
BOULDER CITY NV 89005**

AUGUST 24, 2021 - 7:00 PM

The public may view the meeting live at the following link:

**<https://www.bcnv.org/191/City-Council-Meeting-Live-Stream-Video>
ITEMS LISTED ON THE AGENDA MAY BE TAKEN OUT OF ORDER; TWO OR
MORE AGENDA ITEMS FOR CONSIDERATION MAY BE COMBINED; AND ANY
ITEM ON THE AGENDA MAY BE REMOVED OR RELATED DISCUSSION MAY
BE DELAYED AT ANY TIME.**

CALL TO ORDER

CONFIRMATION OF POSTING AND ROLL CALL

INVOCATION AND PLEDGE OF ALLEGIANCE

PUBLIC ANNOUNCEMENTS

PUBLIC COMMENT

**PUBLIC COMMENT DURING THIS PORTION OF THE AGENDA MUST BE
LIMITED TO MATTERS ON THE AGENDA FOR ACTION. EACH PERSON HAS
UP TO FIVE MINUTES TO SPEAK ON A SPECIFIC AGENDA ITEM.**

**MEMBERS OF THE PUBLIC MAY PARTICIPATE IN THE MEETING WITHOUT
BEING PHYSICALLY PRESENT BY ONE OF THE FOLLOWING METHODS:**

- Written comments may be submitted via the Public Comment Form
(<https://www.bcnv.org/FormCenter/Contact-Forms-3/City-Council-Comment-Form-111>)
- To comment during the meeting, members of the public may call (702) 589-9629 when the public comment period is opened.

FOR POSSIBLE ACTION: APPROVAL OF REGULAR AGENDA

FOR POSSIBLE ACTION: APPROVAL OF CONSENT AGENDA

CONSENT AGENDA

1. For possible action: Approval of the minutes of the August 10, 2021, regular meeting
2. For possible action: Resolution No. 7319, a resolution of the City Council of Boulder City, Nevada, approving Agreement No. 21-1938 (Interlocal Contract 1297) between the City of Boulder City and the Regional Transportation Commission of Southern Nevada for the Trail Maintenance Volunteer Coordination, Fiscal Year 2022-2024
3. For possible action: Resolution No. 7320, a resolution of the City Council of Boulder City, Nevada, approving Agreement No. 21-1939 (Interlocal Contract 1296) between the City of Boulder City and the Regional Transportation Commission of Southern Nevada for the Underground Existing Utilities Maryland Parkway, Russell Road to Flamingo Road
4. For possible action: Resolution No. 7321, a resolution of the City Council of Boulder City, Nevada approving Interlocal Agreement No. 21-1940 with the City of Henderson to provide temporary legal services pursuant to Section 15(4) of the Boulder City Charter

REGULAR AGENDA

5. Recognition and Certificate of Appreciation to the Damboree Committee members (As requested by Council member Bridges)
6. For possible action: Matters pertaining to the 2021 Private Activity Bond Volume Cap
 - A. Presentation by Nevada Rural Housing Authority's (NRHA) Director of Homeownership Programs, Diane Arvizo
 - B. Resolution No. 7322, a resolution of the City Council of Boulder City, Nevada providing for the transfer of the City's 2021 Private Activity Bond Volume Cap to the Nevada Rural Housing Authority
7. For possible action: Matters related to a proposed Boulder City Historic Preservation Plan
 - A. Presentation by Mariana Ruiz, Nevada Preservation Foundation
 - B. Resolution No. 7323, a resolution of the City Council of Boulder City, Nevada adopting an Historic Preservation Plan for the City of Boulder City
8. For possible action: Resolution No. 7324, a resolution of the City Council of Boulder City, Nevada to accept a Grant Award of \$43,000 for the *Joining Forces* campaign and to amend FY 2022 budget for revenues and expenses.
9. For possible action: Consideration of Bill No. 1905, an ordinance of the City of Boulder City, Nevada amending the Boulder City Municipal Code Title 4, "Business Regulations," Chapter 1, "Business License," Section

- 22 "License Classifications and Fees" to repeal the establishment of the Special Events License Review Board by ordinance, and other matters properly related thereto
10. For possible action: Matters related to Bill No. 1906
- A. Public hearing on Bill No. 1906
- B. Consideration of Bill No. 1906, an ordinance of the City of Boulder City, Nevada amending the Boulder City Municipal Code Title 4, "Business Regulations," Chapter 7, "Secondhand and Junk Dealers," to clarify the types of conduct and persons exempted from the provisions of the Chapter, and other matters properly related thereto
11. For possible action: Matters Pertaining to the Boulder City Rifle & Pistol Club Lease Agreement:
- A. Resolution No. 7325, a resolution of the City Council of Boulder City, Nevada consenting to renew Agreement No. 00-618A for an additional ten (10) years until August 26, 2031 pursuant to Section 2 of Agreement 00-618A between the City and the Boulder City Rifle and Pistol Club
- B. Discussion of potential future amendments to the lease agreement to be considered at a later date
12. For possible action: Discussion and direction regarding a potential revision of the Boulder City noise ordinance
13. For possible action: Matters related to opioid litigation
- A. Discussion and direction regarding the selection of outside local counsel for opioid-related litigation
- B. Resolution No. 7317, a resolution of the City Council of Boulder City, Nevada approving Keller Lenkner letter of retention and contingent fee agreement
14. City Manager's Report:
- A. Claims Paid, July 2021
- B. Financial Report, July 2021
15. Public Comment

Each person has up to five minutes to speak at the discretion of the Mayor/Chair. Comments made during the Public Comment period of the agenda may be on any subject. All remarks shall be addressed to the City Council/Board as a whole, not to any individual member of the Council/Board, of the audience, or of the City staff. There shall be no personal attacks against the Mayor, members of the City Council, the City staff, or any other individual. No person, other than members of the City Council and the person who has the floor, shall be permitted to enter into any discussion, either directly or through a member of the Council without the permission of the Mayor or Presiding Officer. No action may be taken on a matter raised under this item of the agenda until the matter itself has been specifically included on an agenda as an item upon which

action will be taken.

16. City Council's Report

Supporting material is on file and available for public inspection at the City Clerk's Office, 401 California Avenue, Boulder City, Nevada 89005 and the Boulder City website at www.bcnv.org, as per NRS 241. To request supporting material, please contact the City Clerk Tami McKay at (702) 293-9208 or cityclerk@bcnv.org.

Notice to persons with disabilities: Members of the public who are disabled and require special assistance or accommodations at the meeting are requested to notify the City Clerk by telephoning (702) 293-9208 at least seventy-two hours in advance of the meeting.

This notice and agenda has been posted on or before 9 a.m. on the third working day before the meeting at the following locations:

Boulder City Hall, 401 California Avenue
www.bcnv.org
<https://notice.nv.gov/>

Approval of minutes

SUBJECT:

For possible action: Approval of the minutes of the August 10, 2021, regular meeting

ADDITIONAL INFORMATION:

ATTACHMENTS:

Description	Type
 DRAFT Minutes	Cover Memo



**CITY COUNCIL
REGULAR MEETING MINUTES**

**COUNCIL CHAMBER, 401 CALIFORNIA AVENUE
BOULDER CITY, NEVADA 89005**

Tuesday, August 10, 2021 – 7:00 PM

CALL TO ORDER

The regular meeting of the Boulder City Council, County of Clark, State of Nevada, was called to order at 7:00 P.M., Tuesday, August 10, 2021, in the Council Chamber, City Hall, by Mayor McManus in due compliance with law, the Charter, and the Council's Rules of Procedure.

Council members present: Mayor Kiernan McManus, Adams, Council member Claudia Bridges, Council member Mathew Fox, Council member Sherri Jorgensen (4)

Absent: Council member James Howard Adams (1)

Also present: City Manager Taylour Tedder, Acting City Clerk Tami McKay, City Attorney Brittany Walker

(Staff was in City Hall in their respective offices streaming the meeting)

Mayor McManus called the meeting to order.

INVOCATION AND PLEDGE OF ALLEGIANCE

Pastor Ed Bruning of Our Savior Lutheran Church provided the invocation followed by the Pledge of Allegiance.

PUBLIC ANNOUNCEMENTS

Angela Mannenin, Budget Manager, said in an effort to create more transparency, Finance created several summary publications that are available on the City's website. She said a new budget book had been created for FY 2022 which included each department's budgets and statistics. She said they were very proud of it and thanked Brok Armantrout for his assistance. She said they would be submitting it to GFOA with the hope of receiving an award. She said Finance also purchased new software to present the budget more efficient and in an easier to read format. She said questions could be emailed to finance@bcnv.org.

Mayor McManus thanked all of the employees for their efforts to remodel the Council Chamber.

DRAFT

ADMINISTRATION OF OATH OF OFFICE TO NEWLY APPOINTED CITY MANAGER TAYLOUR TEDDER AND MARSHALS JAMES CARPENTER AND ANDREW FRECHETTE

Acting City Clerk McKay administered the oath of office to City Manager Taylour Tedder.

City Manager Tedder thanked the Mayor and Council for the opportunity to manage the City. He said staff had made him feel very welcome.

Police Chief Shea administered the oath of office to Marshals James Carpenter and Andrew Frechette

Mayor McManus thanked the Marshals and welcomed them to Boulder City.

PUBLIC COMMENT

Mayor McManus opened public comment.

Judy Dechaine said she emailed all of the Council members earlier that day. She said with respect to Item No. 6, there were approximately 310 full-time and part-time employees and 151 classifications which seemed overkill. She said with respect to Item No. 8, there were no concerns because the Board never met. She said she hoped the bill introduction on Item 12 did not come back before the Council on the Consent Agenda. She said the way it was written would allow a City officer to go into a business and suspend or revoke their license which was unfair. She said it should not be right for one person to determine if the businesses were following protocol. She also pointed out there was no appeal process, and the holding period seemed unusual. Item regarding opioid: she said this should come back on a future agenda item. She said she wants to know why it was approved without council approval. She said there was a conflict of interest. She thanked the current city attorney for bringing it forward.

No further comments were offered and public comment was closed.

FOR POSSIBLE ACTION: APPROVAL OF REGULAR AGENDA

Motion: Approve the Regular Agenda

Moved by: Council member Jorgensen
Bridges

Seconded by: Council member

Vote:

AYE: Mayor McManus, Council member Bridges, Council member Fox, Council member Jorgensen (4)

NAY: None (0)

Absent: Council member Adams (1)

The motion was approved.

Acting City Clerk McKay noted there were minor corrections to the minutes which were before them and said they would be uploaded to the packet within 24-hours.

FOR POSSIBLE ACTION: APPROVAL OF CONSENT AGENDA

CONSENT AGENDA

1. For possible action: Approval of minutes
 - A. June 22, 2021 regular meeting
 - B. July 13, 2021 regular meeting
2. For possible action: Resolution No. 7310, a resolution of the City Council of Boulder City, Nevada, approving Consent Agreement for BFE, LLC Sublandlord of Boulder City Airport Properties to enter into a sublease agreement with Piranha Aerospace LLC

A staff report was submitted by Administrative Services Director Bryce Boldt and included in the August 10, 2021, City Council Agenda packet.

3. For possible action: Resolution No. 7311, a resolution of the City Council of Boulder City, Nevada, approving Consent Agreement for BFE, LLC Sublandlord of Boulder City Airport Properties to enter into a sublease agreement with Atlas Aircraft Center, Inc.

A staff report was submitted by Administrative Services Director Bryce Boldt and included in the August 10, 2021, City Council Agenda packet.

4. For possible action: Resolution No. 7312, a resolution of the City Council of Boulder City, Nevada, approving final acceptance, final payment, and release of bonds and retention funds for the Hemenway Park Bighorn Sheep Habitat, B.C. Project No. 21-1123-RE

A staff report was submitted by Public Works Director Keegan Littrell and included in the August 10, 2021, City Council Agenda packet.

5. For possible action: Resolution No. 7313, a resolution of the City Council of Boulder City, Nevada, approving Agreement No. 21-1932 between the City of Boulder City and GCW, Inc. to provide professional engineering services for the Pavement Management System Program Manager Project, Arterial Reconstruction: Fiscal Year 2021, B.C. Project No. 20-1114-STR

A staff report was submitted by Public Works Director Keegan Littrell and included in the August 10, 2021, City Council Agenda packet.

Motion: Approve the Consent Agenda

Moved by: Council member Bridges **Seconded by:** Mayor McManus

Vote:

AYE: Mayor McManus, Council member Bridges, Council member Fox, Council member Jorgensen (4)

NAY: None (0)

Absent: Council member Adams, (1)

The motion was approved.

REGULAR AGENDA

6. For possible action: Matters pertaining to the City Classification and Compensation Study:

A staff report was submitted by Administrative Services Director Bryce Boldt and included in the August 10, 2021, City Council Agenda packet.

A. City Council to receive a presentation from Dr. Linda Recio of Evergreen Solutions, LLC regarding the classification and compensation study plan

Dr. Recio provided a PowerPoint presentation. She said the agenda included a study initiation, assessment of current conditions, job assessment tools, salary and benefits surveys, and developing a compensation philosophy.

B. City Council direction regarding comparable peer entities

Mayor McManus said Boulder City was a small community with conservative growth policy and next door to one of the fastest growing metropolitan cities. He said he understood Boulder City was in the same labor market as the neighboring cities, but did not believe we needed to be at the top of the market. He said it was important to factor in not only salary, but the benefits package offered to the employees. He said many private companies did not offer benefits nor do some of the other governmental agencies. He said that was a substantial part of the study in order to make the best decisions. He suggested evaluating other small communities throughout Nevada and determine what they are doing with respect to classifications. He said Boulder City had one classification per two employees which seems to be too much.

He said management compensation was generally considered separate from other employees because of the potential of an upward pull. He said he believed in merit pay and said it would be negotiated with the unions. He said there were down sides to merit rewards, but he thought they had significant use within the employee workforce. He said the tenure is typically long in Boulder City and he believed it has to do with the benefits package offered to employees. He said he believed long-term employees are valuable to the City.

Council member Bridges said the criteria is not just about pay. She said housing affordability was a factor. She asked Dr. Recio if the number of job classifications within the City was abnormal and Dr. Recio said job classification would be included in the study. Council member Bridges questioned Boulder City's location to Las Vegas which was approximately 30 miles. She said although Boulder City is considered rural, for all intents and purposes, it is a suburb of a metropolitan city. She asked about the differences in comparing cities that were 60 or 90 miles away from a metropolitan city.

Dr. Recio said it would be important to determine other smaller cities located outside of metropolitan cities and suggested looking outside of Nevada for comparisons. She said compensation wasn't about salary solely. She said benefits would be factored in and she believed Boulder City's were higher than a lot of other cities. She said they would also be factoring in adjustments according to cost of living.

Council member Jorgensen said Boulder City was unique because Las Vegas is so accessible and said it was an easy commute to Las Vegas. She asked Dr. Recio if they had studied a past situation similar to Boulder City.

Dr. Recio assured the Council they would research and evaluate several comparable cities including those outside of Nevada.

Mayor McManus suggested Evergreen take into consideration that Boulder City owns its own utility which requires additional employees with a certain skill set. He said there were a few positions that frequently remain unfilled and asked if it was due to compensation or because people with those skill sets were unavailable.

C. City Council direction regarding compensation philosophy

Council member Bridges said her compensation philosophy was meeting the market. She said she didn't believe Boulder City needed to follow or lead the market, but believed in meeting the market to attract quality employees.

Mayor McManus stated the City had a lot of part-time employees and didn't want to be seen as an employer who hired people to work less than 30-hours to avoid benefits. He said that was not a good way to treat employees or retain employees. He suggested looking at wage levels and determine why there were so many part-time employees.

Dr. Recio said the next steps would include presenting to the Human Resources Department, determining other organizations, evaluate internal and external analysis, salary surveys, benefit surveys, compare assessments, and prepare draft solutions.

Mayor McManus suggested draft information provided to HR and the City Manager also be forwarded to the City Council to provide sufficient time for them to review it.

7. Presentation regarding Boulder City Police Department Crime and Activity Data

A staff report was submitted by Police Chief Tim Shea and included in the August 10, 2021, City Council Agenda packet.

Chief Shea provided a PowerPoint presentation of activity for the calendar year 2020. He presented an organizational chart pointing out new positions. He said there were three mid-managers, and in support services, were first-line supervisors. He said this helped spread the functions for better budgeting and prioritization. He explained the crime reporting mechanism currently used is a reporting system through the FBI, but it would be changed to incident-based reporting which was more applicable to the activity taking place in Boulder City. He provided a comparison crime rate chart which compared crime throughout Nevada and throughout the United States. He said the crime rate per capita was low in Boulder City.

Council member Bridges said the report was great. She said she reads posts on social media about crime taking place in Boulder City and asked if the increase in theft was significant?

Chief Shea said to keep in mind the statistics only represent crimes that are reported. He said it was also important to keep in mind they are cyclic and some of the reported crimes were committed by kids. He said social media information is not based on data.

Council member Bridges thanked Chief Shea and said the police department was doing a great job.

Mayor McManus said citizens can access crime data information online and thanked Chief Shea.

8. Introduction of Bill No. 1905, an ordinance of the City of Boulder City amending the Boulder City Municipal Code Title 4, "Business Regulations," Chapter 1, "Business License," Section 22 "License Classifications and Fees" to repeal the establishment of the Special Events License Review Board by ordinance, and other matters properly related thereto

A staff report was submitted by City Attorney Brittany Walker and included in the August 10, 2021, City Council Agenda packet.

Motion: Introduce Bill No. 1905

Introduced by: Council member Bridges

Bill No. 1905 will be considered at the August 24, 2021 regular City Council meeting.

9. Introduction of Bill No. 1906, an ordinance amending the Boulder City Municipal Code Title 4, "Business Regulations," Chapter 7, "Secondhand and Junk Dealers," to clarify the types of conduct and persons exempted from the provisions of the Chapter, and other matters properly related thereto

A staff report was submitted by City Attorney Brittany Walker and included in the August 10, 2021, City Council Agenda packet.

Motion: Introduce Bill No. 1906

Introduced by: Council member Bridges

Bill No. 1906 will be considered at the August 24, 2021 regular City Council meeting.

10. For possible action: Consideration of Bill No. 1904, an ordinance of the City of Boulder City approving Agreement No. 00-666A, a lease between the City of Boulder City and NCWPCS MPL 28 - Year Sites Tower Holdings LLC to lease land for an existing cellular communications tower site located 2,200 feet north of the US 95/Interstate 11 interchange

A staff report was submitted by Finance Director Diane Pelletier and included in the August 10, 2021, City Council Agenda packet.

Finance Director Pelletier provided a brief overview of the staff report noting this lease agreement was for an existing cell tower lease that expired August 21, 2020. She said the tenant was renting until the terms were negotiated for a new lease for a 10-year period with one five-year option. She said the annual rent will increase by approximately 3% per year. She said the bill had been introduced at the July 13, 2021 City Council meeting.

Motion: Approve Bill No. 1904

Moved by: Council member Bridges **Seconded by:** Council member Jorgensen

Vote:

AYE: Mayor McManus, Council member Bridges, Council member Fox, Council member Jorgensen (4)

NAY: None (0)

Absent: Council member Adams, (1)

The motion was approved.

Bill No. 1904 will be known as Ordinance No. 1668 effective August 18, 2021.

11. For possible action: Matters pertaining to the vacation of easements of existing residential properties:

A staff report was submitted by Public Works Director Keegan Littrell and included in the August 10, 2021, City Council Agenda packet.

Public Works Director Littrell provided a brief overview noting this item pertained to the vacation of two utility easements on existing residential properties. He described each easement noting one of the residents purchased property from the City so the easement now runs through the middle of the property. He said the City had no utilities in that area and no issues with vacating it. He said the second property owner would like to purchase property adjacent to his current residence which would place the easement through the center of his property. He said there were no utilities in that area and had no issues with vacating the easement.

A. Public hearing on the vacation of utility easements

Mayor McManus noted this was the time and place scheduled to conduct a public hearing and asked for public input.

Judy Dechaine asked if the City should consider moving the easement over to the edge of the property in case someone else in the future needs it. She said there may be a need for it to access their property. She asked if a policy could be established to move the easement out of the way of the property owner, but available to use in the future.

No further comments were offered and the hearing was declared closed.

Public Works Director Littrell said if the property were sold in the future, the City would require a utility easement from the new owner, if needed.

B. Resolution No. 7314, a resolution of the City Council of Boulder City, Nevada vacating utility easements across 115 Casa Montana Court and 116 Stone Canyon Road

Motion: Approve Resolution No. 7314

Moved by: Council member Bridges **Seconded by:** Council member Jorgensen

Vote:

AYE: Mayor McManus, Council member Bridges, Council member Fox, Council member Jorgensen (4)

NAY: None (0)

Absent: Council member Adams, (1)

The motion was approved.

C. Resolution No. 7315, a resolution of the City Council of Boulder City, Nevada vacating a utility easement across 383 Claremont Street

Motion: Approve Resolution No. 7315

Moved by: Council member Jorgensen **Seconded by:** Council member Bridges

Vote:

AYE: Mayor McManus, Council member Bridges, Council member Fox, Council member Jorgensen (4)

NAY: None (0)

Absent: Council member Adams, (1)

The motion was approved.

12. For possible action: Matters related to opioid litigation

A staff report was submitted by City Attorney Brittany Walker and included in the August 10, 2021, City Council Agenda packet.

A. Resolution No. 7316, a resolution of the City Council of Boulder City approving the One Nevada Agreement on Allocation of Opioid Recoveries

City Attorney Walker said she would like to briefly present Item 12A and have it considered by Council before moving on to Items 12B&C.

Mayor McManus said with respect to this item, he has had past discussions and received presentations a couple of years ago from other government agencies knowing this litigation would be brought forward.

City Attorney Walker provided an overview of her staff report noting Resolution No. 7316 would approve the One Nevada Agreement on Allocation Of Opioid Recoveries. She said it was a multi-jurisdiction litigation and the agreement would provide a plan to allocate any settlement monies to all jurisdictions in Nevada at a following a set formula. She recommended the City enter into the agreement. She said this would provide a plan for how funds from the settlement or related bankruptcy distribution were allocated among the State and various local government entities.

In response to a question from Mayor McManus, City Attorney Walker noted the allocation was based upon per-capita harm to the community.

Council member Bridges said based upon the amount awarded to the State of Nevada, the amount determined for Boulder City was 1.148%.

City Attorney Walker clarified the amount awarded to the City would be .148% not 1.148%

Mayor McManus said it was important to not reinvent the wheel. He said the State had already done a considerable amount of work. He said Boulder City had been late to respond so someone from the State contacted the City Attorney's office.

Council member Jorgensen asked how the data would be collected to determine Boulder City's share.

City Attorney Walker said she could ask for the data from the State. She said the data is tracked by the Federal Government.

Motion: Approve Resolution No. 7316

Moved by: Mayor McManus **Seconded by:** Council member Bridges

Vote:

AYE: Mayor McManus, Council member Bridges, Council member Fox, Council member Jorgensen (4)

NAY: None (0)

Absent: Council member Adams, (1)

The motion was approved

B. Discussion and direction regarding the selection of outside legal counsel for opioid-related litigation

City Attorney Walker noted per the City's purchasing plan, any contract over the amount of \$150K must be approved by the City Council. She noted that the former City Manager retained the law firm of Keller Lenkner in February of 2019. She said she was now seeking direction from City Council on the selection of outside counsel. She said the City Council could go a different direction, but the existing firm of Keller Lenkner located in Ohio and local law firm, Jolley Urga had represented the City well and they would still be entitled to compensation on services provided on the case.

Mayor McManus said he had brought this litigation to the attention of the former city manager and former city attorney on several occasions. He said he had been told it wouldn't affect Boulder City and later learned the City had taken action. He said it was personally disappointing to him and a disservice to the community. He said unlike the State of Nevada, the local firm had not looked for all of the litigation options. He also pointed out the local law firm owner is the father of the previous mayor. He

said he has questions he has not had the opportunity to ask or get the answers to and preferred to not move forward with the resolution at this time. He said clearly this litigation had been going on for years and continue to go on for several more years. He said he didn't believe it was urgent to make a decision and said he would like additional time.

City Attorney Walker said the matter before them was whether to continue with the current law firm or explore other law firms. She asked that Council direction be provided.

Attorney Seth Meyer representing the law firm of Keller Lenkner called in so he could be available for questions.

Council member Bridges said she was impressed with the current law firm and felt comfortable with them continuing. She said starting with a new law firm would be reinventing the wheel.

Council member Fox said he agreed with Council member Bridges comments noting the current firm had already spent two years on the case.

Mayor McManus said there was a misunderstanding about the law firm in that it didn't only represent Boulder City and probably represented hundreds or maybe even thousands of clients.

Mr. Meyer said Keller Lenkner represented a few dozen clients and two clients were in the state of Nevada. He said he believed it was important to clarify the allocation agreements happened very organically and on a state-by-state basis. He said the State doesn't necessarily know who to reach out to so the Attorney General reaches out to cities and outside counsel steps in to navigate. He said it was important to the firm to know the scope of representation being asked of them. He said each city was represented differently.

Mayor McManus said it appeared most cities had discussions with the Attorney General's office. He said he did not have an issue with the national firm, Keller Lenkner, but he did have issue with the local firm retained to do this work. He reiterated he did not like the lack of communication offered to the City Council regarding contracting with the local law firm.

Council member Jorgensen asked if the law firm Keller Lenkner was separate from the local attorney.

City Attorney Walker said the resolution before the Council would approve the agreement with both law firms.

Mr. Meyer said they were happy to supply other local counsel; however, it would be important to get authorization from the City for them to continue providing representation.

Council member Bridges asked if it was possible to approve the representation from Keller Lenkner with a with a contingency that the agreement would be amended after a local firm were determined.

In response to Council member Bridges, City Attorney Walker said it was possible under Item 12B which to continue with Keller Lenkner and provide Council direction to explore other local counsel possibilities.

Motion: Continue with Keller Lenkner and explore options for local counsel

Moved by: Council member Bridges **Seconded by:** Council member Fox

Vote:

AYE: Council member Bridges, Council member Fox, Council member Jorgensen (3)

NAY: Mayor McManus (1)

Absent: Council member Adams, (1)

The motion was approved

C. Resolution No. 7317, a resolution of the City Council of Boulder City approving Keller Lenkner letter of retention and contingent fee agreement.

No Action Taken.

13. For possible action: Discussion and direction regarding the selection of outside legal counsel to provide temporary legal services pursuant to Section 15(4) of the City of Boulder City Charter

A staff report was submitted by City Attorney Brittany Walker and included in the August 10, 2021, City Council Agenda packet.

Council member Bridges said she was in favor of the interlocal agreement based upon the dollar amount and multiple available attorneys.

Motion: Direct staff to enter into an interlocal agreement with the City of Henderson

Moved by: Council member Bridges **Seconded by:** Council member Jorgensen

Vote:

AYE: Mayor McManus, Council member Bridges, Council member Fox, Council member Jorgensen (4)

NAY: None (0)

Absent: Council member Adams, (1)

The motion was approved

14. For possible action: City Council Appointments:

A staff report was submitted by Acting City Clerk Tami McKay and included in the August 10, 2021 City Council Agenda packet.

Acting City Clerk McKay provided a brief overview of the staff report stating during the update to the Building Code in 2020, Section 115 of the Administrative Code was amended to reflect the authority for appeals of the Building Official's decision shall be heard by the Planning Commission. The Combined Board of Appeals will no longer be an established committee and therefore, no action will be required for Item 14C.

A. Allotment Committee

Rebecca Balistere and Teresa Beaver were drawn by lot and appointed to a two-year term ending June 30, 2023.

B. Audit Review Committee

Mayor McManus nominated Judy Dechaine and Annette Landry

Council member Jorgensen nominated Roger Tobler

No other nominations were offered and the vote was as follows:

Judy Dechaine: McManus, Bridges, Fox, Jorgensen.

Judy Dechaine was appointed to a term ending November 30, 2022.

Annette Landry: McManus

Roger Tobler: Bridges, Fox, Jorgensen

Roger Tobler was appointed to a term ending November 30, 2022.

C. Combined Board of Appeals

No action required.

D. Boulder City Museum and Historical Association (BCMHA)

Council member Jorgensen offered to serve on the BCMHA and was appointed by acclamation.

E. Southern Nevada Regional Planning Coalition (SNRPC)

Council member Bridges offered to serve on the SNRPC and was appointed by acclamation.

15. For possible action: Correction to the previously approved minutes of the June 8, 2021, regular meeting

A staff report had been submitted by Acting City Clerk Tami McKay and included in the August 10, 2021 City Council Agenda Packet.

Acting City Clerk McKay provided a brief overview of the staff report noting Mayor McManus made a motion to approve Resolution No. 7291 with added conditions that St. Jude's repair the wall and provide additional landscaping next to the Blue Lake subdivision per the landscape exhibits submitted for the meeting. She noted the motion was not properly reflected in the draft June 8, 2021 City Council minutes approved at the June 22, 2021, regular City Council meeting. She stated the motion had been corrected to properly reflect the added conditions. She indicated approving previously adopted minutes must be approved with a two-thirds vote.

Motion: Correct Item No. 9 motion on the previously approved minutes of the June 8, 2021, City Council regular meeting

Moved by: Mayor McManus **Seconded by:** Council member Jorgensen

Vote:

AYE: Mayor McManus, Council member Bridges, Council member Fox, Council member Jorgensen (4)

NAY: None (0)

Absent: Council member Adams (1)

The motion was approved

16. For possible action: Resolution No. 7318, a resolution of the City Council of Boulder City, Nevada, approving Employment Agreement No. 21-1933(1)

A staff report had been submitted by Administrative Services Director Bryce Boldt and included in the August 10, 2021 City Council Agenda Packet.

Administrative Services Director Boldt provided a brief overview of the staff report noting it was an employment agreement between Tami McKay and the City of Boulder City. He introduced Mark Ricciardi, employment legal counsel for the City.

Mr. Ricciardi said the City Clerk's employment agreement was similar to the previously approved contracts with the city manager and city attorney. He said Ms. McKay had made some good suggestions to the contract and said he would go through the changes. He said he would not be discussing Section 3, compensation because it was a business decision. He said the early 6-month performance

evaluation was unnecessary because she had been serving as the acting city clerk and served as deputy for many years. He said it was his opinion to begin the performance evaluation in 2022. He said the 6-month evaluation would be deleted from the contract. Section 5, Vacation and Sick Leave, the long-time employee has leave banks, so there was no reason to provide a one-time allotment of leave. He was requesting it be removed from the contract. He said the automatic leave tracking system used by the City requires approval by a supervisor which doesn't work for an appointed official at this level. He suggested another director who would not be supervising the City Clerk approve it in the system. He said the other contracts did not include payout of leave. He said this contract was a little different because there was less risk of a premature departure, so the leave payout was revised to be similar to other Department Heads in the City.

Mayor McManus said the intent had been to bring conformity to the language in the appointed official's contracts. He said he thought the other two contracts changed compensation adjustments to 0-7% as a possible salary increase at the annual evaluation.

Mr. Ricciardi said the difference was unintentional and would correct it to match the other contracts which were 0-6%.

Mayor McManus said the salary range had been established by the previous Council and said Ms. McKay asked for the maximum of the pay range. He said his belief was to not start at the maximum of that range. He proposed \$110K.

Council member Bridges said she looked at the numbers and Transparent Nevada and compared it to the classification system and believed \$115K was appropriate.

Mayor McManus asked if everyone else agreed and Members Fox and Jorgensen said they agreed with \$115K.

In response to Mayor McManus, Mr. Ricciardi said the first annual evaluation would occur in March of 2022 and the contract would be modified accordingly. He said Section 3, Subsection 2 could be deleted and new dates would be added.

Mr. Ricciardi said Ms. McKay brought up another point in Section 10C. He said the word "after" in the last sentence should be changed to "before" and he recommended the change be made.

Ms. McKay confirmed she was agreeable to the proposed change brought before the Council tonight.

In response to Mayor McManus, Mr. Ricciardi said the proposed changes to the contract were appropriate and would be corrected.

Motion: Approve Resolution No. 7318

Moved by: Mayor McManus **Seconded by:** Council member Jorgensen

Vote:

AYE: Mayor McManus, Council member Bridges, Council member Fox, Council member Jorgensen (4)

NAY: None (0)

Absent: Council member Adams (1)

The motion was approved

City Clerk McKay thanked the Council and said she was grateful to the Mayor and City Council for this opportunity. She said she had been working for the City for a long time and would continue to show professionalism, dedication and commitment. She said she would work diligently to provide effective communication to the City Council.

Mayor McManus said he looked forward to having Ms. McKay in the City Clerk position. He thanked her for all the work she had already done as Acting City Clerk.

17. City Manager's Report

A. Claims Paid, June 2021

B. Financial Report, June 2021

A staff report had been submitted by Finance Director Diane Pelletier and included in the August 10, 2021 City Council Agenda Packet.

City Manager Tedder noted there was nothing unusual to report.

18.Public Comment

Glena Dunn said for the past 15 years, she published the Antique Guide. She said antique stores had revitalized the downtown area. She said she operated an antique shop for the past 20 years and it has been featured on TV shows and in magazines. She said she wanted to address the upcoming revisions to the City Code. She said she agreed with the changes to comply with NRS. She said she had always focused on the exemptions. She said the current City Code was misleading to antique dealers. She said in 2009, she was requested to apply for a second-hand license, and it has become very costly to her and to the City. She said she pays taxes and invests in the Chamber of Commerce.

Judy Dechaine said she had visited a small shop recently and the owner said they were so happy because they had been awarded a grant offered by the City. She said some of the businesses really needed it.

No further comments were offered, and public comment was closed.

19.City Council's Report

DRAFT

Council member Bridges welcomed the new City Manager. She said Emergency Aid of Boulder City offers financial assistance and food.

Council member Jorgensen welcomed Mr. Tedder to Boulder City. She thanked Michael Mays for his duties as Acting City Manager. She said she attended drug court graduation and believed it was very special and a great opportunity to see success.

Council member Fox thanked Mr. Mays and welcomed Mr. Tedder.

Mayor McManus said he attended drug court noting the work people do to change their lives was really great. He said he was happy to see the success. He said Chautauqua was scheduled to take place in October. He stated school was back in session and cautioned drivers to slow down in school zones. He said he attended the LVCVA meeting and learned the upcoming Magic Show attendance was down. He encouraged everyone to get accurate information about the COVID vaccine. He said Clark County was in substantial virus spread at this time. He said there was an opportunity to get this taken care of. He welcomed the new City Manager and thanked Mr. Mays for doing a tremendous job during the past 10 months.

There being no further business to come before the Council, Mayor McManus adjourned the meeting at 9:29 p.m.

Kiernan McManus, Mayor

ATTEST:

Tami McKay, City Clerk

R7319 Trail Maint. RTC Agmt.

SUBJECT:

For possible action: Resolution No. 7319, a resolution of the City Council of Boulder City, Nevada, approving Agreement No. 21-1938 (Interlocal Contract 1297) between the City of Boulder City and the Regional Transportation Commission of Southern Nevada for the Trail Maintenance Volunteer Coordination, Fiscal Year 2022-2024

ADDITIONAL INFORMATION:

ATTACHMENTS:

Description	Type
<input type="checkbox"/> Item 2 Staff Report	Cover Memo
<input type="checkbox"/> Resolution No. 7319	Cover Memo
<input type="checkbox"/> Agreement Information Form	Cover Memo
<input type="checkbox"/> Agreement No. 21-1938	Cover Memo



BOULDER CITY
CITY COUNCIL

MAYOR
KIERNAN MCMANUS

COUNCIL MEMBERS:
JAMES HOWARD ADAMS
CLAUDIA M. BRIDGES
MATT FOX
SHERRI JORGENSEN



MEETING LOCATION:
CITY COUNCIL CHAMBER
401 CALIFORNIA AVENUE
BOULDER CITY, NV 89005

MAILING ADDRESS:
401 CALIFORNIA AVENUE
BOULDER CITY, NV 89005

WEBPAGE:
WWW.BCNV.ORG



CITY MANAGER:
TAYLOUR TEDDER, CECD

CITY ATTORNEY:
BRITTANY LEE WALKER, ESQ

CITY CLERK:
TAMI MCKAY, MMC, CPO

ADMINISTRATIVE SERVICES DIRECTOR:
BRYCE BOLDT

COMMUNITY DEVELOPMENT DIRECTOR:
MICHAEL MAYS, AICP

PUBLIC WORKS DIRECTOR:
KEEGAN LITTELL, P.E.

UTILITIES DIRECTOR:
DENNIS PORTER, P.E.

POLICE CHIEF:
TIM SHEA

FIRE CHIEF:
WILLIAM GRAY, CFO

FINANCE DIRECTOR:
DIANE PELLETIER, CPA

PARKS & RECREATION DIRECTOR
ROGER HALL

City Council Meeting

August 24, 2021

Item No. 2

Staff Report

TO: Taylour Tedder, City Manager

FROM: Keegan Littrell, P.E., Public Works Director

DATE: August 24, 2021

SUBJECT: For possible action: Resolution No. 7319, a resolution of the City Council of Boulder City, Nevada, approving Agreement No. 21-1938 (Interlocal Contract 1297) between the City of Boulder City and the Regional Transportation Commission of Southern Nevada for the Trail Maintenance Volunteer Coordination, Fiscal Year 2022-2024

Business Impact Statement: This action will not have a significant economic impact on business and will not directly restrict the formation, operation, or expansion of a business.

Action Requested: That the City Council approve Resolution No. 7319, approving Agreement No. 21-1938 (Interlocal Contract 1297) between the City of Boulder City and the Regional Transportation Commission of Southern Nevada for the Trail Maintenance Volunteer Coordination, Fiscal Year 2022-2024.

Overview:

- Surrounding municipalities have been partnering with the RTC for trail maintenance volunteer coordination.
- The trail maintenance volunteer coordination for FY 2022-2024 will be the first time the City has participated.
- The RTC will provide \$200,000.00 and contract with the service provide to coordinate the work.

Background Information: Clark County and the Cities of Las Vegas, North Las Vegas, and Henderson have agreed to allow the Regional Transportation Commission of Southern Nevada (RTC) to contract with a service provider to coordinate the work of volunteers in the performance of trail cleanup and identify maintenance issues to be addressed by the agencies. The contract allocates \$200,000.00 for Fiscal Year 2022. The funding request for Fiscal Year 2022 is the first

time the City will be included in the trail cleanup volunteer efforts. The City is able to renew the contract with the RTC for trail maintenance as long as the City desires to maintain the services.

Financial: No fiscal impact as the trail maintenance contract will be managed by the RTC.

Boulder City Strategic Plan Goal: Goal B, invest in infrastructure and prioritize CIP projects while maximizing available funds. Public Works Department, in partnership with the Regional Transportation Commission of Southern Nevada, ensures compliance with this goal by participating with the Trail Maintenance Volunteer Coordination.

Department Recommendation: The Public Works Department respectfully requests that the City Council approve Resolution No. 7319, approving Agreement No. 21-1938 (Interlocal Contract 1297) between the City of Boulder City and the Regional Transportation Commission of Southern Nevada for the Trail Maintenance Volunteer Coordination, Fiscal Year 2022-2024.

Attachments:

Resolution No. 7319

Agreement Information Form

Agreement No. 21-1938

RESOLUTION NO. 7319

RESOLUTION OF THE CITY COUNCIL OF BOULDER CITY, NEVADA, APPROVING AGREEMENT NO. 21-1938 (INTERLOCAL CONTRACT 1297) BETWEEN THE CITY OF BOULDER CITY AND THE REGIONAL TRANSPORTATION COMMISSION OF SOUTHERN NEVADA FOR THE TRAIL MAINTENANCE VOLUNTEER COORDINATION, FISCAL YEAR 2022-2024

WHEREAS, Clark County and the Cities of Las Vegas, North Las Vegas, and Henderson have agreed to allow the Regional Transportation Commission of Southern Nevada (RTC) to contract with a service provider to coordinate the work of volunteers in the performance of trail cleanup and identify maintenance issues to be addressed by the agencies; and

WHEREAS, Agreement No. 21-1938 with the RTC allows the City to be a partnering agency for the Trail Maintenance Volunteer Coordination, Fiscal Year 2022-2024; and

WHEREAS, this agreement was approved by the RTC on July 8th, 2021; and

WHEREAS, funds in the amount of \$200,000.00 are budgeted in the RTC's Highway Improvement Fund for Fiscal Year 2022.

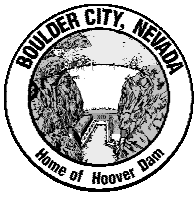
NOW, THEREFORE, BE IT RESOLVED that City Council approves Agreement No 21-1938 (Interlocal Contract 1297) between the City of Boulder City and the Regional Transportation Commission of Southern Nevada for the Trail Maintenance Volunteer Coordination, Fiscal Year 2022-2024.

DATED and APPROVED this 24th day of August, 2021.

Kiernan McManus, Mayor

ATTEST:

Tami McKay, City Clerk



Agreement Information Form

Council Date: August 24, 2021

Resolution/Ordinance #: 7319

Agreement/Amendment No.: 21-1938

Type of Agreement: Interlocal

Description: RTC agreement for trail maintenance volunteer coordination.

Effective Date:

Insurance: Please select When:

Options: Please select

Notes:

Payment Due:

Term Date: June 30, 2024

Department: Public Works

City of BC Contact: Keegan Littrell, P.E., Public Works Director

Project No.

Contact Info: Regional Transportation Commission of Southern Nevada
600 Grand Central Parkway
Las Vegas, NV 89106
702-676-1500

Notes/Comments:

**INTERLOCAL CONTRACT
TRAIL MAINTENANCE VOLUNTEER COORDINATION
FISCAL YEAR 2022-2024**

THIS INTERLOCAL CONTRACT is made and entered into this 8TH day of July 2021, by and between Clark County, a political subdivision; the City of Las Vegas, a municipal corporation; the City of North Las Vegas, a municipal corporation; the City of Henderson, a municipal corporation; the City of Boulder City, a municipal corporation; and the City of Mesquite, a municipal corporation; hereinafter referred to individually as “ENTITY” or collectively as “ENTITIES,” and the Regional Transportation Commission of Southern Nevada, hereinafter referred to as “RTC.” The RTC and the ENTITIES are hereinafter referred to individually as “PARTY” or collectively as “PARTIES.”

W I T N E S S E T H

WHEREAS, the RTC has entered into a contract with a service provider to coordinate the work of volunteers in the performance of trail maintenance, which is included on the adopted RTC Capital Improvement Plan, hereinafter referred to as “PROJECT,” located wholly within Clark County, City of Las Vegas, City of North Las Vegas, City of Henderson, City of Boulder City, and City of Mesquite; and

WHEREAS, Nevada Revised Statute (NRS) Chapter 277.180 authorizes any one or more public agencies to contract with any one or more other public agencies to perform any governmental services, activity or undertaking which any of the public agencies entering into the agreement is authorized by law to perform and refers to such as an interlocal contract; and

WHEREAS, the RTC agrees to conform to the current RTC Policies and Procedures, as amended and incorporated herein by reference; and

WHEREAS, the RTC has entered into Agreement #21-027 with Outdoors Las Vegas Foundation doing business as Get Outdoors Nevada (GON); and

WHEREAS, the RTC’s financial obligations from said agreement with GON will be covered by this Interlocal Contract; and

NOW, THEREFORE, in consideration of the covenants, conditions, agreements, and promises of the Parties hereto, the Parties agree to proceed as follows:

SECTION I: SCOPE OF PROJECT

This Interlocal Contract applies to Trail Maintenance Volunteer Coordination for Fiscal Year 2022-2024 as outlined in said agreement #21-027.

SECTION II: PROJECT COSTS

The RTC agrees to provide funding for all costs associated with the PROJECT from the Highway Improvement Fund as outlined below:

1. The total cost for this contract shall not exceed \$200,000.00.

2. Authorizations to Proceed (ATP) are granted as follows:
 - a. ENGINEERING not to exceed \$ 200,000.00
 - b. RIGHT-OF-WAY not to exceed \$ 0.00
 - c. CONSTRUCTION not to exceed \$ 0.00
3. A supplemental interlocal contract will be required for any changes to the amounts identified in number 2 above.

SECTION III: GENERAL

1. It is understood and agreed that the purpose of this Interlocal Contract is to fund the PROJECT as herein above set forth. It is further understood and agreed that the RTC is responsible for the design of the PROJECT. The RTC will be responsible for the actions or inactions of its Officers and Employees.
2. The PROJECT must be completed to the satisfaction of the RTC prior to the current applicable completion date of June 30, 2024. The RTC may, at any time thereafter, grant time extensions or terminate this Contract.
3. The RTC disavows any responsibility for the actions or inactions of the ENTITIES, their Officers, Employees, or agents.

The remainder of this page is left intentionally blank.

IN WITNESS WHEREOF, this Interlocal Contract #1297 is effective as of the date first set forth above:

Date of Commission Action:

REGIONAL TRANSPORTATION COMMISSION

July 8, 2021

BY:

DocuSigned by:
Debra March
AEE79BE2E54C481...

DEBRA MARCH, Chairwoman

Attest:

DocuSigned by:
Marin DuBois
67F25985C7F8458...

MARIN DUBOIS, Management Analyst

Approved as to Form:

DocuSigned by:
David Clyde
C20A409B6B774C0...

RTC Legal Counsel

Date of Council Action:

CLARK COUNTY BOARD OF COMMISSIONERS

BY:

MARILYN KIRKPATRICK
Chair

Attest

LYNN MARIE GOYA
County Clerk

Approved as to Form

LAURA C. REHFELDT
Deputy District Attorney

Date of Council Action:

CITY OF LAS VEGAS

BY: _____
CAROLYN G. GOODMAN
Mayor

Attest

LUANN D. HOLMES, MMC
City Clerk

Approved as to Form

Deputy City Attorney

Date of Council Action:

CITY OF NORTH LAS VEGAS

BY: _____
JOHN J. LEE
Mayor

Attest

CATHERINE A. RAYNOR, MMC
City Clerk

Approved as to Form

MICAELA RUSTIA MOORE
City Attorney

Date of Council Action:

CITY OF HENDERSON

BY:

RICHARD A. DERRICK
City Manager/CEO

Approved as to Finance:

Attest

JIM MCINTOSH
Chief Financial Officer

Jose Luis Valdez, CMC
City Clerk

Approved as to Content:

Approved as to Form

EDWARD MCGUIRE, P.E.
Director, Public Works

NICHOLAS G. VASKOV
City Attorney

Date of Council Action:

CITY OF BOULDER CITY

BY:

KIERNAN MCMANUS
Mayor

Attest

TAMI MCKAY
Acting City Clerk

Approved as to Form

BRITTANY LEE WALKER, ESQ.
City Attorney

Date of Council Action:

CITY OF MESQUITE

BY:

ALLAN S. LITMAN
Mayor

Attest

TRACY E. BECK
City Clerk

Approved as to Form

ADAM ANDERSON
City Attorney

R7320 Underground Utilities RT C Agmt.

SUBJECT:

For possible action: Resolution No. 7320, a resolution of the City Council of Boulder City, Nevada, approving Agreement No. 21-1939 (Interlocal Contract 1296) between the City of Boulder City and the Regional Transportation Commission of Southern Nevada for the Underground Existing Utilities Maryland Parkway, Russell Road to Flamingo Road

ADDITIONAL INFORMATION:

ATTACHMENTS:

Description	Type
Item 3 Staff Report	Cover Memo
Resolution No. 7320	Cover Memo
Agreement Information Form	Cover Memo
Agreement No. 21-1939	Cover Memo



**BOULDER CITY
CITY COUNCIL**

MAYOR
KIERNAN MCMANUS

COUNCIL MEMBERS:
JAMES HOWARD ADAMS
CLAUDIA M. BRIDGES
MATT FOX
SHERRI JORGENSEN



MEETING LOCATION:
CITY COUNCIL CHAMBER
401 CALIFORNIA AVENUE
BOULDER CITY, NV 89005

MAILING ADDRESS:
401 CALIFORNIA AVENUE
BOULDER CITY, NV 89005

WEBPAGE:
WWW.BCNV.ORG



CITY MANAGER:
TAYLOUR TEDDER, CECD

CITY ATTORNEY:
BRITTANY LEE WALKER, ESQ

CITY CLERK:
TAMI MCKAY, MMC, CPO

ADMINISTRATIVE SERVICES DIRECTOR:
BRYCE BOLDT

COMMUNITY DEVELOPMENT DIRECTOR:
MICHAEL MAYS, AICP

PUBLIC WORKS DIRECTOR:
KEEGAN LITTELL, P.E.

UTILITIES DIRECTOR:
DENNIS PORTER, P.E.

POLICE CHIEF:
TIM SHEA

FIRE CHIEF:
WILLIAM GRAY, CFO

FINANCE DIRECTOR:
DIANE PELLETIER, CPA

PARKS & RECREATION DIRECTOR
ROGER HALL

City Council Meeting

August 24, 2021

Item No. 3

Staff Report

TO: Taylour Tedder, City Manager

FROM: Keegan Littrell, P.E., Public Works Director

DATE: August 24, 2021

SUBJECT: For possible action: Resolution No. 7320, a resolution of the City Council of Boulder City, Nevada, approving Agreement No. 21-1939 (Interlocal Contract 1296) between the City of Boulder City and the Regional Transportation Commission of Southern Nevada for the Underground Existing Utilities Maryland Parkway, Russell Road to Flamingo Road

Business Impact Statement: This action will not have a significant economic impact on business and will not directly restrict the formation, operation, or expansion of a business.

Action Requested: That the City Council approve Resolution No. 7320, approving Agreement No. 21-1939 (Interlocal Contract 1296) between the City of Boulder City and the Regional Transportation Commission of Southern Nevada for the Underground Existing Utilities Maryland Parkway, Russell Road to Flamingo Road.

Overview:

- An interlocal contract is required in coordination with Clark County, City of Las Vegas, City of North Las Vegas, City of Henderson, and City of Boulder City for funding from the Highway Improvements Acquisition Fund to be used for the Underground Existing Utilities Maryland Parkway, Russell Road to Flamingo Road.

Background Information: The Regional Transportation Commission of Southern Nevada (RTC) intends to design the infrastructure to remove the existing above ground power lines along Maryland Parkway and place them underground. Funding for this project will come from the RTC's Highway Improvement Acquisition Fund in the amount of \$500,000.00. This project is not located in Boulder City, however an

interlocal contract is required in coordination with Clark County, City of Las Vegas, City of North Las Vegas, City of Henderson, and City of Boulder City for funding from the Highway Improvements Acquisition Fund to be used for the Underground Existing Utilities Maryland Parkway, Russell Road to Flamingo Road.

Financial: No fiscal impact.

Department Recommendation: The Public Works Department respectfully requests that the City Council approve Resolution No. 7320, approving Agreement No. 21-1939 (Interlocal Contract 1296) between the City of Boulder City and the Regional Transportation Commission of Southern Nevada for the Underground Existing Utilities Maryland Parkway, Russell Road to Flamingo Road.

Attachments:

Resolution No. 7320

Agreement Information Form

Agreement No. 21-1939

RESOLUTION NO. 7320

RESOLUTION OF THE CITY COUNCIL OF BOULDER CITY, NEVADA, APPROVING AGREEMENT NO. 21-1939 (INTERLOCAL CONTRACT 1296) BETWEEN THE CITY OF BOULDER CITY AND THE REGIONAL TRANSPORTATION COMMISSION OF SOUTHERN NEVADA FOR THE UNDERGROUND EXISTING UTILITIES MARYLAND PARKWAY, RUSSELL ROAD TO FLAMINGO ROAD

WHEREAS, the Regional Transportation Commission of Sothern Nevada (RTC) intends to design the infrastructure to remove the existing above ground power lines along Maryland Parkway and place them underground; and

WHEREAS, funding for this project will come from the RTC's Highway Improvement Acquisition Fund in the amount of \$500,000.00; and

WHEREAS, an interlocal contract is required in coordination with Clark County, City of Las Vegas, City of North Las Vegas, City of Henderson, and City of Boulder City for funding from the Highway Improvements Acquisition Fund to be used for the project; and

WHEREAS, this agreement was approved by the RTC on July 8th, 2021.

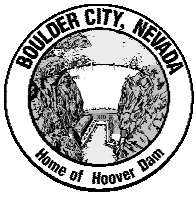
NOW, THEREFORE, BE IT RESOLVED that City Council approves Agreement No 21-1939 (Interlocal Contract 1296) between the City of Boulder City and the Regional Transportation Commission of Southern Nevada for the Underground Existing Utilities Maryland Parkway, Russell Road to Flamingo Road.

DATED and APPROVED this 24th day of August, 2021.

Kiernan McManus, Mayor

ATTEST:

Tami McKay, City Clerk



Agreement Information Form

Council Date: August 24, 2021

Resolution/Ordinance #: 7320

Agreement/Amendment No.: 21-1939

Type of Agreement: Interlocal

Description: RTC agreement to underground the existing utilities at Maryland Parkway, Russell Road to Flamingo Road.

Effective Date:

Insurance: Please select When:

Options: Please select

Notes:

Payment Due:

Term Date: December 31, 2026

Department: Public Works

City of BC Contact: Keegan Littrell, P.E., Public Works Director

Project No.

Contact Info: Regional Transportation Commission of Southern Nevada
600 Grand Central Parkway
Las Vegas, NV 89106
702-676-1500

Notes/Comments:

**INTERLOCAL CONTRACT
UNDERGROUND EXISTING UTILITIES
MARYLAND PARKWAY, RUSSELL ROAD TO FLAMINGO ROAD**

THIS INTERLOCAL CONTRACT is made and entered into this 8TH day of July 2021, by and between Clark County, a political subdivision; the City of Las Vegas, a municipal corporation; the City of North Las Vegas, a municipal corporation; the City of Henderson, a municipal corporation; the City of Boulder City, a municipal corporation; and the City of Mesquite, a municipal corporation; hereinafter referred to individually as “ENTITY” or collectively as “ENTITIES,” and the Regional Transportation Commission of Southern Nevada, hereinafter referred to as “RTC.” The RTC and the ENTITIES are hereinafter referred to individually as “PARTY” or collectively as “PARTIES.”

W I T N E S S E T H

WHEREAS, the RTC, in coordination with the ENTITIES, intends to design the infrastructure to remove the existing above ground power lines and place them underground and remove the existing above ground power poles, which is included on the adopted RTC Capital Improvement Plan, hereinafter referred to as “PROJECT,” located wholly within Clark County; and

WHEREAS, Nevada Revised Statute (NRS) Chapter 277.180 authorizes any one or more public agencies to contract with any one or more other public agencies to perform any governmental services, activity or undertaking which any of the public agencies entering into the agreement is authorized by law to perform and refers to such as an interlocal contract; and

WHEREAS, the ENTITIES agree to conform to the current RTC Policies and Procedures, as amended and incorporated herein by reference; and

WHEREAS, the RTC will be the lead agency for the PROJECT; and

NOW, THEREFORE, in consideration of the covenants, conditions, agreements, and promises of the Parties hereto, the Parties agree to proceed as follows:

SECTION I: SCOPE OF PROJECT

This Interlocal Contract applies to the design of infrastructure to remove the existing above ground power lines and place them underground and remove the existing above ground power poles. The Project is further described in Exhibit “A” which is attached hereto and by this reference incorporated herein.

SECTION II: PROJECT COSTS

The RTC agrees to provide funding for all costs associated with the PROJECT from the Highway Improvement Acquisition Fund as outlined below:

1. The total cost for this contract shall not exceed \$500,000.00.

2. Authorizations to Proceed (ATP) are granted as follows:
 - a. ENGINEERING not to exceed \$ 500,000.00
 - b. RIGHT-OF-WAY not to exceed \$ 0.00
 - c. CONSTRUCTION not to exceed \$ 0.00
3. At the time the ATP for construction is granted, the RTC will make all attempts to publish the bid for this PROJECT within 90 calendar days.
4. A supplemental interlocal contract will be required for any changes to the amounts identified in number 2 above.

SECTION III: GENERAL

1. It is understood and agreed that the purpose of this Interlocal Contract is to fund the PROJECT as herein above set forth. It is further understood and agreed that the RTC is responsible for the design of the PROJECT. The RTC will be responsible for the actions or inactions of its Officers and Employees.
2. The PROJECT must be completed to the satisfaction of the RTC prior to the current applicable completion date of December 31, 2026. The RTC may, at any time thereafter, grant time extensions or terminate this Contract.
3. The RTC disavows any responsibility for the actions or inactions of the ENTITIES, their Officers, Employees, or agents.

The remainder of this page is left intentionally blank.

IN WITNESS WHEREOF, this Interlocal Contract #1296 is effective as of the date first set forth above:

Date of Commission Action:

REGIONAL TRANSPORTATION COMMISSION

July 08, 2021

BY:

DocuSigned by:
Debra March
AEE79BE2E54C481...

DEBRA MARCH, Chairwoman

Attest:

DocuSigned by:
Marin DuBois
67F25985C7F8458...

MARIN DUBOIS, Management Analyst

Approved as to Form:

DocuSigned by:
David Clyde
C20A409B6B774C0...

RTC Legal Counsel

Date of Council Action:

CLARK COUNTY BOARD OF COMMISSIONERS

BY:

MARILYN KIRKPATRICK
Chair

Attest

LYNN MARIE GOYA
County Clerk

Approved as to Form

LAURA C. REHFELDT
Deputy District Attorney

Date of Council Action:

CITY OF LAS VEGAS

BY: _____
CAROLYN G. GOODMAN
Mayor

Attest

LUANN D. HOLMES, MMC
City Clerk

Approved as to Form

Deputy City Attorney

Date of Council Action:

CITY OF NORTH LAS VEGAS

BY: _____
JOHN J. LEE
Mayor

Attest

CATHERINE A. RAYNOR, MMC
City Clerk

Approved as to Form

MICAELA RUSTIA MOORE
City Attorney

Date of Council Action: CITY OF HENDERSON

BY: _____
RICHARD A. DERRICK
City Manager/CEO

Approved as to Finance: Attest

JIM MCINTOSH
Chief Financial Officer

Jose Luis Valdez, CMC
City Clerk

Approved as to Content: Approved as to Form

EDWARD MCGUIRE, P.E.
Director, Public Works

NICHOLAS G. VASKOV
City Attorney

Date of Council Action: CITY OF BOULDER CITY

BY: _____
KIERNAN MCMANUS
Mayor

Attest

TAMI MCKAY
Acting City Clerk

Approved as to Form

BRITTANY LEE WALKER, ESQ.
City Attorney

Date of Council Action:

CITY OF MESQUITE

BY:

ALLAN S. LITMAN
Mayor

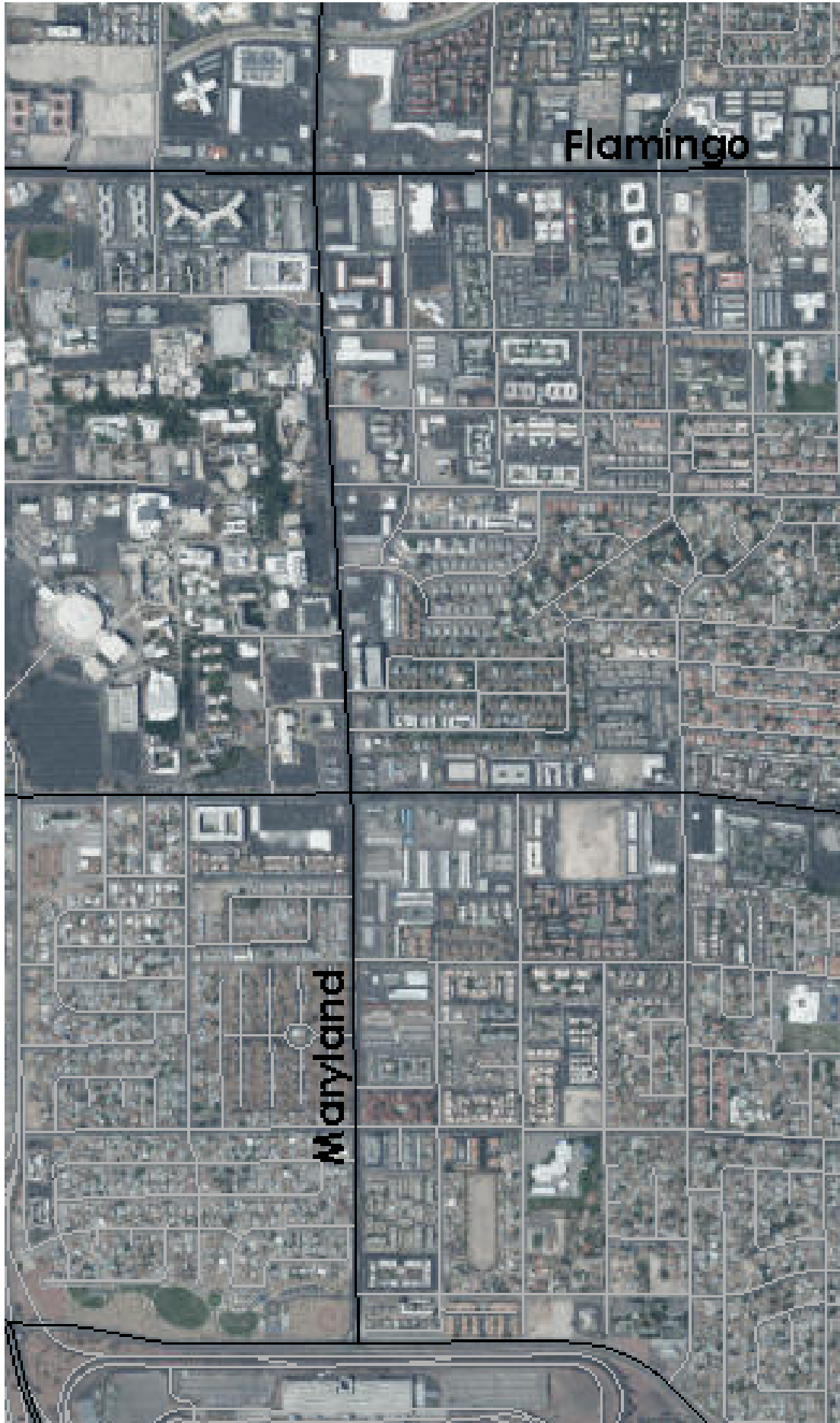
Attest

TRACY E. BECK
City Clerk

Approved as to Form

ADAM ANDERSON
City Attorney

EXHIBIT "A"



R7321 Legal Services Interlocal Agreement

SUBJECT:

For possible action: Resolution No. 7321, a resolution of the City Council of Boulder City, Nevada approving Interlocal Agreement No. 21-1940 with the City of Henderson to provide temporary legal services pursuant to Section 15(4) of the Boulder City Charter

ADDITIONAL INFORMATION:

ATTACHMENTS:

Description	Type
▣ Staff Report	Cover Memo
▣ Resolution 7321	Resolution Letter
▣ Resolution 7321, Exhibit A	Exhibit



**BOULDER CITY
CITY COUNCIL**

MAYOR
KIERNAN McMANUS

COUNCIL MEMBERS:
JAMES HOWARD ADAMS
CLAUDIA M. BRIDGES
MATT FOX
SHERRI JORGENSEN



MEETING LOCATION:
CITY COUNCIL CHAMBER
401 CALIFORNIA AVENUE
BOULDER CITY, NV 89005

MAILING ADDRESS:
401 CALIFORNIA AVENUE
BOULDER CITY, NV 89005

WEBPAGE:
WWW.BCNV.ORG



CITY MANAGER:
TAYLOUR TEDDER, CECD

CITY ATTORNEY:
BRITTANY LEE WALKER, ESQ

CITY CLERK:
TAMI MCKAY, MMC, CPO

ADMINISTRATIVE SERVICES DIRECTOR:
BRYCE BOLDT

COMMUNITY DEVELOPMENT DIRECTOR:
MICHAEL MAYS, AICP

PUBLIC WORKS DIRECTOR:
KEEGAN LITTELL, P.E.

UTILITIES DIRECTOR:
VACANT

POLICE CHIEF:
TIM SHEA

FIRE CHIEF:
WILLIAM GRAY, CFO

FINANCE DIRECTOR:
DIANE PELLETIER, CPA

PARKS & RECREATION DIRECTOR
ROGER HALL

City Council Meeting August 24, 2021 Item No. 4 Staff Report

TO: Mayor and City Council

FROM: Brittany Walker, City Attorney

DATE: August 17, 2021

SUBJECT: For possible action: Resolution No. 7321, a resolution of the City Council of Boulder City approving Interlocal Agreement No. 21-1940 with the City of Henderson to provide temporary legal services pursuant to Section 15(4) of the Boulder City Charter

Business Impact Statement:

This action will not have a significant economic impact on business and will not directly restrict the formation, operation, or expansion of a business.

Action Requested:

That the City Council approve Resolution No. 7321 approving Interlocal Agreement No. 21-1936 with the City of Henderson to provide temporary legal services pursuant to Section 15(4) of the Boulder City Charter.

Overview:

- Section 15(4) provides “[w]hen from any cause the City Attorney is unable to perform the duties of his or her office, he or she may, with the consent of the Council, appoint some other qualified attorney to act temporarily in his or her place, and whenever, in the judgment of the Council, the interests of the City require it, the Council may employ assistant or special counsel.”
- There will be a need beginning in September for temporary outside counsel to assist the City Attorney’s office for a period of 3-4 months.

Background:

The City Attorney approached the City of Henderson to serve as temporary counsel via an interlocal agreement.

On August 10, 2021, the City Council unanimously (Council member Adams was absent) approved moving forward with the interlocal

agreement with the City of Henderson.

Under the Interlocal Agreement, the City of Henderson would provide Henderson Assistant City Attorneys to provide the following services:

- in-person legal guidance at Boulder City City Council Meetings and Redevelopment Agency Meetings;
- review all contracts, ordinances, and resolutions proposed to be approved by the City during the Term of this Agreement; and
- provide legal guidance to all Boulder City public officers and departments on an as-needed basis.

The agreement would be effective upon approval by both City Councils until December 31, 2021 with a one-time 90 day extension, if necessary. The City would be billed hourly similar to our agreements with outside counsel at the rate of \$88.00 per hour not-to-exceed \$50,000 and could be absorbed in the current City Attorney Fiscal Year 2022 budget.

Boulder City Strategic Plan Goal: Goal A. Achieve Prudent Financial Stewardship; and Goal E. Sustain a High Level of Public Safety Services

Department Recommendation: That the City Council approve the interlocal agreement with the City of Henderson to provide temporary legal services.

Attachments:

- Resolution No. 7321
- Exhibit A - Interlocal agreement with the City of Henderson.

RESOLUTION NO. 7321

RESOLUTION OF THE CITY COUNCIL OF BOULDER CITY, NEVADA, APPROVING INTERLOCAL AGREEMENT NO. 21-1940 WITH THE CITY OF HENDERSON, NEVADA TO PROVIDE TEMPORARY LEGAL SERVICES PURSUANT TO SECTION 15(4) OF THE BOULDER CITY CHARTER

WHEREAS, Section 15(4) of the Boulder City Charter provides “[w]hen from any cause the City Attorney is unable to perform the duties of his or her office, he or she may, with the consent of the Council, appoint some other qualified attorney to act temporarily in his or her place, and whenever, in the judgment of the Council, the interests of the City require it, the Council may employ assistant or special counsel”; and

WHEREAS, there will be a need beginning in September for temporary outside counsel to assist the City Attorney’s office for a period of three to four months; and

WHEREAS, NRS 277.180 authorizes the sharing of resources between public agencies through interlocal agreements; and

WHEREAS the City Attorney reached out to the City of Henderson City Attorney to explore the use of an interlocal agreement to provide temporary legal services; and

WHEREAS, On August 10, 2021, the City Council unanimously (Council member Adams was absent) approved moving forward with an interlocal agreement with the City of Henderson to provide temporary counsel to assist the City Attorney’s office for a period of three to four months pursuant to Section 15(4) of the Boulder City Charter; and

WHEREAS, the City Council has determined that it is desirable to approve Interlocal Agreement No. 21-1940 to carry out this purpose.

NOW, THEREFORE, BE IT RESOLVED, the City Council hereby approves Resolution No. 7317, approving Interlocal Agreement No. 21-1940 attached hereto as **Exhibit A**.

DATED and APPROVED this 24th day of August, 2021.

Kiernan McManus, Mayor

ATTEST:

Tami J. McKay, City Clerk

INTERLOCAL AGREEMENT

Between

the City of Henderson

and

the City of Boulder City

This Interlocal Agreement (the “Agreement”) is entered into by and between the City of Henderson (“HENDERSON”), a political subdivision of the State of Nevada, and the City of Boulder City (“BOULDER CITY”), a political subdivision of the State of Nevada, collectively (“Parties”), pursuant to NRS 277.180, which authorizes the sharing of resources between public agencies.

WHEREAS, the Boulder City City Attorney (“BC CITY ATTORNEY”) is a licensed attorney and admitted to practice in the State of Nevada.

WHEREAS, the BC CITY ATTORNEY is an appointed officer of BOULDER CITY and serves as the legal advisor for the Boulder City City Council (“BC CITY COUNCIL”) and all Boulder City officers whose duties include: 1) drafting or reviewing all contracts and other legal documents or instruments required or requested by the BC CITY COUNCIL or the City Manager of Boulder City; 2) attend all meetings of the BC CITY COUNCIL; and 3) perform such other legal services as the BC CITY COUNCIL or the City Manager of Boulder City;

WHEREAS, the BC CITY ATTORNEY may, with the consent of the BC CITY COUNCIL, appoint some other qualified attorney to act temporarily in her place;

WHEREAS, through approval of this Agreement, BC CITY COUNCIL has authorized the BC CITY ATTORNEY to engage the Henderson City Attorney’s Office (“CONTRACT ATTORNEY”) to assist in providing legal services to BOULDER CITY;

WHEREAS, CONTRACT ATTORNEY is staffed with qualified attorneys admitted to practice law in the State of Nevada and is experienced in providing legal representation in the areas of law deemed necessary by the BC CITY ATTORNEY;

WHEREAS, the BC CITY ATTORNEY has obtained the consent of the BC CITY COUNCIL to engage the assistance of CONTRACT ATTORNEY;

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NOW, THEREFORE, the parties agree as follows:

SECTION 1. SCOPE OF SERVICE

- A. BOULDER CITY hereby engages CONTRACT ATTORNEY to provide legal counsel to BOULDER CITY, its duly authorized officers, employees, and volunteers, as the CONTRACT ATTORNEY's expertise and experience may allow with the exception of real estate, litigation, and employment matters where BOULDER CITY has already retained the services of other outside counsel.
- B. HENDERSON will provide Henderson Assistant City Attorneys to provide in-person legal guidance at Boulder City City Council Meetings and Redevelopment Agency Meetings for open meeting law compliance, and general legal advice on matters before the BC CITY COUNCIL; review all contracts, ordinances, and resolutions proposed to be approved by the City during the Term of this Agreement; attend the meetings of any City boards of which BC CITY ATTORNEY serves as a member; provide legal guidance to all Boulder City public officers and departments on an as-needed basis; and any other duties outlined in the Charter for BOULDER CITY ("Services").
- C. CONTRACT ATTORNEY will provide these Services in accordance with Nevada state laws and Nevada Rules of Professional Conduct.
- D. CONTRACT ATTORNEY will work in conjunction with the BC CITY ATTORNEY in the performance of Services hereunder.
- E. CONTRACT ATTORNEY will observe and abide by the terms and conditions of all applicable law, regulations, rules of professional conduct, ordinances and rules of the United States, of the State of Nevada, or any political subdivision thereof, or of any duly constituted public authority or agency.
- F. All materials developed, prepared or acquired during the performance of Services under this Agreement, including without limitation, all finished or unfinished documents, research, pleadings, memoranda, briefs, data, studies, surveys, drawings, manuals, maps, models, photographs, and reports shall be available to BOULDER CITY upon request. No documents prepared for BOULDER CITY shall be released by CONTRACT ATTORNEY to any third party without the BOULDER CITY's written permission.

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SECTION 2. TERM

This Agreement shall be effective from the date of this Agreement through December 31, 2021, unless extended as set forth below ("Term"). This Agreement may be extended for an additional three (3) months, unless this Agreement is earlier terminated under the provisions hereof. Any renewals of this Agreement will be executed by the City Manager for BC CITY ATTORNEY and the City Attorney for HENDERSON.

SECTION 3. ATTORNEY FEES

CONTRACT COUNSEL will provide the BOULDER CITY with Services under this Agreement at the following rates in an amount not to exceed Fifty Thousand Dollars (\$50,000). Hours of service shall be billed based on increments of one/tenth of an hour and shall represent actual time spent, rather than a standard charge for the activity performed.

Assistant City Attorney: \$ 88.00 per hour

SECTION 4. BILLING

The CONTRACT COUNSEL will provide monthly itemized billings to the City Attorney's Office of Boulder City for all Services provided during the preceding month. BOULDER CITY agrees to make payment for CONTRACT COUNSEL's Services and costs within sixty (60) days after receipt of such billings.

SECTION 5. TERMINATION

This Agreement may be terminated by either party upon thirty (30) days written notice.

In the event of termination, CONTRACT COUNSEL shall be paid compensation for services performed and properly billed pursuant to the terms of this Agreement to the effective termination date.

SECTION 6. EVENTS UPON TERMINATION OR EXPIRATION

Upon the expiration or termination of this Agreement, BOULDER CITY, at its discretion, may require CONTRACT COUNSEL to return all files to BOULDER CITY or its designated representative.

SECTION 7. OWNERSHIP OF DOCUMENTS

All files, pleadings, discovery, reports, documents and other records prepared or kept by CONTRACT COUNSEL in the performance of its obligations under this Agreement shall be the property of BOULDER CITY and all such materials shall be remitted to BOULDER CITY by CONTRACT COUNSEL upon expiration or termination of this Agreement. All

such materials shall be retained by CONTRACT COUNSEL in accordance with the City of Henderson Record Retention Schedule.

SECTION 8. CONFIDENTIALITY

All personnel records, personal data and protected health information (PHI) received, stored or viewed by CONTRACT COUNSEL shall be kept in the strictest confidence by CONTRACT COUNSEL and its employees and contractors. All such information shall be used and disclosed only for the proper management of the Services assigned and may not be used or further disclosed, other than as necessary, in the furtherance of the Services.

SECTION 9. ASSIGNMENT AND SUBCONTRACTING

CONTRACT COUNSEL shall not assign, transfer or delegate any rights, obligations or duties under this Agreement, nor shall CONTRACT COUNSEL subcontract the provision of Services under this Agreement, without prior written consent of the BOULDER CITY.

SECTION 10. ATTORNEY'S EMPLOYEES

CONTRACT COUNSEL shall be responsible for maintaining satisfactory standards of employee competency, conduct and integrity, and shall be responsible for taking such disciplinary action with respect to HENDERSON employees providing Services pursuant to this Agreement as may be necessary.

SECTION 11. AMENDMENT AND MODIFICATION

No provision of this Agreement will be deemed waived, amended or modified by either party unless such waiver, amendment or modification is in writing and signed by the BC CITY ATTORNEY and the authorized agents of CONTRACT COUNSEL.

SECTION 12. APPLICABLE LAW

This Agreement shall be governed by and interpreted according to the laws of the State of Nevada.

SECTION 13. COMPLIANCE WITH LAWS

CONTRACT COUNSEL shall, in the performance of its obligations hereunder, comply with all applicable laws, rules and regulations of all governmental authorities having jurisdiction over the performance of this Agreement, including the Federal Occupational Health and Safety Act and all state and federal laws prohibiting and/or related to the discrimination by reason of race, sex, age, sexual orientation, religion or national origin.

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SECTION 14. INDEMNITY

BOULDER CITY shall indemnify, defend, and hold harmless HENDERSON, its officers, officials, employees and agents from and against any liability, loss, damage, expense and cost (including without limitation attorney fees, costs, and any other fees of litigation) of every nature to the extent arising out of or in connection with work negligently performed hereunder or its failure to comply with any of its obligations contained in the Agreement.

SECTION 15. ETHICS OF ATTORNEY

CONTRACT COUNSEL shall abide by and perform his duties in accordance with the ethics of the legal profession and all federal, state and municipal laws, regulations and ordinances regulating the practice of law.

CONTRACT COUNSEL shall, without additional compensation, immediately correct or revise any deficiencies, errors, or omissions caused by CONTRACT COUNSEL in its analysis, reports, and services. It is also understood and agreed by both parties that if any error is found, CONTRACT COUNSEL will expeditiously make the necessary correction, at no expense to the BOULDER CITY, except when such error is the sole cause of BOULDER CITY.

SECTION 16. CONFLICTS

During the term of this Agreement, CONTRACT COUNSEL will notify BC CITY ATTORNEY on any matter where a potential conflict of interest exists pursuant to the Nevada Rules of Professional Conduct 1.7 and 1.8. Upon a determination a conflict of interest exists, CONTRACT COUNSEL shall immediately cease working on the matter unless BOULDER CITY and HENDERSON provides written consent waiving such conflict.

SECTION 17. EXCLUSIVE BENEFIT OF THE PARTIES/NO THIRD PARTY RIGHTS

Except as specifically provided in this section, this Agreement is not intended to create any rights, benefits, powers or interests in any third party and this Agreement is entered into for the exclusive benefit of the BOULDER CITY and CONTRACT COUNSEL.

SECTION 18. SEVERABILITY

If any portion of this Agreement is found to be invalid, the remainder of the Agreement remains in effect.

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SECTION 19. ARBITRATION

All claims, disputes, and other matters in question between the parties to this Agreement, arising out of or relating to this Agreement or the breach thereof will be decided by arbitration. Arbitration will be used in accordance with the rules of the American Arbitration Association unless the parties mutually agree otherwise. No arbitration, arising out of or relating to this Agreement, shall include, by consolidation, joinder or in any other manner, any additional person not a party to this Agreement except by written consent containing a specific reference to this Agreement and signed by the BOULDER CITY and CONTRACT COUNSEL, and any other person sought to be joined. Any consent to arbitration involving any additional person or persons shall not constitute consent to arbitration of any dispute not described therein or with any person not named or described therein. This Agreement to arbitrate and any agreement to arbitrate with any additional person or persons duly consented to by the parties of this Agreement shall be specifically enforceable under the prevailing arbitration law.

SECTION 20. NOTICES

Any notice required or permitted to be given under this Agreement shall be deemed to have been given when received by the party to whom it is directed by personal service, hand delivery or United States Mail at the following addresses:

TO BOULDER CITY:	Boulder City City Manager Attn: Taylour Tedder 401 California Avenue Boulder City, NV 89005 Phone: 702/293-9201 Email: TTedder@bcnv.org
TO HENDERSON:	Henderson City Attorney's Office Attn: Nicholas Vaskov, City Attorney P. O. Box 95050, MSC #144 Henderson, NV 89009-5050 Phone: 702/267-1200 Email: Nicholas.vaskov@cityofhenderson.com

Either party may, at any time and from time to time, change its representative or address by written notice to the other.

SECTION 21. ENTIRE AGREEMENT

This Agreement constitutes the entire agreement between the parties and may only be modified, supplemented or amended by a written agreement signed by both parties.

SECTION 22. FISCAL FUNDING

Funding of this Agreement is dependent on budget appropriations set each fiscal year. If necessary funds to continue with the Services are not allocated by the either party, this Agreement shall automatically terminate at the expiration of the appropriated funds.

SECTION 23. TIME OF ESSENCE

Time is of the essence as to each and every provision of this Agreement.

SECTION 24. AUTHORITY

Both Parties represents and warrants that the person signing this Agreement has all requisite authority to bind the Parties to the terms and obligations of this Agreement.

SECTION 25. COUNTERPARTS

This Agreement may be executed in one or more counterparts, each of which shall be regarded as an original and all of which shall constitute the same agreement. This Agreement may be executed by an electronic signature of either party, with the electronic signature having the same force and effect as if this Agreement had been executed by the actual signature of either party. Delivery of this Agreement may be accomplished by electronic mail transmission. In such event, the parties hereto shall promptly thereafter deliver to each other executed counterpart originals of this Agreement. The captions contained in this Agreement are for the convenience of the parties and shall not be construed so as to alter the meaning of the provisions of the Agreement.

IN WITNESS WHEREOF, the City of Henderson, Nevada has made and executed this Agreement and caused the seal of said City to be affixed hereto, and the CONTRACT COUNSEL has hereinto set its hand this day and year written.

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CITY OF HENDERSON
CLARK COUNTY, NEVADA

DATE OF COUNCIL ACTION: _____

ATTEST:

RICHARD A. DERRICK
City Manager/CEO

JOSE LUIS VALDEZ, CMC
City Clerk

APPROVED AS TO CONTENT
AND FORM

APPROVED AS TO FUNDING

NICHOLAS G. VASKOV
City Attorney

JIM MCINTOSH
Chief Financial Officer

CITY OF BOULDER CITY
CLARK COUNTY, NEVADA

DATE OF COUNCIL ACTION: _____

ATTEST:

KIERNAN MCMANUS,
Mayor

TAMI MCKAY,
City Clerk, MMC, CPO

APPROVED AS TO FORM

BRITTANY WALKER,
City Attorney

Recognition of Damboree Committee

SUBJECT:

Recognition and Certificate of Appreciation to the Damboree Committee members (As requested by Council member Bridges)

ADDITIONAL INFORMATION:

ATTACHMENTS:

Description		Type
	Item 5 Staff Report	Cover Memo
	Certificate	Cover Memo



BOULDER CITY
CITY COUNCIL

MAYOR
KIERNAN McMANUS

COUNCIL MEMBERS:
JAMES HOWARD ADAMS
CLAUDIA BRIDGES
MATT FOX
SHERRI JORGENSEN



MEETING LOCATION:
CITY COUNCIL CHAMBER
401 CALIFORNIA AVENUE
BOULDER CITY, NV 89005

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CITY MANAGER:
TAYLOUR TEDDER, CECD

CITY ATTORNEY:
BRITTANY WALKER, ESQ.

CITY CLERK:
TAMI MCKAY, MMC, CPO

COMMUNITY DEVELOPMENT DIRECTOR:
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PUBLIC WORKS DIRECTOR:
KEEGAN LITTELL, P.E.

UTILITIES DIRECTOR:
DENNIS PORTER, P.E.

POLICE CHIEF:
TIM SHEA

FIRE CHIEF:
WILL GRAY, CFO

FINANCE DIRECTOR:
DIANE PELLETIER, CPA

PARKS & RECREATION DIRECTOR
ROGER HALL

City Council Meeting August 24, 2021 Item No. 5

Staff Report

TO: Mayor McManus and City Council members

FROM: Tami McKay, City Clerk

DATE: August 16, 2021

SUBJECT: Recognition and Certificate of Appreciation to the Damboree Committee members (As requested by Council member Bridges)

Business Impact Statement: This action will not have a significant economic impact on business and will not directly restrict the formation, operation, or expansion of a business.

Action Requested: That the City Council recognize and present certificates to the Damboree Committee members.

Overview:

- The 4th of July Damboree Celebration is a Special Event organized by Damboree, Inc., a 501 C-3 non-profit organization
- The Damboree Committee is a group of volunteers who plan, coordinate and implement the 4th of July Damboree Celebration
- Damboree, Inc. has partnered with the City of Boulder City for the past 25 years

Background Information:

The 4th of July Damboree Celebration is a Special Event organized by Damboree, Inc., a 501 C-3 non-profit organization with the State of Nevada.

The Damboree Committee is comprised of a group of dedicated volunteers who plan, coordinate, and implement the Boulder City 4th of July Damboree Celebration. The Committee is responsible for coordinating the parade including marketing, parade lineup, securing PA systems for announcing stations, selecting the parade marshals and purchasing parade awards. After the parade, festivities begin at Broadbent Park and move their location to Veterans Memorial Park. Local leaders are arranged to speak at the welcoming ceremony and food and drink vendors, as well as a DJ are secured for the event.

Damboree Inc, has partnered with the City of Boulder City for the past 25 years to help facilitate the event. The Parks and Recreation Department help organize fun and games for children and adults, as well as organize secure spots at the park for tents and popups.

The Public Works Streets Department is responsible for blocking off the street for the parade and for the deployment of street signs and barricades at both parks.

The Public Works Electrical Division provides power boxes at Bicentennial Park, Broadbent Park and Veterans Memorial Park. They also secure the large generator needed to power the large numbers of vendors and stage area at Veterans Memorial Park.

The Boulder City Police Department provides security and traffic control for the parade and both park venues.

The Fire Department provides emergency medical services, supervises the setup and fireworks show, inspects food vendors including large tent structures and generators in the park.

There is a collaborative effort between the City of Boulder City and the volunteers of the Damboree Committee to make the patriotic 4th of July event a huge success.

Recommendation: The City Clerk respectfully requests the City Council recognize and present certificates to the Damboree Committee members.

Attachment:
Certificates

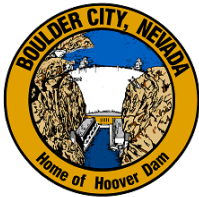
Certificate of Appreciation

Thank you for your dedication and support to the Damboree Committee
and for continually making the 4th of July a great success.

Presented to

Damboree Committee

With much gratitude,
Mayor and City Council of Boulder City



Mayor Kiernan J. McManus

R7322 Private Activity Bond Volume Cap

SUBJECT:

For possible action: Matters pertaining to the 2021 Private Activity Bond Volume Cap

A. Presentation by Nevada Rural Housing Authority's (NRHA) Director of Homeownership Programs, Diane Arvizo

B. Resolution No. 7322, a resolution of the City Council of Boulder City, Nevada providing for the transfer of the City's 2021 Private Activity Bond Volume Cap to the Nevada Rural Housing Authority

ADDITIONAL INFORMATION:

ATTACHMENTS:

Description	Type
<input type="checkbox"/> Item 6 Staff Report	Cover Memo
<input type="checkbox"/> Reso & Cert of Transfer	Cover Memo
<input type="checkbox"/> 2021 Volume Cap Dist	Cover Memo
<input type="checkbox"/> Home at Last Brochure	Cover Memo



BOULDER CITY
CITY COUNCIL

MAYOR
KIERNAN McMANUS

COUNCIL MEMBERS:
JAMES HOWARD ADAMS
CLAUDIA BRIDGES
MATT FOX
SHERRI JORGENSEN



MEETING LOCATION:
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CITY MANAGER:
TAYLOUR TEDDER, CECD

CITY ATTORNEY:
BRITTANY WALKER, ESQ.

CITY CLERK:
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DENNIS PORTER, P.E.

POLICE CHIEF:
TIM SHEA

FIRE CHIEF:
WILL GRAY, CFO

FINANCE DIRECTOR:
DIANE PELLETIER, CPA

PARKS & RECREATION DIRECTOR
ROGER HALL

City Council Meeting August 24, 2021 Item No. 6 A&B

Staff Report

TO: Mayor McManus and City Council members

FROM: Tami McKay, City Clerk

DATE: August 16, 2021

SUBJECT: Matters pertaining to the 2021 Private Activity Bond Volume Cap

A. Presentation by Nevada Rural Housing Authority's (NRHA) Director of Homeownership Programs, Diane Arvizo

B. Resolution No. 7322, a resolution of the City Council of Boulder City, Nevada providing for the transfer of the City's 2021 Private Activity Bond Volume Cap to the Nevada Rural Housing Authority

Business Impact Statement: This action will not have a significant economic impact on business and will not directly restrict the formation, operation, or expansion of a business.

Action Requested: That the City Council consider approval of Resolution No. 7322 providing for the transfer of the City's 2021 tax-exempt Private Activity Bond Cap to the Nevada Rural Housing Authority

Overview:

- NHRA Director of Homeownership Programs, Diane Arvizo, will be in attendance via ZOOM to offer a brief presentation
- The proposed resolution authorizes the City Council to transfer the City's allocation of \$885,031.77 in tax-exempt private activity bond volume cap for year 2021 to the Nevada Rural Housing Authority

Background Information:

Under the provisions of Chapter 348A of the Nevada Revised Statutes (NRS) and 348A of the Nevada Administrative Code (NAC), Boulder City is allocated tax-exempt private activity bond volume cap based on the population of the city. For the calendar year 2021, the City's allocation is \$885,031.77.

Under the provision of the NAC, if the City does not allocate its volume cap to a specific project before September 1, that volume cap reverts to the State of Nevada (Department of Business and Industry) for the State to use on private activity bond projects on which the State is working. The proposed resolution allows the City Council to transfer the City's allocation of \$885,031.77 in tax-exempt private activity bond volume cap to the Nevada Rural Housing Authority to provide low interest mortgages and down payment/closing assistance in rural portions of Clark County including Boulder City.

Recommendation: That the City Council consider approval of Resolution No. 7322 providing for the transfer of the City's 2021 tax-exempt Private Activity Bond Cap to the Nevada Rural Housing Authority

Attachment:

Resolution No. 7322 and Certificate of Transfer
2021 Volume Cap Distribution Info
Home At Last Brochure

RESOLUTION NO. 7322

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BOULDER CITY, NEVADA
PROVIDING FOR THE TRANSFER OF THE CITY'S 2021 PRIVATE ACTIVITY BOND
VOLUME CAP TO THE NEVADA RURAL HOUSING AUTHORITY; AND OTHER MATTERS
RELATED THERETO

WHEREAS, pursuant to the provisions of Chapter 348A of the Nevada Revised Statutes (“NRS”) and Chapter 348A of the Nevada Administrative Code (“NAC”), there has been allocated to the City of Boulder City, Clark County, Nevada (the “City,” “County” and “State,” respectively), the amount of \$885,031.77 in tax-exempt private activity bond volume cap for year 2021 (the “2021 Bond Cap”); and

WHEREAS, the Nevada Rural Housing Authority (the “NRHA”), has requested that the City transfer its 2021 Bond Cap to the NRHA for the purpose of providing a means of financing the costs of single family residential housing that will provide decent, safe and sanitary dwellings at affordable prices for persons of low and moderate income (“Single Family Programs”); and

WHEREAS, the City is a local government as defined by NAC 348A.070; and

WHEREAS, Section 348A.180 of the NAC provides a procedure whereby the City may, by resolution, transfer to any other local government located within the same county, all or any portion of its 2021 Bond Cap; and

WHEREAS, pursuant to NRS 315.983(1)(a), the NRHA is an instrumentality, local government and political subdivision of the State; and

WHEREAS, the NRHA is located within the County, pursuant to NRS 315.963, which defines the NRHA’s area of operation as “any area of the State which is not included within the corporate limits of a city or town having a population of 150,000 or more.”

NOW, THEREFORE, the City Council of the City does hereby find, resolve, determine and order as follows:

Section 1. Recitals. The recitals set forth herein above are true and correct in all respects.

Section 2. Transfer of Private Activity Bond Volume Cap. Pursuant to NAC 348A.180, the City hereby transfers its 2021 Bond Cap in the amount of \$885,031.77 to the NRHA for its Single Family Programs.

Section 3. Use of 2021 Bond Cap. The NRHA will use the 2021 Bond Cap for single family purposes in calendar year 2021 or carry forward any remaining amount according to the Internal Revenue Code of 1986, as amended, for such purposes.

Section 4. Representative of City. Pursuant to NAC 348A.180(1), the Director of the State of Nevada Department of Business and Industry (the “Director”) may contact Taylour Tedder, City Manager, Boulder City, regarding this Resolution at (702) 293-9202 or by email at TTedder@bcnv.org or in writing at City of Boulder City, 401 California Avenue, Boulder City, Nevada 89005.

Section 5. Additional Action. The Mayor and Clerk of the City are hereby authorized and directed to take all actions as necessary to effectuate the transfer of the 2021 Bond Cap, and carry out the duties of the City hereunder, including the execution of all certificates pertaining to the transfer as required by NAC Ch. 348A.

Section 6. Direction to the NRHA. The NRHA shall notify the Director in writing as soon as practicable of the occurrence or nonoccurrence of any term or condition that would affect the disposition of the 2021 Bond Cap.

Section 7. Representative of the NRHA. Pursuant to NAC 348A.180(3), the Director may contact Diane Arvizo, Director of Homeownership Programs of the NRHA regarding this Resolution at (775) 886-7900 or by email at Diane@NVRural.Org or in writing at Nevada Rural Housing Authority, 3695 Desatoya Drive, Carson City, Nevada 89701.

Section 8. Obligation of the City. This Resolution is not to be construed as a pledge of the faith and credit of or by the City, or of any agency, instrumentality, or subdivision of the City. Nothing in this Resolution obligates or authorizes the City to issue bonds for any project or to grant approvals for a project or constitutes a representation that such bonds will be issued.

Section 9. Enforceability. If any section, paragraph, clause or provision of this Resolution shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this Resolution. This Resolution shall go into effect immediately upon its passage.

ADOPTED, SIGNED AND APPROVED this ____ day of _____, 2021.

CITY OF BOULDER CITY, NEVADA

By _____
Kiernan McManus, Mayor

ATTEST:

By _____
Tami McKay, City Clerk

CERTIFICATE OF TRANSFER OF VOLUME CAP

I, Tami McKay, am the duly chosen and qualified City Clerk of the City of Boulder City, Nevada (the “*City*”) and in the performance of my duties as City Clerk do hereby certify to the Office of Business Finance and Planning in accordance with Section 348A.260 of the Nevada Administrative Code (“*NAC*”), that the private activity bond volume cap allocated to the City in the amount of \$885,031.77 has been transferred as follows:

\$885,031.77 has been transferred pursuant to NAC 348A.180 from the City, a local government, located in Clark County to the Nevada Rural Housing Authority, a local government, located within Clark County for the purpose of providing a means of financing the costs of single family residential housing that will provide decent, safe and sanitary dwellings at affordable prices for persons of low and moderate income.

This certificate is being filed within five (5) days of the transfer being made in accordance with NAC 348.260.

CITY OF BOULDER CITY, NEVADA

By _____
Tami McKay, City Clerk

cc: Diane Arvizo, Nevada Rural Housing Authority

State of Nevada - Department of Business & Industry
Distribution of Federal Tax Exempt Private Activity Bonding Authority (CAP)
For Use in Calendar Year 2021

\$345,208,490.00 =Total statewide allocation
\$172,604,245.00 =Local jurisdictions allocation Total

Based upon estimates from the Nevada State Demographer with the Nevada Department of Taxation

Counties & Incorporated Cities	2020 Population Estimate**		Percentage of State Population		Total for Distribution	\$	
	County Totals	Jurisdiction Totals					
							172,604,245
Carson City	56,434	56,434		1.79430%		\$	3,097,034.98
Churchill County	26,202						
Fallon		9,077		0.28860%		\$	498,135.64
Unincorporated County		17,125		0.54448%		\$	939,800.90
Clark County	2,320,107						
Boulder City		16,127		0.51275%		\$	885,031.77
Henderson		322,800		10.26331%		\$	17,714,903.98
Las Vegas		655,489		20.84103%		\$	35,972,505.26
Mesquite		24,971		0.79394%		\$	1,370,380.63
North Las Vegas		258,761		8.22721%		\$	14,200,515.09
Unincorporate County		1,041,959		33.12870%		\$	57,181,547.83
Douglas County	49,082	49,082		1.56054%		\$	2,693,565.42
Elko County	55,435						
Carlin		2,674		0.08502%		\$	146,746.14
Elko		21,492		0.68333%		\$	1,179,456.99
Wells		1,296		0.04121%		\$	71,123.03
West Wendover		4,535		0.14419%		\$	248,875.74
Unincorporated County		25,438		0.80879%		\$	1,396,009.07
Esmeralda County	999	999		0.03176%		\$	54,824.01
Eureka County	1,936	1,936		0.06155%		\$	106,245.52
Humboldt County	17,064						
Winnemucca		7,937		0.25235%		\$	435,573.71
Unincorporated County		9,127		0.29019%		\$	500,879.58
Lander County	6,324	6,324		0.20107%		\$	347,054.07
Lincoln County	5,293						
Caliente		1,133		0.03602%		\$	62,177.78
Unincorporated County		4,160		0.13227%		\$	228,296.16
Lyon County	57,629						
Fernley		20,901		0.66454%		\$	1,147,023.57
Yerington		3,488		0.11090%		\$	191,417.55
Unincorporated County		33,240		1.05685%		\$	1,824,174.13
Mineral County	4,896	4,896		0.15567%		\$	268,687.02
Nye County	48,414	48,414		1.53931%		\$	2,656,906.32
Pershing County	6,983						
Lovelock		2,046		0.06505%		\$	112,282.20
Unincorporated County		4,937		0.15697%		\$	270,937.05
Storey County	4,304	4,304		0.13684%		\$	236,198.72
Washoe County	473,606						
Reno		258,230		8.21033%		\$	14,171,374.40
Sparks		103,230		3.28216%		\$	5,665,147.27
Unincorporated County		112,146		3.56564%		\$	6,154,447.40
White Pine County	10,477						
Ely		4,275		0.13592%		\$	234,607.23
Unincorporated County		6,202		0.19719%		\$	340,358.84
Totals	3,145,185	3,145,185		100.0000%		\$	172,604,245.00

Home At Last™

A Program of the Nevada Rural Housing Authority



A Program of
Nevada Rural
Housing Authority
HomeAtLastNV.org

The Nevada Rural Housing Authority's mission is to promote, provide and finance affordable housing opportunities for all rural Nevadans.

Home At Last™ homeownership programs – from mortgage tax credits, down payment assistance, low-rate mortgage options, to homebuyer education – provide rural Nevadans with an opportunity to achieve successful and sustainable homeownership, which is a key component to economic development. Nevada Rural Housing Authority recognizes the tremendous value in working together with our local communities *and* your commitment to helping to ensure every Nevadan has a home they can afford – it's part of what makes rural Nevada a great place to live!

Home At Last™ Program Impact BOULDER CITY

\$4.3 Million in Mortgages Provided



\$40,000 in estimated Federal Tax Savings to homeowners in the City since 2006



\$142,692 in Down Payment Assistance to homebuyers in the City since 2006



20 Nevadans became homeowners in the City with Home At Last™ since 2006



Home At Last™ Program Performance Since 2006

\$2.1 BILLION

Mortgages Provided

\$60 MILLION

Down Payment Assistance Provided

10,002 HOMEOWNERS

Mortgage Credit Certificates
Down Payment Assistance
Homebuyer Education

\$35.6 MILLION

Estimated Tax Savings to Homeowners
Reinvested in Local Communities

Nevada Rural Housing Authority is an equal opportunity provider and employer.



Home At Last™

BOULDER CITY



A Program of
Nevada Rural
Housing Authority
HomeAtLastNV.org

Pursuant to NRS 315 et. seq., Nevada Rural Housing Authority (NRHA) operates under the oversight of a board of commissioners appointed by the Nevada Association of Counties and the Nevada League of Cities and Municipalities, and is defined as an instrumentality, local government and political subdivision of the State of Nevada, exercising public and essential governmental functions. NRHA's area of operation is defined as communities with population below 150,000.

Home At Last™ Program Impact in Clark County Since 2006

COMMUNITY	MORTGAGES	HOMEOWNERS ASSISTED
Boulder City	\$4,305,998	20
Bunkerville	\$348,566	2
Cal Nev Ari	\$801,199	5
Cold Creek	\$166,666	1
Goodsprings	\$176,267	1
Indian Springs	\$404,282	4
Jean	\$178,301	2
Las Vegas	\$329,152,769	1,351
Laughlin	\$2,983,047	18
Logandale	\$4,109,683	20
Mesquite	\$3,117,765	16
Moapa	\$396,349	3
Overton - Moapa Valley	\$3,485,890	20
Sandy Valley	\$1,024,628	4
Sloan	\$135,375	1
Whitney	\$10,195,043	43
TOTAL	\$360,981,828	1,511
PROGRAM	MORTGAGES	HOMEOWNERS ASSISTED
Down Payment Assistance	\$314,705,892	1,278
Mortgage Credit Certificates	\$46,275,936	233
TOTAL	\$360,981,828	1,511

Average Loan
Amount:
\$307,860

Average Credit
Score:
776

Average Household
Income:
\$57,498



Home At Last™

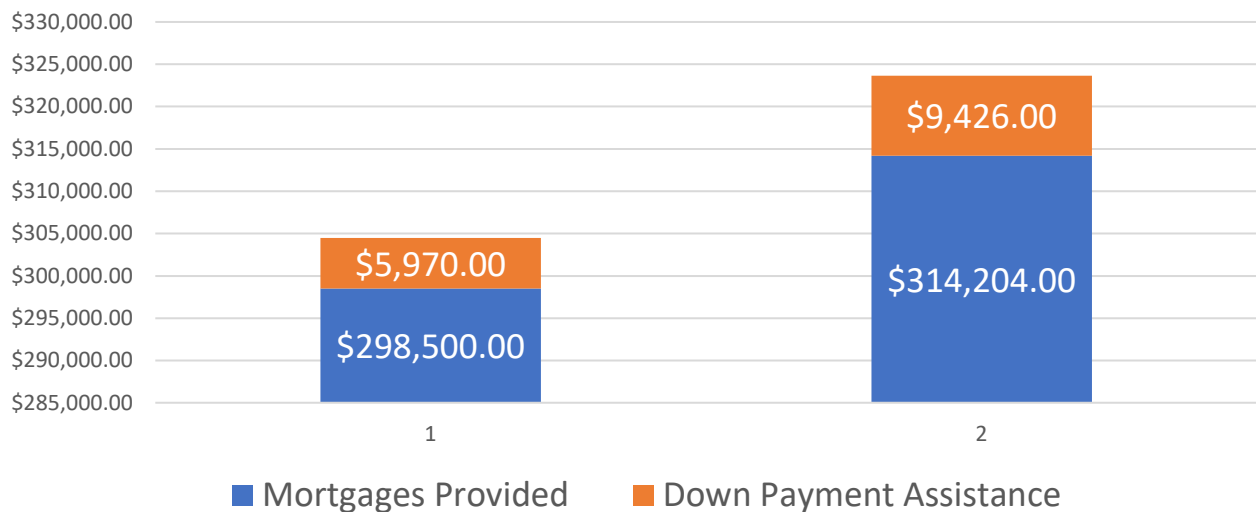
BOULDER CITY



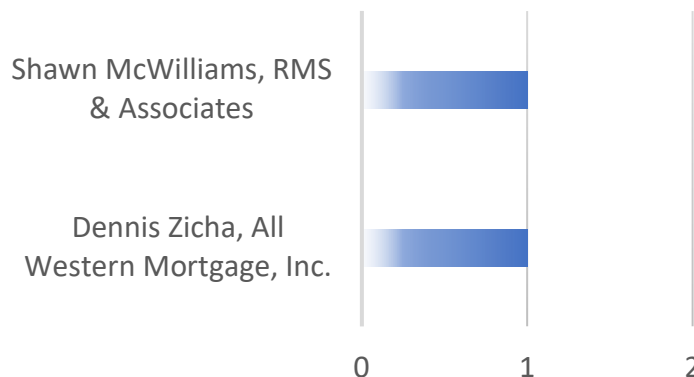
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Nevada Rural
Housing Authority
HomeAtLastNV.org

As a nationally recognized award-winning homeownership program, Home At Last™ provides unprecedented access to a wider range of affordable credit options, resulting in doors being opened for more rural Nevadans to own a home. A transfer of private activity bond cap to Nevada Rural Housing Authority benefits our local communities by providing affordable single-family home financing to low- and moderate-income households.

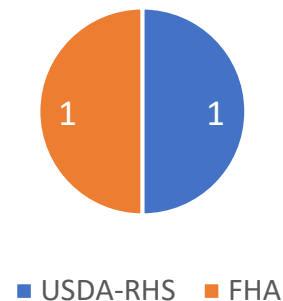
HOME AT LAST™ MORTGAGES AND DOWN PAYMENT ASSISTANCE BOULDER CITY – 2020



HOME AT LAST™ PARTICIPATING LENDERS SERVING BOULDER CITY 2020



LOAN TYPE



Home At Last™

EDUCATION

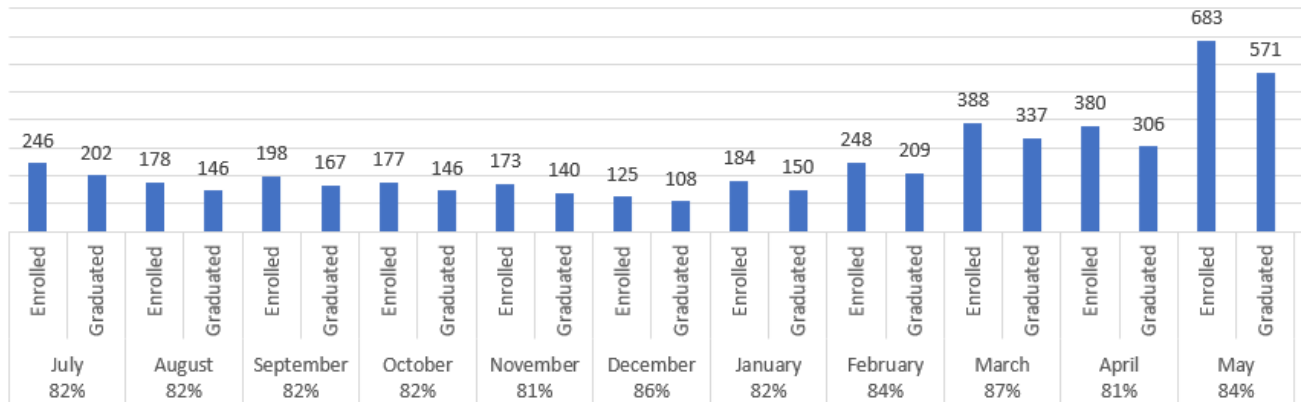


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Housing Authority
HomeAtLastNV.org

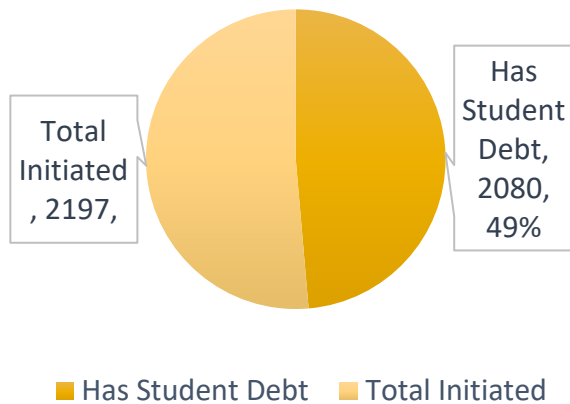


Home At Last™ University (HAL U, for short), is a nationally recognized program that provides homebuyers, lenders, and real estate professionals with 24/7 online access to required homebuyer education and program training. During the pandemic, HAL U prepared thousands of homebuyers, and trained hundreds of lenders and real estate professionals. HAL U has expanded its reach to assist rural Nevadans by providing the HUD required Housing Choice Voucher (Section 8) briefings to tenants who are unable to meet with a case worker in person.

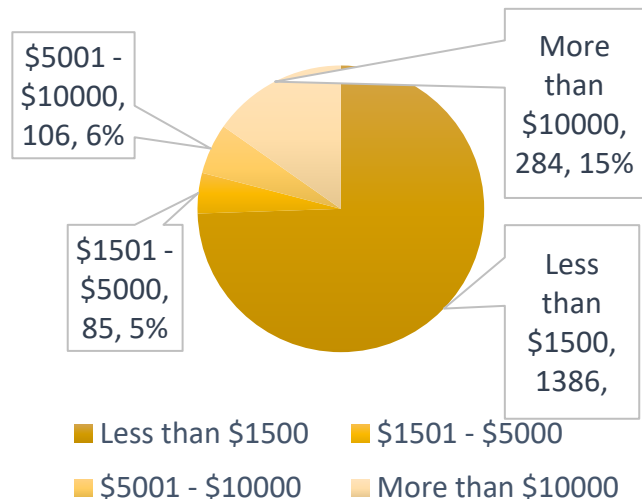
Enrollment & Graduation Rate by Month



Student Debt



Student Debt Balance



R7323 Historic Preservation Plan

SUBJECT:

For possible action: Matters related to a proposed Boulder City Historic Preservation Plan

A. Presentation by Mariana Ruiz, Nevada Preservation Foundation

B. Resolution No. 7323, a resolution of the City Council of Boulder City, Nevada adopting an Historic Preservation Plan for the City of Boulder City

ADDITIONAL INFORMATION:

ATTACHMENTS:

Description	Type
Item 7 Staff Report	Cover Memo
Attachment 1	Resolution Letter
Attachment 2	Backup Material
Attachment 2 - part 2	Backup Material
Attachment 3	Backup Material



BOULDER CITY
CITY COUNCIL

MAYOR
KIERNAN McMANUS

COUNCIL MEMBERS:
JAMES HOWARD ADAMS
CLAUDIA M. BRIDGES
MATT FOX
SHERRI JORGENSEN



MEETING LOCATION:
CITY COUNCIL CHAMBER
401 CALIFORNIA AVENUE
BOULDER CITY, NV 89005

MAILING ADDRESS:
401 CALIFORNIA AVENUE
BOULDER CITY, NV 89005

WEBPAGE:
WWW.BCNV.ORG



CITY MANAGER:
TAYLOUR TEDDER, CECD

CITY ATTORNEY:
BRITTANY LEE WALKER, ESQ

CITY CLERK:
TAMI MCKAY, MMC, CPO

ADMINISTRATIVE SERVICES DIRECTOR:
BRYCE BOLDT

COMMUNITY DEVELOPMENT DIRECTOR:
MICHAEL MAYS, AICP

PUBLIC WORKS DIRECTOR:
KEEGAN LITTELL, P.E.

UTILITIES DIRECTOR:
DENNIS PORTER, P.E.

POLICE CHIEF:
TIM SHEA

FIRE CHIEF:
WILLIAM GRAY, CFO

FINANCE DIRECTOR:
DIANE PELLETIER, CPA

PARKS & RECREATION DIRECTOR
ROGER HALL

City Council Meeting

August 24, 2021

Item No. 7

Staff Report

TO: Taylour Tedder, City Manager

FROM: Michael Mays, Community Development Director

DATE: August 24, 2021

SUBJECT: For possible action: Matters related to a proposed Boulder City Historic Preservation Plan

A. Presentation by Mariana Ruiz, Nevada Preservation Foundation

B. Resolution No. 7323, a resolution of the City of Boulder City, Nevada adopting an Historic Preservation Plan for the City of Boulder City

Business Impact Statement: This action will not have a significant economic impact on business and will not directly restrict the formation, operation, or expansion of a business.

Action Requested: That the City Council hear the presentation by the Nevada Preservation Foundation and consider Resolution No. 7323.

Overview:

- One of the City's 2025 strategic plan goals was to adopt a historic preservation plan for the community.
- Nevada Preservation Foundation was hired to prepare the draft plan.
- The Historic Preservation Committee has reviewed and recommends approval of the draft plan.

Background Information: The City hired the Nevada Preservation Foundation (NPF) in early 2020 to prepare a historic preservation plan for the community. This follows Goal D, Strategy 2 of the City's 2025 Strategic Plan to develop a historic preservation plan for the community that will help guide the city on future historic preservation efforts. This mirrors the Historic Preservation Committee Goal # 2.

Efforts by NPF to conduct public outreach were hampered by COVID-

19. A public meeting was held on March 5, 2020. A subsequent, virtual public engagement occurred in the fourth quarter of 2020 which resulted in feedback from 169 residents.

NPF prepared a draft plan based on public input and presented to the Historic Preservation Committee (“Committee”) for review. It contains community background information, survey results and historic preservation recommendations. The draft plan offers 17 objectives or action items for the community to pursue over the next five years. Similar to the city’s strategic plan and economic development plan, NPF has developed a matrix (page 41 of the study included as Attachment 2) that provides a road map on action item priorities.

On June 23, 2021, the Committee recommended approval of the plan for Council consideration.

Financial: No impact

Boulder City Strategic Plan Goal: Goal D – Promote Historic Preservation – Strategy 4: Amend existing codes to achieve historic preservation goals – Complete Historic Preservation Plan

Department Recommendation: Community Development staff respectfully request that the City Council hear the presentation by the Nevada Preservation Foundation and consider Resolution No. 7323.

Attachments:

1. Resolution 7323
2. Draft Boulder City Historic Preservation Plan – Part 1
3. Draft Boulder City Historic Preservation Plan – Part 2
4. NPS Presentation

RESOLUTION NO. 7323

**RESOLUTION NO. 7323 OF THE CITY COUNCIL OF BOULDER CITY,
NEVADA, ADOPTING AN HISTORIC PRESERVATION PLAN FOR THE CITY
OF BOULDER CITY**

WHEREAS, The City does not have a historic preservation plan; and

WHEREAS, The City Council adopted the 2025 Boulder City Strategic Plan on December 11, 2018; and

WHEREAS, That Goal D – Promote Historic Preservation – Strategy 4: Amend existing codes to achieve historic preservation goals of the 2025 Boulder City Strategic Plan calls for the adoption of a historic preservation plan (“Plan”); and

WHEREAS, The City sponsored two public outreach efforts in 2020 to seek community input for the Plan; and

WHEREAS, The Historic Preservation Committee has reviewed and recommended City Council consideration of the Plan on June 23, 2021; and

NOW, THEREFORE, BE IT RESOLVED that City Council approves the Boulder City Historic Preservation Plan as provided in Exhibit A

DATED and APPROVED this 24th day of August, 2021.

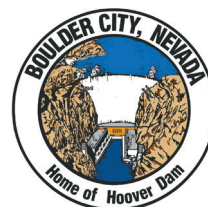
Kiernan McManus, Mayor

ATTEST:

Tami McKay, City Clerk



BOULDER CITY HISTORIC PRESERVATION PLAN



PREPARED BY NEVADA PRESERVATION FOUNDATION

BOULDER CITY HISTORIC PRESERVATION PLAN

PREPARED FOR:

Boulder City
401 California Avenue
Boulder City, NV 89005

PREPARED BY:

Mariana Ruiz
Cynthia Ammerman
Nevada Preservation Foundation
330 W. Washington Avenue, Ste. 106
Las Vegas, NV 89106



AUGUST 2021

ACKNOWLEDGEMENTS

BOULDER CITY

MAYOR AND COUNCIL

Kiernan McManus, Mayor
James Howard Adams, Councilman
Claudia Bridges, Councilwoman
Matt Fox, Councilman
Sheri Jorgensen, Councilwoman

HISTORIC PRESERVATION COMMITTEE

Linda Graham
Ray Turner
Blair Davenport
Glenn Feyen
Charles Hauntz

PLANNING COMMISSION

Paul Matuska
Nate Lasoff
Ernest Biacsi
Steve Rudd
Beth Bonnar-Kaczmariski
Matt DiTeresa
Thomas Marvin

CITY MANAGER'S OFFICE

Taylor Tedder, City Manager
Lisa LaPlante, Communications Manager

COMMUNITY DEVELOPMENT DEPARTMENT

Michael Mays, Community Development Director
Susan Danielewicz, City Planner

CONTENTS

CHAPTER 1 INTRODUCTION.....	6
CHAPTER 2 BOULDER CITY HISTORIC PRESERVATION.....	10
CHAPTER 3 GOALS AND OBJECTIVES.....	26
CHAPTER 4 IMPLEMENTATION.....	40

APPENDICES

APPENDIX A COMMUNITY MEETING AND SURVEY RESULTS.....	43
APPENDIX B HISTORIC PRESERVATION COMMITTEE GOALS.....	68
APPENDIX C PRESERVATION ORDINANCES AND RESOLUTIONS.....	70
APPENDIX D NV MODEL HISTORIC PRESERVATION ORDINANCE.....	72
APPENDIX E SECRETARY OF THE INTERIOR’S (SOI) STANDARDS....	90
APPENDIX F SOI PROFESSIONAL QUALIFICATIONS.....	91
APPENDIX G NATIONAL REGISTER BULLETIN 15, SECTION VI.....	108
APPENDIX H BOULDER CITY MASTER PLAN NOTES.....	122
APPENDIX I EASMENT TO PROTECT HISTORIC PROPERTIES.....	136

FIGURES

FIGURE 1 BOULDER CITY HISTORIC DISTRICT MAP.....	15
FIGURE 2 BOULDER DAM HOTEL PHOTOGRAPH.....	16
FIGURE 3 BOULDER CITY HOSPITAL PHOTOGRAPH.....	17
FIGURE 4 BOULDER CITY DEVELOPMENT BY DECADES.....	19
FIGURE 5 NRHP ELIGIBLE RESOURCES.....	20
FIGURE 6 COA APPROVAL MATRIX EXAMPLE.....	29

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CHAPTER 1



INTRODUCTION

Boulder City embarked upon the development of this plan in March 2020. As one of the most storied cities in Southern Nevada, Boulder City relies upon its history and historic architecture to not only provide a sense of place for residents, but to also provide visitors with a feel of an early era of Southern Nevada history and its association to national and international history. Today with development pressures and an increasing number of historic structures in Boulder City, a plan such as this is critical to the future of this community, its built environment and economic potential.

PURPOSE

Boulder City's history dates to pre-historic eras and was the home of Native Americans through arrival of European exploration and development of the 19th century. Like much of Nevada, the 19th century era brought an influx of mining prospectors and speculations that would change the natural landscape and how the land was inhabited. In the early 20th century Boulder City came into being and a significant settlement for permanent homes began, much due to the initiatives of the federal government. The Boulder Canyon Project Act, enacted on December 21, 1928 by President Calvin Coolidge, authorized the construction of the Hoover Dam in the Black Canyon on the Colorado River approximately 7 miles east from present day Boulder City.

By late 1930, the Bureau began construction of Boulder City to house dam workers and permanent operators, and to be a central staging area for the dam construction activities. Modeled as the first fully developed experiment in 20th century new town planning, Boulder City provided housing, commercial enterprises and entertainment to keep residents within the confines of the city and away from the temptation of Las Vegas, thereby maintaining efficiency and safety during the construction of the dam. By 1932, the view north on Nevada Way toward the Bureau of Reclamation Building on the hill looked much as it does today.

The development of Boulder City has continued with mid-20th century additions in the form of residential neighborhoods and a collection of motor courts along Nevada Way. Like much of Southern Nevada, Boulder City has grown significantly since its start. Yet, there has long been an ethic of preservation and recognition of the important place Boulder City and the Hoover Dam play in our national story. This origin story and preservation of the buildings associated with the era has been strong, however, there is great room for expansion to visually preserve the era of the Baby Boomers, Boulder City's incorporation era of the 1960s and the neighborhoods of the 1970s. Because of Boulder City's recognition as a national and international destination, it is particularly important to retain the historic fabric of this community through the retention of its architectural resources both residential and commercial.

This historic preservation plan will provide background on past and current work on historic preservation and planning, an analysis of the issues facing Boulder City, goals and objectives for meeting these issues, and recommendations for the new Certified Local Government (CLG) status.

METHODOLOGY

In early 2020, Boulder City hired the Nevada Preservation Foundation (NPF) to assist the City with efforts to create a historic preservation plan based on archival research, analysis, and community outreach. The City envisioned holding multiple community meetings to engage with residents and to provide a platform for public comment regarding the preservation plan. Unfortunately, the COVID-19 pandemic greatly limited the ability of Boulder City to safely conduct public meetings.

Due to the global pandemic that onset in 2020, the in-person public engagement that is typical of the planning process was limited to one community meeting on March 5, 2020. The workshop was attended by approximately 50 Boulder City residents, members of City Council and members the Historic Preservation Committee. Attendees worked in small groups led by NPF staff to discuss various topics including the structure and functions of the Historic Preservation Committee (HPC), the Boulder City historic preservation ordinance, the development of historic districts, and the role of heritage tourism as an economic driver. This workshop also educated residents on best practices for preserving buildings and the role of the Secretary of the Interior's Standards in providing a framework, maintenance, and rehabilitation. Refer to Appendix A for details on the March 5th community meeting.

With the increase in severity of the pandemic, no additional in person meetings were able to be safely held. NPF worked with Boulder City to pivot the outreach strategy using digital engagement platforms. To develop an initial direction for the preservation plan, NPF analyzed the community input from the March 5th meeting and concurrently conducted a review of Boulder City's historic preservation literature, policies, and city planning documents. The result of this analysis was presented to the community through a video presentation via Boulder City's cable channel as well as YouTube channel in September 2020.

In addition, an online survey was created as a feedback tool that residents could participate in with or without having watched the video presentation. Residents were made aware of the online survey through the utility mailer, as is common practice by the City to disseminate information to residents. The survey addressed questions on various topics from the HPC, the historic preservation ordinance, preference for prioritizing historic resource surveys, and Boulder City's possible participation in the Nevada Main Street program. In all, 169 Boulder City residents participated in the survey, providing significant input that guided NPF in developing the initial outline of the

historic preservation plan. Refer to Appendix A for the Survey Monkey results.

It should also be noted that NPF attempted to provide a means for residents to participate in the survey over the telephone or through a paper option. Unfortunately, those options were not actualized and ultimately all responses came through the online survey.

In addition to the survey, NPF conducted research and a thorough review of the following Boulder City reports:

- ◆ Boulder City Historic District, Nomination to the National Register of Historic Places, Vol. I and II, July 1983
- ◆ Historic District Preservation Plan Summary Report, April 13, 1998
- ◆ Boulder City Redevelopment Plan, 1999
- ◆ Boulder City/US 93 Corridor Study Final Environment Impact Statement, 2005
- ◆ 2018 Historic Preservation Community Survey
- ◆ Boulder City Code, Title 11, Chapter 27 Historic Resources, Updated 03/21/2019
- ◆ The Historic District of Boulder City Nevada, Spring 2012
- ◆ Boulder City Master Plan, updated February 2015
- ◆ Economic Development Strategy, Boulder City, NV, September 2019
- ◆ Updated Architectural Survey and Inventory of the Boulder City Historic District, August 2020

Additional preservation reports that were studied and referenced in this plan include:

- ◆ Nevada SHPO Model Ordinance for Historic Preservation, 2019
- ◆ City of Las Vegas Historic Properties & Neighborhood Preservation Plan Element, 2010
- ◆ City of Las Vegas Historic Preservation Ordinance, March 2011
- ◆ City of Henderson Historic Preservation Plan, June 2014
- ◆ Nevada SHPO Certified Local Government Handbook, revised 2018
- ◆ Clark County Comprehensive Master Plan Historic Preservation Element, 2019
- ◆ State of Nevada Historic Preservation Plan 2020-2028

CHAPTER 2

BOULDER CITY HISTORIC PRESERVATION

Boulder City is a unique 20th century city. Its origins are the essence of American ingenuity and resilience. It is the result of careful planning and intentional design for the generations that were to follow. The streetscapes and neighborhoods tell the story of the broader American experience as the country grew and modernized its infrastructure after World War I and through the Great Depression. The neighborhoods developed during the Post-World War II era and into the 1970s also capture the essence of American growth and prosperity, providing housing and commercial amenities for tourists of the Atomic era and the great Southwest. The origins story of Boulder City has been well documented and preserved through key buildings located within the original historic district. The next step for Boulder City in its preservation legacy is to follow suit with national and regional trends to embrace the era of 1950s, 1960s and 1970s so that the community addresses existing housing conservation as well as identify potential sites and buildings that could expand the economic opportunities related to heritage tourism and real estate.

Historic Preservation Planning in Boulder City

Long-term historic preservation planning initiatives of Boulder City took root in the 1980s with the establishment of the 1983 National Register of Historic Places Boulder City Historic District. This initial historic district was the result of community preservation enthusiasts who recognized the unique significance of Boulder City as a government and company boom town of the 1930s and 1940s. The historic district was comprised of 514 buildings that represented government commissioned residential multi-family, single family, and commercial buildings. Boulder City was the essence of a planned community that evoked the planning philosophies of the era that integrated thoughtful landscapes and the revivalist period of architectural design.

Master planning initiatives in 1991 included policies to support the development of a historic preservation plan and ordinance and promotion of public awareness of the City's historic and cultural resources. Boulder City continued to prioritize preservation planning through the 1990s, enacting the Historic District Preservation Plan Study Committee in 1996, which issued their findings summary in 1998. The aim of the 1998 Historic District Preservation Plan Summary Report was to further the goals that were set forth in the 1991 Boulder City Master Plan as mandated by Boulder City. Historic preservation was further emphasized in the 2003 Master Plan which recommended the creation of a Cultural Resource Commission and the establishment of design guidelines and an overlay district to address maintenance and preservation of historic housing features.

1998 Historic District Preservation Plan Summary Report

The 1998 Historic District Preservation Plan Summary Report furthered the goals that were set forth in the 1991 Boulder City Master Plan.

The Committee identified seven sub-areas within the historic district to recommend for future zoning overlays. Significant buildings within each sub-area were recognized and basic design guidelines were provided for each sub-area based on the character of the historic district. Additionally, the Committee recommended to establish a historic preservation ordinance and a Cultural Resource Committee (now known as the Historic Preservation Committee) to support the ordinance and historic preservation initiatives of the City. Other priority recommendations for the Cultural Resource Committee include:

- ◆ Development of overlay zones in the historic district.
- ◆ Development of education and cultural heritage initiatives.
- ◆ Development of design guidelines for the historic district.
- ◆ Development of financial and/or tax incentives for historic preservation.
- ◆ Conduct surveys of prospective historic districts.
- ◆ Obtain Certified Local Government (CLG) status.
- ◆ Encourage rehabilitation of historic buildings.
- ◆ Provide an appeal process for homeowners of historic resources who do not follow historic design guidelines.

Boulder City Municipal Code, Title 11, Chapter 27 Historic Resources

Boulder City's Municipal Code, Title 11, Chapter 27 titled Historic Resources details the role of the City's Historic Preservation Committee and outlines the historic preservation ordinance for Boulder City. The Historic Resources chapter was implemented due to ordinance no. 1369 effective on December 4, 2008, followed by ordinance no. 1572 that went into effect on October 20, 2016. The chapter contains seven sub-sections, including the purpose of the chapter, the duties of the Community Development Department and the Historic Preservation Committee, the designation of historic resources, the description of historic resources, historic development guidelines, and demolition and rehabilitation of historic resources. For a full copy of the document refer to the Boulder City government website: <https://www.bcnv.org/DocumentCenter/View/3463/CITY-CODE---Historic-Resources-PDF>

Boulder City Historic Preservation Committee

The Boulder City Historic Preservation Committee was established in 2006 under the mandate of ordinance no. 1295. The Committee is comprised of 5 residents of Boulder City, and it is tasked with advising the Planning Commission and the City Council on all matters pertaining to historic preservation and to assisting property owners with maintaining and enhancing the historic resources of Boulder City. The Committee's duties are detailed in section 11-27-2-B of Boulder City's Municipal Code, Title 11, Chapter 27, Historic Resources.

Certified Local Government (CLG) Status

Boulder City became a Certified Local Government in August 2019. The CLG program is a preservation partnership between local, state, and national governments focused

on promoting historic preservation. The program is jointly administered by the National Park Service (NPS) and the State Historic Preservation Office (SHPO) in each state. Each community works through a certification process to become a CLG as well as provides a detailed annual report on preservation activity. Cities participating in the CLG program benefit from financial resources to undertake historic preservation initiatives in the community and demonstrate their commitment to historic preservation efforts.

One component of the requirements to maintain Certified Local Government status is the regular update of a community's preservation comprehensive plan. Though overdue, the creation of this historic preservation plan is critical to the continuation of the City's previous preservation planning efforts and the overall success of the preservation program. Since receiving CLG status, Boulder City has funded an updated historic resource survey of the Boulder City Historic District and the development of the 2020 Boulder City Historic Preservation Plan. The 2020 preservation plan will serve as a guide for both city staff as well as Boulder City citizens and property owners to identify concentrations of areas with high levels of historic integrity, make suggestions about possible resources to protect through local designation, highlight properties that may be eligible for National Register designation, and outline goals through long-range planning efforts, five and ten years out.

2020 Historic District Resource Survey

In January 2020, Boulder City approved an update to the Historic District resource survey used to compile the 1983 Boulder City Historic District National Register nomination. The project was awarded to North Wind Resource Consulting, and was led by Courtney Mooney, MPS, during the spring of 2020. The survey focuses on the individual properties that make up the Boulder City's Historic District to assess the level of historic integrity retained within the district since its creation in 1983. According to the updated survey, 518 buildings were identified in the historic district, of which 445 are residential, 52 are commercial, 12 are institutional, public, or semi-public, and 9 are associated with operational and/or maintenance activities. Of these properties, 225 properties are recommended as contributing resources to the district, with 293 properties recommended as non-contributing. Sixty-four properties, including the NRHP-listed Boulder City Hotel, are recommended as individually eligible for listing in the NRHP under Criterion A and under Criterion C.

Nevada Preservation relies upon this survey throughout this Historic Preservation Plan to provide advice to Boulder City regarding the deterioration of the historic integrity of many of the city's historic resources. We see Boulder City at an important juncture in its historic preservation. It is important that Boulder City engage with the public on this survey's findings, making it clear the number of alterations that have left buildings with diminished historic integrity.

Boulder City Master Plan

The Boulder City Master Plan was adopted by the City Council in December of 2003 and updated in February of 2015. It lays out the principles, policies, and goals for the long-range planning needs of the community, including urban growth and annexation, use and development of land, preservation of open spaces, and the expansion of public facilities and services. Chapter 11 titled Historic Preservation, outlines policies to protect, promote, and stabilize historic resources, as well as includes an overview of the historic district and its characteristics. It is important to note that the Master Plan in its entirety is not sensitive to the Secretary of the Interior's Standards for the Treatment of Historic Properties. Refer to Appendix H for an overview of policies and initial recommendations to foster better preservation ethics.¹³,

Controlled Growth Ordinance

The citizens of Boulder City enacted various charter amendments to keep growth contained, striving to maintain the small-town charm of the city. The citizens adopted a ballot initiative in 1979 for growth control and another in 1997 to restrict how city land can be sold, as most of the vacant land is owned by the city. The city's territory increased in 1995 with the acquisition of approximate 167 square miles of former federal land and again in 2008 with the annexation of 6.5 square miles of federal land, bringing the total area within the city's limits to approximately 207 square miles, most of which is owned by the city, undeveloped and restricted to stay that way as detailed in Title 11, Chapter 41 Controlled Growth Ordinance, of the City Code.

Boulder City Historic Resources

Historic resources in Boulder City may include several types, such as buildings, structures, sites, districts, and landmarks. These resources are listed either on the Boulder City Historic Register, the State Register of Historic Places, the National Register of Historic Places, or a combination of these three. The type of designation of a historic resource is a result of the resource's level of significance and association with local, state, or national history. Each designated resource in Boulder City has an association with Boulder City's history as listed in the preservation ordinance section 11-27-3A, Criteria for Evaluation.

Currently, there are only two extant nationally and locally designated historic resources within Boulder City:

1. Boulder City Historic District
2. Boulder Dam Hotel

Boulder City Historic District



Figure 1: Boulder City Historic District boundary

The Boulder City Historic District is located in the Downtown area of Boulder City. Generally bounded by the Government Center and Watertank Hill on the north, the Railroad spur and Date Street on the west; New Mexico and Fifth Streets on the south; and California Avenue and Avenues F, I, and L on the east as illustrated in

Figure 1. The district consists of 518 parcels, including in 447 residential properties, 50 commercial properties, 12 institutional, public, or semi-public buildings, and 9 buildings associated with operational and/or maintenance activities. The period of significance spans from 1931 to 1945, with several architectural styles, including Spanish Revival, Minimal Traditional, International, National Folk, and Ranch. The Historic District is Boulder City's only designated historic district on the National Register and on the local register. An updated survey of the Historic District conducted by Northwind Resource Consultants in the spring of 2020, concluded that over half of the properties in the Historic District no longer contribute to the historic integrity of the area.

National Register of Historic Places: 08/19/1983

Boulder City Historic Register: 2008

Boulder Dam Hotel



Figure 2: Boulder Dam Hotel. *Buildings of Nevada*, Julie Nicoletta. New York: Oxford University Press, 2000, 236-236.

The Boulder Dam Hotel filled an important function during the construction of the Hoover (Boulder) Dam. The Colonial-Revival hostelry was constructed in three stages beginning in 1932. Originally U-shaped, the structure became H-shaped by 1935. It has been in continuous use as a hotel since its construction and retains a high degree of integrity. Oriented to the north, it is located on Arizona Street, close to the historic business district. It is near all the Reclamation-era governmental structures that stepped down from the promontory which overlooks the town. The hotel continues

to provide accommodations to tourists and locals alike, with charming rooms, a restaurant, a lounge, a museum, gift shop, and art galleries.

Address: 1305 Arizona Street, Boulder City, NV 89005

National Register of Historic Places: 07/11/1982

Nevada State Register of Historic Places: 07/11/1982

Boulder City Historic Register: 2008

Old Boulder City Hospital (Wellsprings/Life Giving Springs Retreat) Demolished



Figure 3: Old Boulder City Hospital. *Places that Were*, 2016

The Boulder City Hospital was built in 1931 to serve the needs of the Six Companies, Inc. employees who were constructing Boulder Dam. It was built as an astylar, functional structure, designed to complement the stucco, arcuated public and commercial buildings that comprised the city's master plan. It was actively used as a medical facility for a major part of the forty years and served as a retreat for the Episcopal Sisters of Charity from 1977 to 2000, when it was sold to the Western diocese of the Orthodox Church who remained it the Life-Giving Springs Retreat. In 2009, the diocese closed the retreat and listed the property for sale. The hospital was sold in July 2015 to local developer Randolph Schams who demolished the property in the spring of 2016 to potentially build a new housing development on the site.

Address: 701 Park Place, Boulder City, NV 89005

National Register of Historic Places: 04/01/1982

Nevada State Register of Historic Places: 06/05/1981

Potential Historic Resources (1945-1970's)

As of January 2020, Boulder City has reached a new age threshold where historic resources from 1970 may qualify for nomination into the National Register of Historic Places. With many structures built after 1950, it is important for the City to conduct a city-wide historic resource survey to identify significant buildings, sites, and structures across Boulder City to include the preservation of postmodernist structures along with its current historic resources. Community involvement, education, and support will aid the City in its preservation efforts and develop a community consensus on the importance of preserving those structures from the recent past with the same eagerness for preserving the Historic Downtown District.

The following potential resources have been identified by the Nevada Preservation Foundation, Boulder City's Historic Preservation Committee, Northwind Resource Consulting LLC, and the Boulder City Community Development Department, based on their age (at least 50 years old), architectural merit, and relationship to Boulder City's developmental and cultural history. These resources require additional study to determine their eligibility to the local, state, and/or National Register of Historic Places.

Note: This list is by no means exhaustive. A proper reconnaissance level survey is required to identify **ALL** post 1945 potential resources in Boulder City.

Potential Resource	Dates
Bullock Field, part of the historic Boulder City Airport	operational between 1933 and 1990
The Nevada Way Commercial District, spanning Nevada Way and Avenue B, between Ash and Arizona St	1931-1945
The Boulder City Branch Railroad operated by the Union Pacific Railroad.	operational between 1930 and 1985.
The Historic Boulder City Water Filtration Plant	built in 1931
Boulder City Pool and Racquetball Complex at 861 Avenue B	built in 1964
Sixty-four properties in the Boulder City Historic District, including the NRHP-listed Boulder City Hotel , refer to figure 5.	1931-1945
Various residential areas, including south of Adams Blvd and east of Buchanan (1970s), north of Adams Blvd and west of Utah St (1960s), and north and south of Adams Blvd and west of Utah Street (1970s). Refer to figure 4.	1960s-1970s

Figure 4: Development of Boulder City by decades

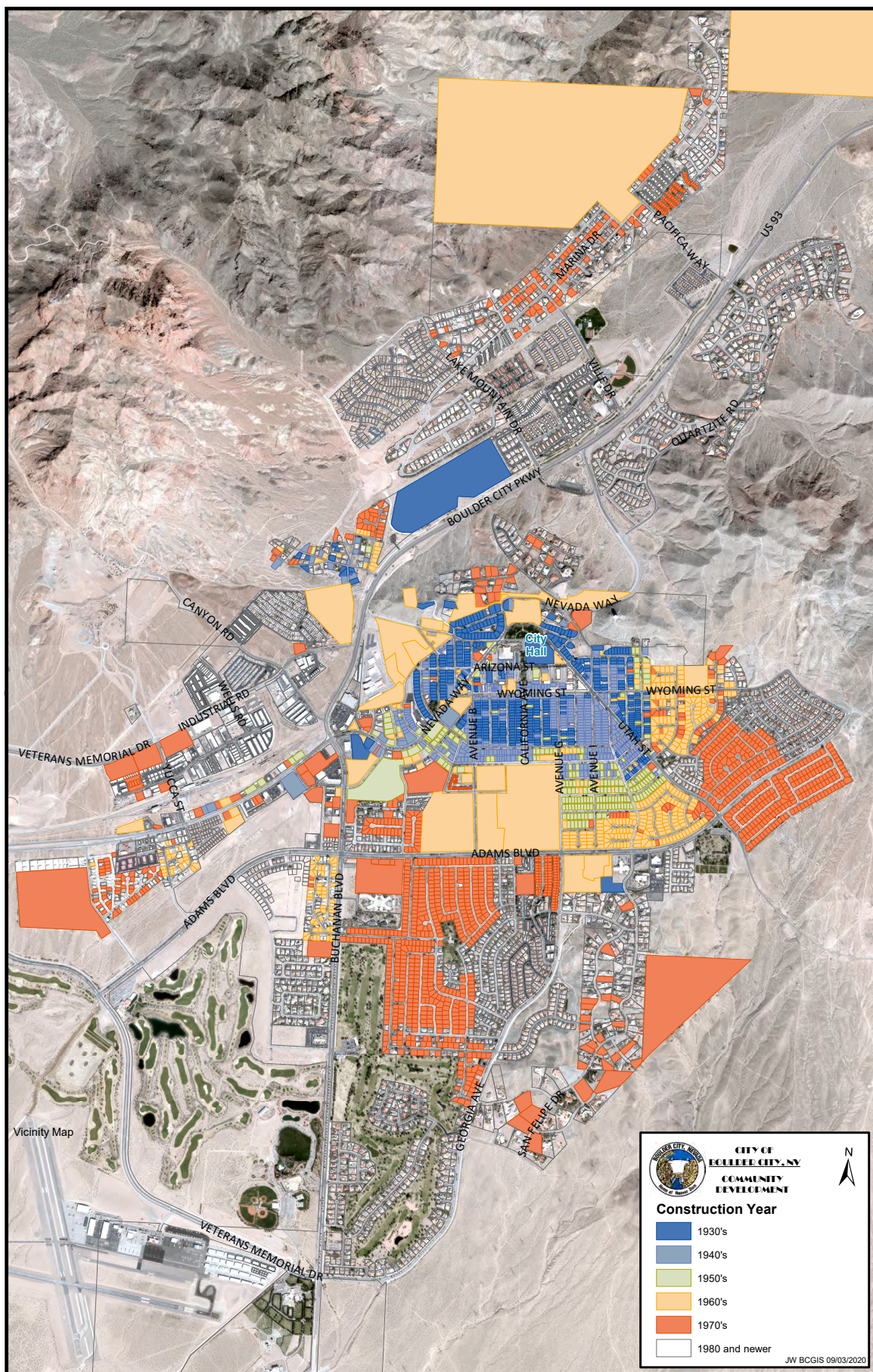


Figure 5: Individually Eligible Resources in the Historic District. *Updated Architectural Survey and Inventory of the Boulder City Historic District*, NorthWind Consulting 2020



Updated Architectural Survey and Inventory of the Boulder City Historic District
North Wind Resource Consulting, LLC Report No. 030459

Table 1. Summary of NRHP Individual Eligibility Recommendations				
Type	Group	Number	Addresses	Criteria
Commercial	(U)	3	1225 Arizona Street	A
			1305 Arizona Street (Listed)	A, C
			550 Nevada Way	A, C
Institutional/Public/Semi-public	(S)	3	600 Nevada Way	A, C
			1200 Park Street (Admin Bldg)	A, C
			401 California Avenue	A
Reclamation Operational and Maintenance	(V)	3	300 Railroad Avenue	A
			500 Date Street	A
			1310 Mountain View Place	A, C
Residential	A	2	706 Park Street	A, C
			726 Park Street	A, C
Residential	C	1	700 Park Street	A, C
Residential	J	8	516 Cherry Street	A, C
			524 Cherry Street	A, C
			528 Cherry Street	A, C
			532 Cherry Street	A, C
			536 Cherry Street	A, C
			548 Cherry Street	A, C
			552 Cherry Street	A, C
			556 Cherry Street	A, C
Residential	K	2	519 Cherry Street	A, C
			511 Cherry Street	A, C
Residential	L	23	417 Birch Street	A, C
			418 Birch Street	A, C
			421 Birch Street	A, C

Table 1. Summary of NRHP Individual Eligibility Recommendations

Type	Group	Number	Addresses	Criteria
			426 Birch Street	A, C
			438 Birch Street	A, C
			503 Birch Street	A, C
			504 Ash Street	A, C
			504 Birch Street	A, C
			507 Birch Street	A, C
			508 Birch Street	A, C
			511 Birch Street	A, C
			515 Birch Street	A, C
			519 Birch Street	A, C
			520 Birch Street	A, C
			523 Birch Street	A, C
			524 Birch Street	A, C
			527 Birch Street	A, C
			528 Birch Street	A, C
			531 Birch Street	A, C
			532 Birch Street	A, C
			536 Birch Street	A, C
			539 Birch Street	A, C
			540 Birch Street	A, C
Residential	M	5	508–510 Ash Street	A, C
			512–514 Ash Street	A, C
			516–518 Ash Street	A, C
			520–522 Ash Street	A, C
			524–526 Ash Street	A, C
Residential	N	2	409 Ash Street	A, C
			414 Ash Street	A, C
Residential	O	5	1322 Denver Street	A, C
			1330 Denver Street	A, C

Table 1. Summary of NRHP Individual Eligibility Recommendations				
Type	Group	Number	Addresses	Criteria
			1338 Denver Street	A, C
			308 Nevada Way	A, C
			324 Nevada Way	A, C
Residential	P	2	405 Birch Street	A, C
			411 Birch Street	A, C
Residential	(T)	3	904-906 Wyoming Street	A, C
			909-913 Wyoming Street	A, C
			1267-1269 Wyoming Street	A, C
Residential	(X)	1	1411 Denver Street	A, C
Residential	(W)	1	640 C Avenue	A, C

Boulder City Historic Design Guidelines

The Historic Preservation Committee has developed historic design guidelines for the Boulder City Historic District to help homeowners maintain the historic integrity of their properties. The guidelines include information on the building's construction, including the housing type and key exterior architectural features. Following the guidelines for additions or modifications are encouraged, but not mandatory. However, in some cases non-compliance with the guidelines will result in a temporary delay of a building permit so that the request can be forwarded to the Historic Preservation Committee for their input and guidance. After that, the property owner may still build or remodel according to code. Not all items listed within the guidelines require a building permit, such as changing your landscaping.

Refer to the Boulder City government website for copies of the guidelines according to property type. <https://www.bcnv.org/175/Preservation-Documents>

Designation of Historic Resources

Boulder City's Historic Preservation Ordinance does not include the National Register of Historic Places (NRHP) criteria for the designation of historic resources. According to section 11-27-3-A of Boulder City's municipal code Title 11, Chapter 27, Historic Resources, an area, neighborhood, or district may be designated as a Historic Area or Historic District; and any site, natural feature, structure, or building may be designated as a Landmark Site or Building of Historic Significance, if it has significant character, interest, or value as part of the development, heritage, or cultural characteristics of Boulder City, the State of Nevada, or the Nation; and if it falls into one or more of the following categories:

Historical Significance	Architectural Significance	Historic Area Significance
It is the location of, or is associated in a significant way with, a historic event which had a significant effect upon the City, State, or Nation	It embodies the distinctive visible characteristics of an architectural style, period, or a method of construction	Because of its prominent location, contrasts of setting, age, or scale, it is an easily identifiable visual feature of the City and contributed to the distinctive quality or identity of the City.
It is associated in a significant way with the life of a person important in the history of the City, State, or Nation	It is an outstanding work of a designer or builder	
It is associated in a significant way with an important aspect of the cultural, political, or economic heritage of the community, City, State or Nation.	It contains elements of extraordinary or unusual architectural or structural design, detail, use of materials, or craftsmanship	
	It portrays the environment of a group of people in an era of history characterized by a distinctive architectural style.	

Boulder City Historic Designation Process

According to section 11-27-3-B of the Boulder City's municipal code Title 11, Chapter 27, Historic Resources, any person, group, or association may nominate a prospective area, district, site or building for formal designation and inclusion in the Boulder City Historic Registry. The application process to nominate a historic resource is not detailed in the ordinance. However, once completed, the Historic Preservation Committee reviews the nomination and makes recommendations to the City Council. Any nomination regarding the creation of a historic area or district also requires a review and recommendation by the Planning Commission.

Prior to any action by the City Council, a public hearing is held, and notice is mailed to owners of the property proposed to be so designated at least five, but not more than fifteen days prior to the date of the hearing.

Following a determination of formal designation by the City Council, notice of the

determination shall be mailed to the owners of the property or properties affected by the designation, together with a copy of Title 11, Chapter 27, and any pertinent development guidelines. Such designation shall also be entered in the Boulder City Historic Registry.

CHAPTER 3

GOALS AND OBJECTIVES

The following goals and objectives are the core of the Boulder City Historic Preservation Plan. These goals are derived from the preservation issues facing Boulder City identified through archival research and public feedback between March and December 2020. This chapter is divided into five primary preservation program components: The Historic Preservation Ordinance, the Historic Preservation Committee, Survey and Historic Context, Incentives, and Heritage Tourism. Each program component includes an analysis of the issues affecting its efficiency, followed by a goal. Each goal is then assigned an objective to achieve with recommendations.

It is important to note that given the substantial loss of historic integrity in the Boulder City Historic District since its inception in 1983, Boulder City is at risk of losing much of its historic character and jeopardizing its future potential resources if it continues its current trajectory. A significant loss of integrity could mean the risk of losing historic designation, which could put at risk CLG status and the economic incentive opportunities that CLG status and historic designation is intended to provide. A combination of code amendments, surveys, education, planning, and community engagement are key factors for protecting Boulder City's historic resources and to continue its path as a historic community.

Boulder City Historic Preservation Ordinance

The City's municipal code presently has a zoning ordinance titled Historic Resources in Title 11, Chapter 27. This section describes the regulation of historic resources in Boulder City, as well as the role of the Historic Preservation Committee (HPC). The ordinance was established in 2000 following the 1998 report by the Historic District Preservation Plan Study Committee titled "Historic District Preservation Plan: Summary Report".

Since establishing the preservation ordinance, several revisions have occurred to support the evolving preservation needs of the community, as listed in Appendix C. As it stands, the current ordinance could benefit from a more structured mandate following a closer accordance with the Secretary of the Interior's (SOI) Standards for the Treatment of Historic Properties. By following SOI standards in local policy, Boulder City will allow for more fluidity in best preservation and development practices. The following goals and objectives outline a full review of the historic preservation ordinance based on the Nevada SHPO Model Ordinance, listed in Appendix D.

GOAL 1

Review and amend Boulder City's Code Title 11, Chapter 27 'Historic Resources' to comply with current state and federal historic preservation standards.

Objective 1.1: Update qualifications for designation listed in section 11-27-3-A of Title 11, Chapter 27 of the City Code.

The criteria for federal designation should set the standard by which resources can be eligible to apply for historic designation at the local level. At the time of this plan, Boulder City's designation process does not formally acknowledge the National Register of Historic Places (NRHP) criteria for eligibility. It is recommended that Boulder City formally reference NRHP criteria for all eligible and potentially eligible resources to streamline the nomination process for both the local and state designations. National Register Bulletin "How to Apply the National Register Criteria for Evaluation", Section VI *How to Identify the Type of Significance of a Property*, sets the criteria for proper evaluation and eligibility standards. Please refer to Appendix G for an excerpt of the document.

For those resources that do not meet NRHP criteria, it is recommended to continue with the local criteria as detailed in section 11-27-3-A of the ordinance. However, it is encouraged to expand on the current criteria to include an appropriate age threshold and social context considerations for eligible and potentially eligible resources. An age threshold will provide the City with a standard for qualifying historic resources based on their age.

Objective 1.2: Update the procedure for landmark or historic district recommendations in section 11-27-3-B of Title 11, Chapter 27 of the City Code.

The current Boulder City preservation ordinance does not provide a structured procedure for designating historic resources to the local register. The procedure for designation should include a detailed step-by-step process for individual resources and neighborhood designation. For an example of a detailed local designation process, please refer to section 6 of the NV SHPO Model Ordinance, included in Appendix D.

Objective 1.3: Implement a Certificate of Appropriateness (CoA) for alterations and new construction affecting individually designated resources or historic districts.

To protect the historic integrity of the Boulder City Historic District, as well as any individually designated resource and future resources, it is highly recommended to implement a Certificate of Appropriateness (CoA) for exterior alterations, infill development (within a historic district), and new additions to historic structures. As identified in the 2020 updated survey of the Boulder City Historic District, the loss of contributing resources was predominately due to incompatible modifications and renovations of private residences and businesses. This issue can be halted with an approval of a CoA by the HPC. Refer to section 7 of the NV SHPO Model Ordinance listed in Appendix D for a sample criterion to establish a CoA for alterations and new construction.

Objective 1.4: Implement a Certificate of Appropriateness (CoA) for demolition of individually designated resources and for contributing properties in a historic district.

Similar to a Certificate of Appropriateness (CoA) for alterations to historic resources and new construction in a historic district, it is recommended to implement a CoA

Figure 6: City of Independence, Missouri CoA Approval Matrix

COA APPROVAL MATRIX

ACTION	CONTRIBUTING			NON-CONTRIBUTING		
	No Approval	Administrative	Commission	No Approval	Administrative	Commission
Additions			X			X
Accessory structures (sheds, garages, etc.), visible/not visible from the street			X			X
Awnings, new installation			X			X
Awnings, color change		X			X	
Deck, visible/not visible from the street		X			X	
Decorative shutters		X			X	
Demolitions, part/all of building or structure			X		X	
Doors, visible from the street			X		X	
Doors, not visible from the street		X			X	
Driveways		X			X	
Equipment (antennas, satellite dishes, etc.)			X			X
Exterior siding (clapboard, stucco, brick, etc.) in-kind repair	X			X		
Exterior siding (clapboard, stucco, brick, etc.) replacement with new materials			X		X	
Fences or gates		X			X	
Foundation, repair	X			X		
Fountains, visible from the street			X			X
Landscaping (mature trees), visible from the street			X			X
New Construction (infill)			X			X
Paint, color change	X			X		
Pool		X			X	
Porch, new construction			X			X
Relocation of building/structure			X			X
Re-pointing, repair	X			X		

ACTION	CONTRIBUTING			NON-CONTRIBUTING		
	No Approval	Administrative	Commission	No Approval	Administrative	Commission
Retaining walls			X		X	
Roof, repair	X			X		
Roof replacement in-kind		X			X	
Roof replacement with new materials			X			X
Screen-in existing porches		X			X	
Screened-in porches-new construction			X			X
Sidewalks, repair	X			X		
Sidewalks, new construction/materials			X			X
Signs/plaques			X			X
Site lighting, repair/replacement in-kind	X			X		
Site lighting, new			X			X
Storm windows, replacement in-kind	X			X		
Storm windows, new materials			X			X
Trim (scrollwork, fascia, porch details, etc.) repair/replacement in-kind		X		X		
Trim (scrollwork, fascia, porch details, etc.) new materials/design			X			X
Windows, visible/not visible from the street, repair	X			X		
Windows, visible/not visible from the street, replacement in-kind		X			X	
Windows, visible/not visible from the street, new materials			X			X

Revised June 2007

procedure for demolition of historic resources in Boulder City. Refer to Section 8 of the NV SHPO Model Ordinance, for a sample criterion to establish a CoA for demolition.

Objective 1.5: Develop an appeal process for property owners of historic resources who are subject to a demolition or building CoA.

To provide a democratic platform for historic preservation, it is recommended to instate an appeal process for property owners of historic resources to petition demolition and alteration CoA decisions made by the HPC to the City Council by written request. The appeal process should outline the parameters for petitions, such as a time frame to appeal a decision from the HPC, any required application and fees, a scheduled public hearing time frame, and any public notice required by the City Council. The City Council will have the final say in any appeal case. For those property owners requesting an appeal for a demolition permit under a claim of economic hardship, a supplementary economic hardship application for an appeal must be submitted. Refer to section 7, subsection 2g and 2h and section 8, subsection c4 of the NV SHPO Model Ordinance for a reference on appeals and economic hardship relief, respectively.

Objective 1.6: Establish a process and criteria for the nomination of historic districts lead by a neighborhood, citizen initiative, or other grassroots campaign.

Currently, there is no avenue for community involvement in the nomination of a historic district detailed in the preservation ordinance. According to section 11-27-3-B Procedures for Designation of Title 11, Chapter 27 of the City Code, any one person, group, or association can nominate a prospective area or district without the approval of a majority. The nomination is then reviewed by the HPC and forwarded to the City Council to ultimately decide. With a grassroots approach, residents of a potential historic district unite to develop a community campaign to acquire a majority vote through the undertaking of community meetings, canvassing, and historic research to forward a district nomination to the HPC or to ultimately terminate the nomination if a certain voting threshold is not reached. This democratic approach gives residents an opportunity to voice their opinions and directly affect the outcome of a potential historic district, providing an opportunity for community involvement, education, and support for historic preservation initiatives across the City.

The Historic Preservation Committee

Currently, the Boulder City preservation ordinance only allows the Historic Preservation Committee (HPC) an advisory role to the Planning Department and to the City Council on matters pertaining to historic preservation. The HPC does not have the power to enforce the historic preservation ordinance, nor make any executive decision regarding historic preservation initiatives in Boulder City. In an effort to uphold the ordinance and protect the integrity of Boulder City's Historic District and any future historic resource, a full update of the Historic Preservation Committee structure and their executive tasks and powers should be of utmost priority. The analysis of the HPC should be done within the framework of the Nevada Certified Local Government Handbook: [https://shpo.nv.gov/uploads/documents/Nevada_CLG_Handbook_-_Final_\(2019\).pdf](https://shpo.nv.gov/uploads/documents/Nevada_CLG_Handbook_-_Final_(2019).pdf)

GOAL 2

Update the structure, powers, and duties of the Historic Preservation Committee (HPC)

Objective 2.1: Update the executive tasks and powers of the HPC listed in section 11-27-2-B of Title 11, Chapter 27 of the City Code.

In addition to the advisory role and tasks detailed in section 11-27-2-B of Title 11, Chapter 27 of the City Code, consider providing the HPC with the executive power to:

- ♦ Approve, conditionally approve, or deny an application for historic designation.
- ♦ Approve, conditionally approve, or deny a CoA for alterations, new construction, and/or demolition permit for designated and potentially eligible historic resource.
- ♦ Develop and execute historic preservation initiatives financed with funds obtained as the result of CLG status or federal funds.

Objective 2.2: Update the committee membership to include commissioners with a professional background.

To establish a more balanced committee with professional insight into historic preservation, consider establishing a qualification standard for the addition of 2-3 voting members with professional backgrounds in either Archeology (prehistoric or historic), Architectural History, Conservation, Cultural Anthropology, Curation, Engineering, Folklore, Historic Architecture, Historic Landscape Architecture, Historic

Preservation Planning, Historic Preservation, or History as detailed in the Secretary of the Interior's Professional Qualification Standards, in Appendix F. Professions in the field of Architecture, Urban Planning, Building Construction, and Art History, are also excellent options for members of the HPC.

However, if residents with a professional background as described above cannot be sourced in Boulder City, consider reaching out to residents of Las Vegas or Henderson to join the HPC as ex-officio, non-voting members to provide voting members with professional guidance on more sensitive preservation topics.

Objective 2.3: Apply CLG funds towards preservation workshops and conferences for commissioners.

It is recommended that HPC members attend yearly or biennial workshops, training, and historic preservation conferences to stay updated on current historic preservation standards, case-studies, and funding opportunities for future preservation initiatives in Boulder City. This training can be financed using CLG funds.

A City-Wide Historic Context Statement and Survey

Objective 3 of the 2019 Historic Preservation Committee Goals, listed in Appendix B, recommends a city-wide historic resource survey to develop a historic context statement that will establish a complete timeline of the planning and development of Boulder City from its founding through 1981. At the time of this report, Boulder City has only surveyed resources within the existing Boulder City Historic District. No surveys exist outside of this boundary, which means that the architectural and urban development history and associated resources post-1945 is unaccounted for.

In best preservation planning practices, there are two levels of surveys that can be performed: intensive or reconnaissance level. Reconnaissance level surveys primarily establish development trends, key architects/builders, design typology patterns, and a photographic record. Intensive level surveys are expanded reconnaissance surveys that also entail archival and historical research that is utilized to identify significant people, places, themes, events, builder/developer, and architectural styles. Intensive level surveys serve as the foundation for historic context statements that create the road map for future historic designation and preservation of existing housing stock. Historic context statements should be used to evaluate potential historic districts and individually eligible resources at the local, state, or national register.

GOAL 3

Identify and promote historic resources, including structures, districts, landmarks, and archeological sites, that help define a sense of place in Boulder City.

Objective 3.1: Conduct a city-wide reconnaissance level survey (RLS) of the City's historic resources.

Since the 1980's, the City has focused its attention and resources into documenting the early town site development of Boulder City. However, as Boulder City continues to grow beyond its founding history, its focus on historic preservation should also expand. It is recommended that Boulder City conduct a reconnaissance level survey (RLS) of the areas outside of the Historic District post 1945. It is recommended Boulder City utilized its CLG status to apply for state, federal and philanthropic funds for the following surveys:

- ♦ **1945-1960** Mid-Century Architecture
- ♦ **1960-1970** Modern/Experimental
- ♦ **1970-1980** Post Modern Architecture
- ♦ **1980-1985** Architecture of the recent past

Such a survey work would provide a basis for identifying areas with potential integrity where historic preservation planning could be beneficial for existing housing. A RLS is the first step in putting a plan in place for more intensive surveys, historic contexts, and historic register nominations. Surveys for building stock of these time periods would situate Boulder City to look at existing housing during the Post-WWII era that is popular in the American Southwest. By prioritizing survey work from this era, Boulder City may also identify other architectural types of residential and commercial importance that are tied to the city's incorporation date in 1960 and the controlled growth ordinance of 1970, which allows for Boulder City to retain its 'small town' feel.

Objective 3.2: Complete a city-wide historic context statement.

A city-wide historic context statement provides the framework for identifying and evaluating the City's historic resources. It can identify important themes in the City's history and development, including a broad range of architectural, social, ethnic, and cultural topics from the town site development up to the 1980's, as outlined in Objective 3.1.

Funding for a historic context statement can be sourced through the CLG Government Grant Program, the National Park Service, and the National Trust for Historic Preservation, as well as through other state and federal grants.

Objective 3.2: Develop a Historic Resources Survey Plan

It is recommended that Boulder City develop a schedule to update the local register and accompanying historic resource inventories. While the frequency for reviewing nominations and surveys will depend greatly on budgeting constraints, developing an 8–10-year plan to review and update historic inventories could stem the loss of historic integrity visible in the Boulder City Historic District. It is important, however, to develop a Historic Resources Survey Plan that conforms to the City's financial and human

resources. If budget constraints make an 8–10-year plan unsustainable, then assessing the City’s resources and allocated funds will be required to set a more feasible date range.

Objective 3.4: Establish a Memorandum of Agreement (MOA) for a historic preservation planning consultant.

Hiring a historic preservation planning consultant will help Boulder City staff and the HPC identify potential historic resources, develop a framework for eligibility, review planning policies, and provide guidance on preservation initiatives in the city. A consultant can be hired using CLG funds.

Incentives for Historic Preservation

Providing incentives for property owners to follow design guidelines, especially if those guidelines are mandatory, eases the responsibility of being a historic property steward. There is a wide array of possible incentives for home and business owners of historic resources. Stated below is initial guidance on how to structure an incentive program based on the most widely used practices in municipalities of similar size. It is important for Boulder City to develop incentives that are reasonable for the City to fund and maintain.

GOAL 4

Foster community support for preservation practices, promote the private and public use of historic structures.

Objective 4.1: Develop a minor home repair program for residential properties that will support maintenance and integrity of historic districts and existing housing stock.

Currently, only private businesses benefit from local Redevelopment Area funds for historic preservation projects. Residential homeowners do not have a source of funding for the maintenance of their historic properties. By establishing a minor home repair program for private homeowners, the City creates an incentive for historic preservation allowing residents to maintain the historic integrity of historic districts and individual properties. The City of Las Vegas has a similar program in the form of a matching grant that is funded through their Centennial license plates. This grant funds a range of history related programs, including small dollar grants for homeowners of historic resources through the Las Vegas HPC.

Objective 4.2: Develop a historic preservation easement program overseen by the HPC.

A historic preservation easement is a voluntary legal agreement, typically in the form of a deed, which permanently protects a significant historic property. Since it is a perpetual easement, an owner is assured that the property's historic character will be preserved. In addition, an owner who donates an historic preservation easement may be eligible for one or more forms of federal tax benefits. Typically, easements are overseen by the municipality's historic preservation officer or a nonprofit organization. Refer to Appendix I for the National Park Service brief on preservation easements.

Objective 4.3: Develop land use policies and financial incentives to encourage adaptive reuse of vacant historic buildings.

Adaptive reuse of vacant historic buildings can revitalize commercial areas, promote local job growth, increase local tax revenue, and contribute to the long-term economic sustainability of communities. Before undertaking policy reform and financial incentives, a thorough economic, environmental, and social study needs to be conducted to assess the viability of adaptive reuse in Boulder City.

Cultural Heritage Tourism

The National Trust for Historic Preservation defines cultural heritage tourism as “... traveling to experience the places, artifacts, and activities that authentically represent the stories and people of the past and present. It includes cultural, historic, and natural resources.” Boulder City has set the tone for its cultural heritage tourism ideals: as “the home of Hoover Dam.” As an internationally recognized engineering marvel, the dam positions Boulder City in a perpetual unique tourism advantage for regional, national, and international tourism. The link between the development of the dam, the town site, and current historic preservation and sustainability trends press the exigency that Boulder City take the steps to craft a detailed heritage tourism plan. It is recommended that Boulder City also consider the benefits of local heritage tourism for neighborhood residents and youth through the development of walking tours to educate and engage neighbors with architecture and preservation trends.

GOAL 5

Develop cultural heritage tourism programs based on historic preservation ideals as an economic driver and educational resource for the community.

Objective 5.1: Use CLG, federal and philanthropic funds to hire a consultant/nonprofit heritage tourism firm to develop a tailored Heritage Tourism Assessment for Boulder City.

A tailored Heritage Tourism Assessment will identify the strengths, weaknesses, opportunities, and threats to heritage tourism attractions in Boulder City. This analysis should include an identification of target markets, current tourism trends, historic resources, and economic data to develop initiatives and implementation strategies specific to Boulder City.

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CHAPTER 4

IMPLEMENTATION

Achieving a successful preservation program will require the implementation of goals and objectives by Boulder City’s Community Development Department, the Historic Preservation Committee, and the City Council. By working together, the City can effectively develop and promote an effective preservation program for the wellbeing of the community through education, advocacy, preservation, and economic development. The following matrix identifies the priority of implementation for the objectives listed in Chapter 3 with a suggested timeline for each objective. As resources are allocated, the City and the HPC should emphasize the highest priority actions whenever possible.

Objective #	Description	Priority	2021	2022	2023	2024	2025	2026+
1.1	Update qualifications for designation listed in section 11-27-3-A of Title 11, Chapter 27 of the City Code.	High						
1.2	Update the procedure for landmark or historic district recommendations in section 11-27-3-B of Title 11, Chapter 27 of the City Code.	High						
1.3	Implement a Certificate of Appropriateness (CoA) for alterations and new construction affecting individually designated resources or historic districts.	High						
1.4	Implement a Certificate of Appropriateness (CoA) for demolition of individually designated resources and for contributing properties in a historic district.	High						
1.5	Develop an appeal process for property owners of historic resources who are subject to a demolition or building CoA.	High						
2.1	Update the executive tasks and powers of the HPC listed in section 11-27-2-B of Title 11, Chapter 27 of the City Code.	High						
4.1	Develop a minor home repair program for residential properties that will support maintenance and integrity of historic districts and existing housing stock.	High						
2.2	Update the committee membership to include commissioners with a professional background.	Medium						
2.3	Apply CLG funds towards preservation workshops and conferences for commissioners.	Medium						
3.1	Conduct a city-wide reconnaissance level survey (RLS) of the City's historic resources.	Medium						
3.2	Complete a city-wide historic context statement.	Medium						
3.4	Establish a Memorandum of Agreement (MOA) for a historic preservation planning consultant.	Medium						
4.2	Develop a historic preservation easement program overseen by the HPC.	Medium						
1.6	Establish a process and criteria for the nomination of historic districts lead by a neighborhood, citizen initiative, or other grassroots campaign.	Low						
3.3	Develop a Historic Resources Survey Plan	Low						
4.3	Develop land use policies and financial incentives to encourage adaptive reuse of vacant historic buildings.	Low						
5.1	Use CLG, federal and philanthropic funds to hire a consultant/nonprofit heritage tourism firm to develop a tailored Heritage Tourism Assessment for Boulder City.	Low						

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APPENDIX A

Boulder City Community Meeting Results

March 5, 2020 Community Meeting

Attendees

Alan Goya	Jill Lagan
Ann Langer	Joe Kahl
Anne Kar	Judy Hoskins
Bill McElree	Karen Hughs
Bob Beutler	Kiernan McManus
Camille Ariotti	Lesley DeFalco
Carol Jeffries	Linda Barnett
Charles Hauntz	Marci Riggs
Chelsea West	Mary Shope
Debbie West	Nathaniel Gee
Dennis McBride	Nicole Colins
Devon West	Philip Irby
Eileen Wilkinson	Roger Shoaff
Ernie Koontz	Ron Bordigioni
Fred & Phyllis	Sue Burger
Fred Voltz	Teresa Beaver
Glenn Feyen	Teri Moss
Heather Abel	Tiane Marie
Henry Wolking	Tom Ruggs
Hermann Friedman	Tsvetelina Stefanora
James Adams	

Discussion Topics

- A. What is Historic Preservation?
- B. Historic Preservation Ordinance and Committee
- C. Grassroots Designation of Historic Districts
- D. Cultural Heritage Tourism

Debrief/Results

Each discussion topic was assessed in four different group sessions, allowing 15 minutes per topic. The participants were divided into four groups of 10-11 people and provided with information on each topic along with discussion questions to move the conversation forward and to obtain a sense of the community's stand on Historic Preservation. The following results were obtained from each discussion topic.

A. What is Historic Preservation?

In this group, participants were provided with questions and topics relating to the Secretary of the Interior Standards for the Treatment of Historic Properties. This breakout session did not yield specific feedback from the community but was used as an educational tool to instruct participants on historic preservation standards, benefits, and objectives. Questions and topics included:

1. What are we trying to accomplish with historic preservation?
 - a. Recording the history of our communities through architecture
 - b. History is not just one point in time
2. What does it mean to create a false sense of history?
 - a. Make changes to a building that were not originally there
 - b. Alterations that hide the story of that building
3. Secretary of Interior's Guidelines for the Treatment of Historic Properties
 - a. Not about liking a building, but about preserving its importance
 - b. Four approaches to historic preservation. Not all are created equal
 - i. Preservation
 - ii. Rehabilitation
 - iii. Restoration
 - iv. Reconstruction
 - c. Which of these two could – if used incorrectly – create a false sense of history?
4. Case Studies representing good and poor historic preservation:

How Do We Tell the Story of a Building?



Rooftop Additions



**Something Old,
Something New**

**Matchy,
Matchy**



**One Building,
Two Building**



B. Historic Preservation Ordinance and Committee

This breakout session included a discussion on the current historic preservation ordinance and the role of the historic preservation committee (HPC). After a brief overview of the ordinance and the HPC, discussion topics and questions included:

1. What is your level of experience with the historic preservation committee?
2. After reviewing other jurisdictions with HPC's, which HPC model do you like best?
3. After reviewing Boulder City's HPC structure, what do you like about Boulder City's HPC? What don't you like?
4. What do you want Boulder City's HPC to do for the community?
5. Do you feel it is in the best interest of the community for the HPC to enforce a historic ordinance?
6. To what extent should this ordinance be enforced? i.e. merely as voluntary guidelines or strictly enforced laws that protect the historic integrity of historic resources? Or somewhere in the middle?
7. Should owning property with historic designation or in a historic district come with covenants that limit an owner's choices? Why or why not?
8. Should there be an appeals process put in place for homeowners who are restricted by covenants? What does that appeals process consist of?

Results / Feedback

Based on the presentation and discussion topics, the main takeaway from the breakout session included:

1. The Historic Preservation Committee (HPC) must enforce the historic preservation ordinance – highly supported by attendees.
2. In support of the HPC's enforcement of the ordinance, the attendees requested an appeal process for homeowners who have been rejected a building permits, demo permit, or rehab permit for historically designated resources that do not follow the historic design guidelines.
3. The HPC should include members with professional backgrounds in history, historic preservation, architecture, construction, engineering, or a relevant subject. This was supported by approximately 70% of the attendees. Those in opposition recommended a that potential members with professional background serve as consultants only to allow for a fair distribution of power.
4. Better communication between the HPC, the City, and Boulder City residents regarding historic preservation initiatives. Approximately 80% of the attendees were not informed about the role of the HPC, the ordinance, and the historic design guidelines. Attendees requested better communication from the City regarding meetings, agenda items, enforcements, guidelines, etc.
5. Financial incentives for historic preservation. Every attendee agreed that government grants/funding would help residents maintain their homes in the historic district and provide an incentive for residents to follow the design guidelines.

C. Grassroots Designation of Historic Districts

This breakout session included a discussion of a grassroots designation model for potential historic districts. After a brief overview of the grassroots historic designation process and the options for a neighborhood campaign, the following results were yielded:

PARTICIPANTS

Of 42 workshop attendees:

- 22 lived within an existing historic district or a home built before 1950
- 20 lived outside of an existing historic district or a home built after 1950

CONSIDERING "New" History and New Historic District Designation

Concerning opportunities for 1950s, 1960s, and 1970s neighborhoods:

- Most participants agree that 1950s, 1960s and even 1970s neighborhoods are at least worth documenting via a windshield survey.
- Some questioned legitimacy of "40 years" rule mark towards evaluating architectural merit.
- Some questioned if development of newer historic district "devalues" the original historic district

SUPPORT FOR GRASSROOT DESIGNATION

How many supporting homeowner statements should be required to move forward towards designation?

- 2 participants voted to require less than 51% homeownership support
- 22 participants voted to require exactly 51% homeownership support
- 16 participants voted to require more than 51% homeownership support
- 2 participants abstained from voting

OPPOSITION FOR GRASSROOT DESIGNATION

How many opposing homeowner statements should be required to halt progress towards becoming a historic district, even in the case of majority support?

- 25 participants voted to require greater than 20% opposition
- 8 participants voted to require 20% opposition
- 6 participants voted to require under 20% opposition
- 3 participants abstained from voting

Among folks who voted for tougher standards, the following reasons were cited:

- Costs for design review
- The modernist and postmodernist aesthetics not considered historic
- Government oversight
- Restrictive design review guidelines
- New historic districts would devalue Boulder City's original historic district
- New historic districts would be quite small in Boulder City

D. Cultural Heritage Tourism

This breakout session included a discussion about current and possible events for cultural heritage tourism based on historic preservation in Boulder City. The following feedback and reaction from the attendees were noted:

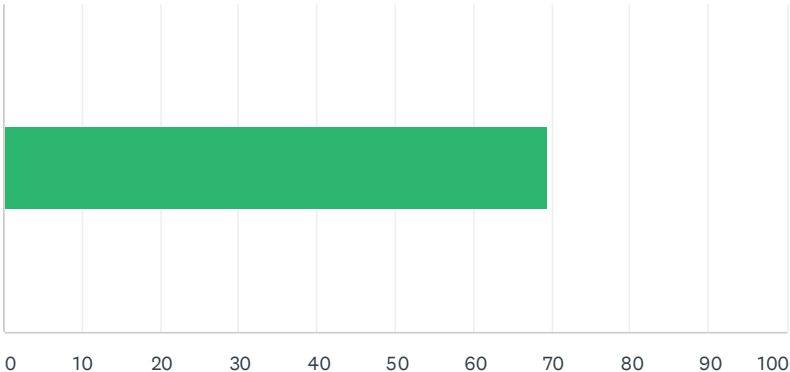
1. All residents were deeply passionate about their community and what it has to offer both locals and tourists.
2. Tourism vs. local programming: all attendees felt there is a need for additional visitors to Boulder City and understand the connection to the City's economic well-being. Most felt this could be done thoughtfully so that the needs of tourists and locals could be met.
3. All participants agreed that tourism is an essential part of economic success and viability.
4. Being more effective in partnering with different organizations to provide the best experience to visitors and to yield a profit.
5. The common tourism/event themes and areas to explore:
 - a. Music festivals
 - b. Events on the lake flatbed
 - c. More partnerships with tourism groups to increase local tourism opportunities.
 - d. Mid-Century themed walking/bus tours.
 - e. Antique Road Show/Event

September 2020 Community Update

Due to the COVID-19 pandemic, Nevada Preservation did not hold a second in-person community meeting to prevent the spread of the virus. Instead, in September of 2020, after compiling a draft of the historic preservation plan, Nevada Preservation pre-recorded an update of the recommendations presented in the preservation plan which was aired on Boulder City's TV (BCTV) channel and on the official Boulder City YouTube channel. The presentation was advertised on the September 2020 utility mailer received by the entire Boulder City community. To obtain the communities' feedback on the pre-recorded update, an online survey was created on Survey Monkey with 20 questions related to the presentation. The survey was advertised by Boulder City's Communication Department and by Nevada Preservation through social media, local publications, direct email to residents, and BCTV. The survey was open from October 5th to November 30th, 2020 and monitored via I.P. address to prevent duplicate responses. At the close of the survey on November 30th, 169 responses had been received. The following data summarizes the results.

Q1 Good historic preservation means sometimes telling an owner, developer, property owner that they cannot undertake their plans without making some changes.

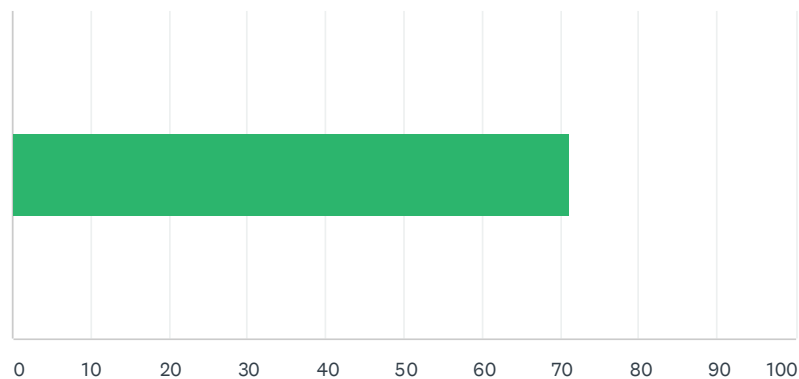
Answered: 169 Skipped: 0



ANSWER CHOICES	AVERAGE NUMBER	TOTAL NUMBER	RESPONSES
	69	11,731	169
Total Respondents: 169			

Q2 Boulder City should use the National Register of Historic Places criteria for the designation of historic resources.

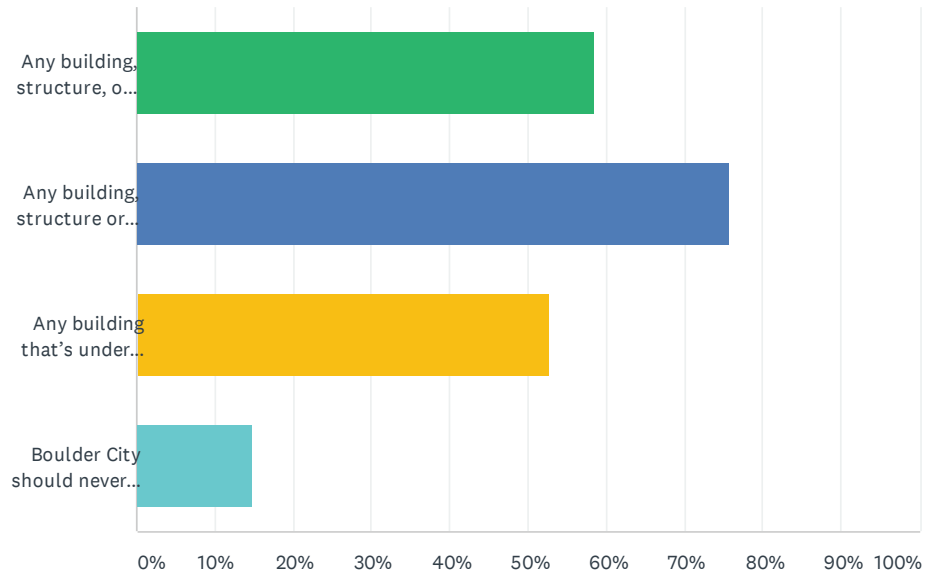
Answered: 169 Skipped: 0



ANSWER CHOICES	AVERAGE NUMBER	TOTAL NUMBER	RESPONSES
	71	12,027	169
Total Respondents: 169			

Q3 Boulder City should delay and review demolition, including public input, for at least 60 days for which of the following (select as many as you would like):

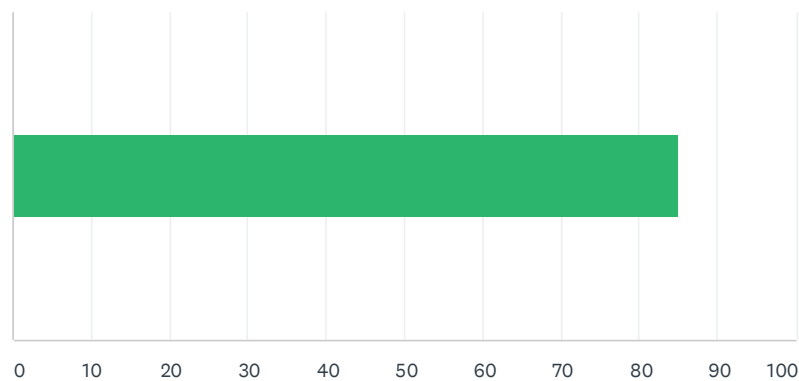
Answered: 169 Skipped: 0



ANSWER CHOICES	RESPONSES	
Any building, structure, or site over 50 years old	58.58%	99
Any building, structure or site that has been designated	75.74%	128
Any building that's under 50 years old, but is thought to hold historic importance	52.66%	89
Boulder City should never delay demolition and seek public input for any building, structure, or site	14.79%	25
Total Respondents: 169		

Q5 Property owners, who are not allowed to make changes to their building, should be able to appeal that decision.

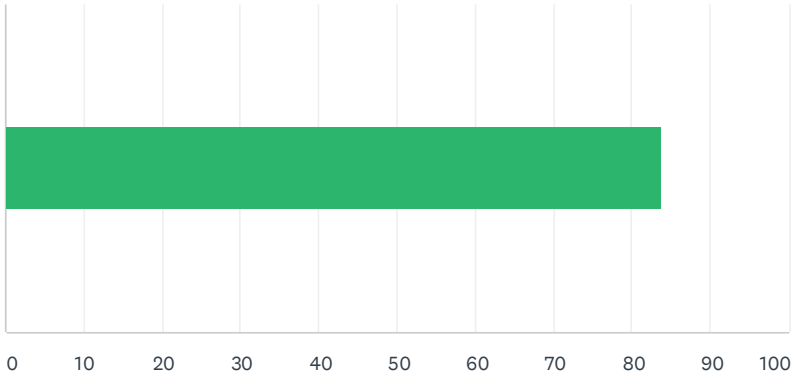
Answered: 166 Skipped: 3



ANSWER CHOICES	AVERAGE NUMBER	TOTAL NUMBER	RESPONSES
	85	14,116	166
Total Respondents: 166			

Q6 Members of the Historic Preservation Committee should be required to attend trainings on historic preservation at least once every 2 years.

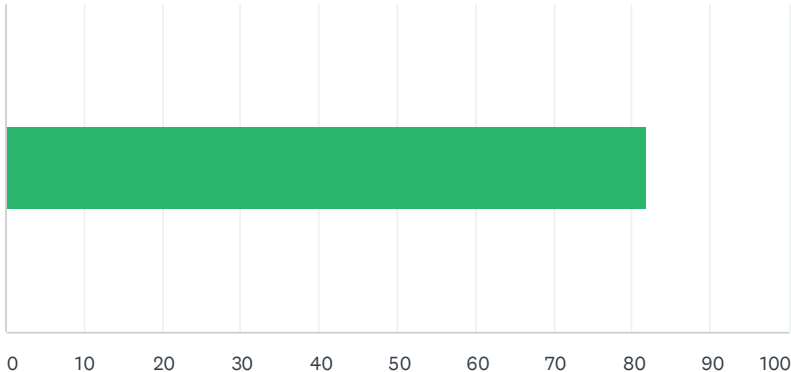
Answered: 166 Skipped: 3



ANSWER CHOICES	AVERAGE NUMBER	TOTAL NUMBER	RESPONSES
	84	13,913	166
Total Respondents: 166			

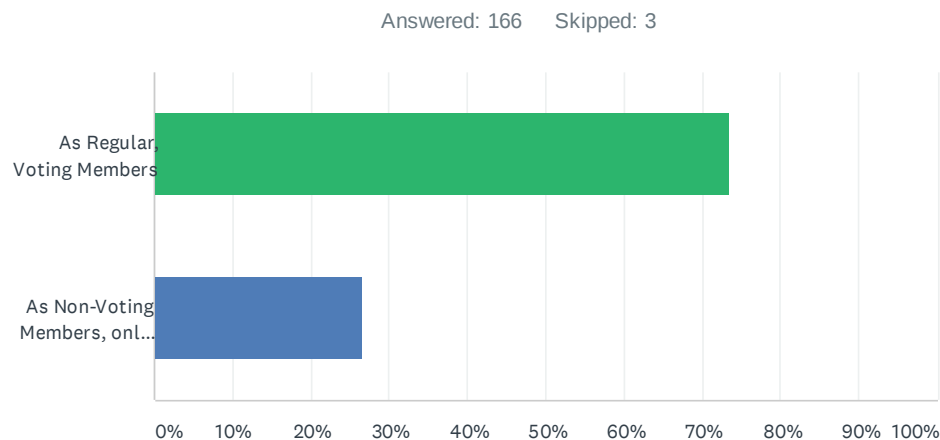
Q7 Some of the members of the Historic Preservation Committee should have professional experience in history, architecture, construction, historic preservation, and other relevant subjects.

Answered: 166 Skipped: 3



ANSWER CHOICES	AVERAGE NUMBER	TOTAL NUMBER	RESPONSES
	82	13,579	166
Total Respondents: 166			

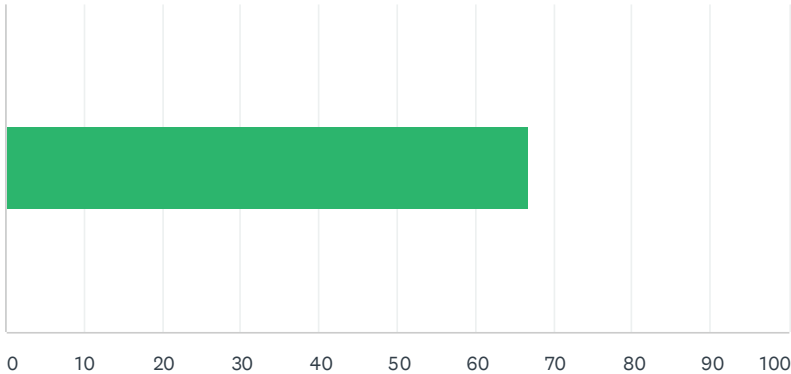
Q8 The Historic Preservation Committee members with professional experience should serve as:



ANSWER CHOICES	RESPONSES	
As Regular, Voting Members	73.49%	122
As Non-Voting Members, only giving advice	26.51%	44
TOTAL		166

Q9 Residents should be able to nominate their neighborhoods as historic districts by organizing and voting.

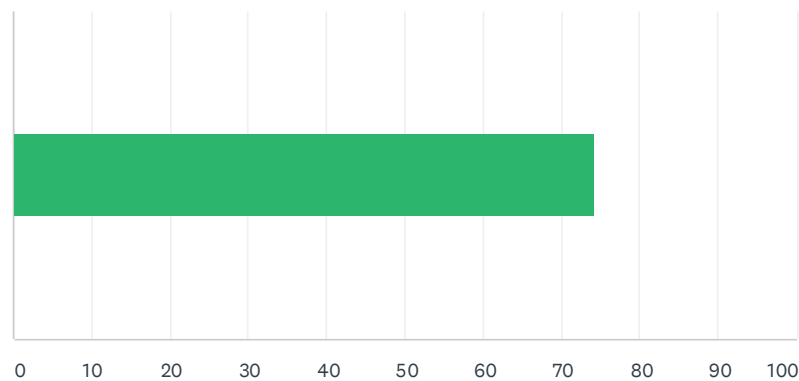
Answered: 156 Skipped: 13



ANSWER CHOICES	AVERAGE NUMBER	TOTAL NUMBER	RESPONSES
	67	10,396	156
Total Respondents: 156			

Q10 Boulder City staff should help residents with the application process to nomination historic districts.

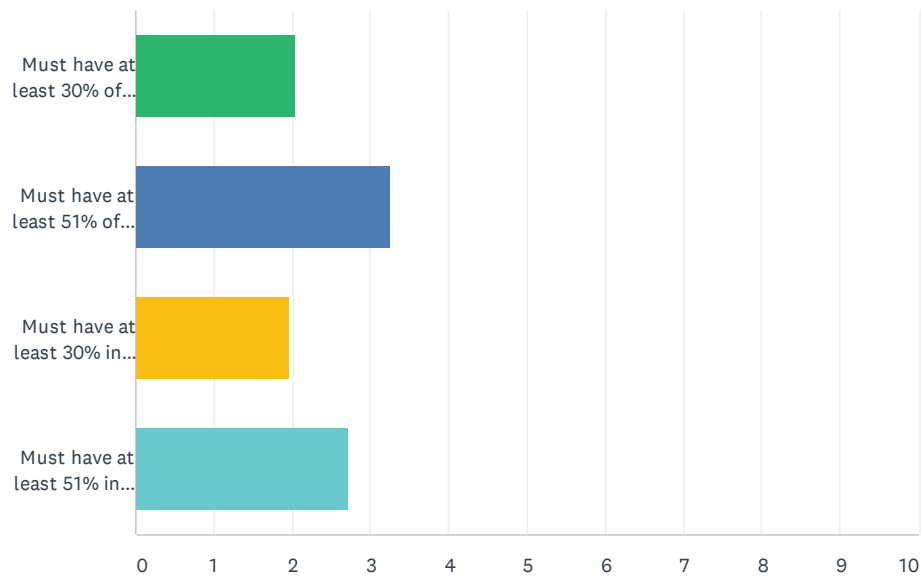
Answered: 156 Skipped: 13



ANSWER CHOICES	AVERAGE NUMBER	TOTAL NUMBER	RESPONSES
	74	11,581	156
Total Respondents: 156			

Q11 What percentage of neighborhood residents should be required to nominate a historic district? Please rank the following according to your preference where (1) you like the most and (4) you like the least.

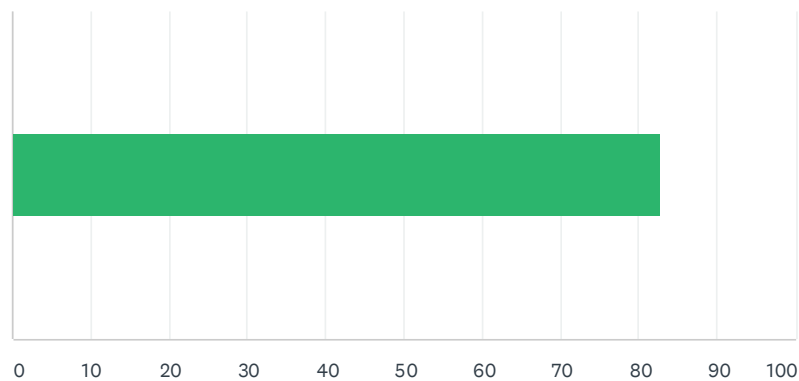
Answered: 156 Skipped: 13



	1	2	3	4	TOTAL	SCORE
Must have at least 30% of homeowners in a proposed district in support	10.90% 17	25.64% 40	19.87% 31	43.59% 68	156	2.04
Must have at least 51% of homeowners in a proposed district in support	50.64% 79	28.21% 44	18.59% 29	2.56% 4	156	3.27
Must have at least 30% in support, but if 20% are opposed there is no historic designation	2.56% 4	23.08% 36	42.95% 67	31.41% 49	156	1.97
Must have at least 51% in support, but if 20% are opposed there is no historic designation	35.90% 56	23.08% 36	18.59% 29	22.44% 35	156	2.72

Q12 It is very important to identify historic buildings throughout Boulder City.

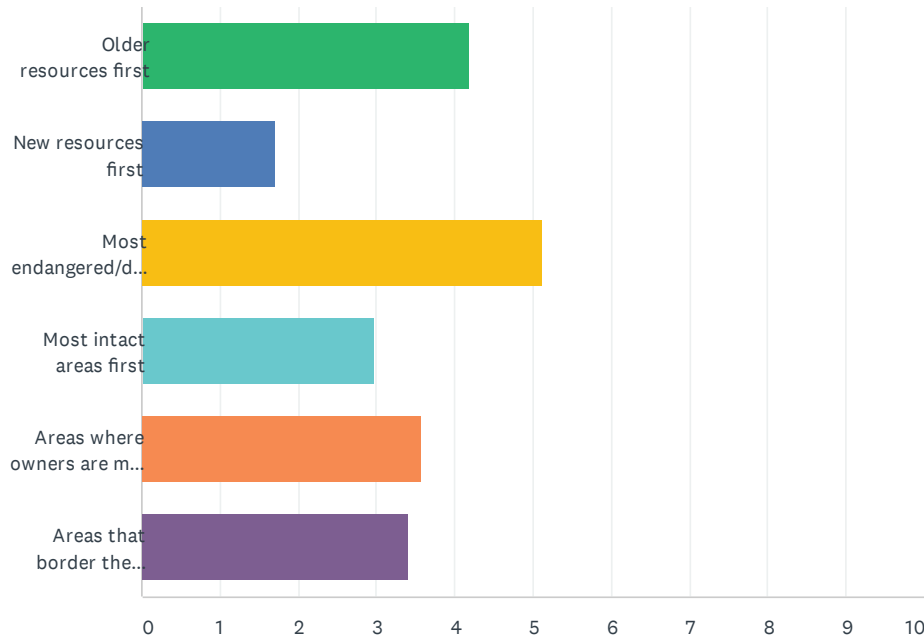
Answered: 149 Skipped: 20



ANSWER CHOICES	AVERAGE NUMBER	TOTAL NUMBER	RESPONSES
	83	12,346	149
Total Respondents: 149			

Q13 Nevada Preservation recommended that Boulder City develop a priority list for surveys and historic preservation projects. There are many ways this list could be prioritized. Below are six options, please rank them according to your preference where (1) is the one you like most and (6) is the one you like least.

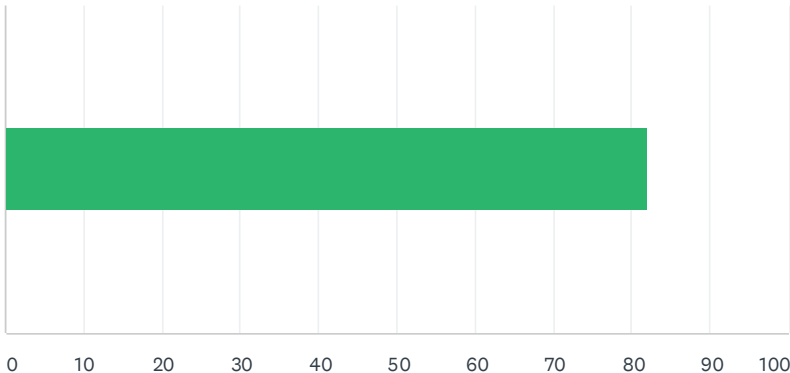
Answered: 149 Skipped: 20



	1	2	3	4	5	6	TOTAL	SCORE
Older resources first	14.09% 21	34.23% 51	23.49% 35	17.45% 26	5.37% 8	5.37% 8	149	4.18
New resources first	2.68% 4	0.67% 1	4.70% 7	8.72% 13	24.83% 37	58.39% 87	149	1.72
Most endangered/distressed areas first	57.72% 86	18.12% 27	10.74% 16	8.05% 12	4.03% 6	1.34% 2	149	5.13
Most intact areas first	5.37% 8	10.07% 15	19.46% 29	20.81% 31	30.87% 46	13.42% 20	149	2.98
Areas where owners are most engaged first	13.42% 20	18.79% 28	15.44% 23	26.17% 39	17.45% 26	8.72% 13	149	3.58
Areas that border the current historic district	6.71% 10	18.12% 27	26.17% 39	18.79% 28	17.45% 26	12.75% 19	149	3.40

Q14 It is important to learn about the history of Boulder City up to the present time, to identify historic buildings and structures.

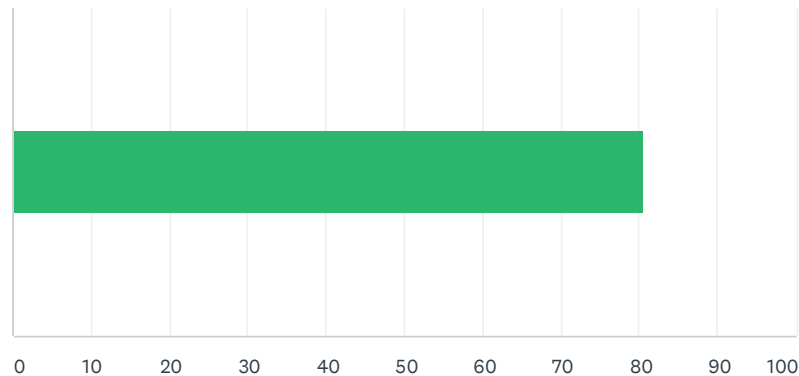
Answered: 148 Skipped: 21



ANSWER CHOICES	AVERAGE NUMBER	TOTAL NUMBER	RESPONSES
	82	12,136	148
Total Respondents: 148			

Q15 Buildings, structures, and sites from 1945 – 1960s are important to Boulder City’s architectural and cultural history.

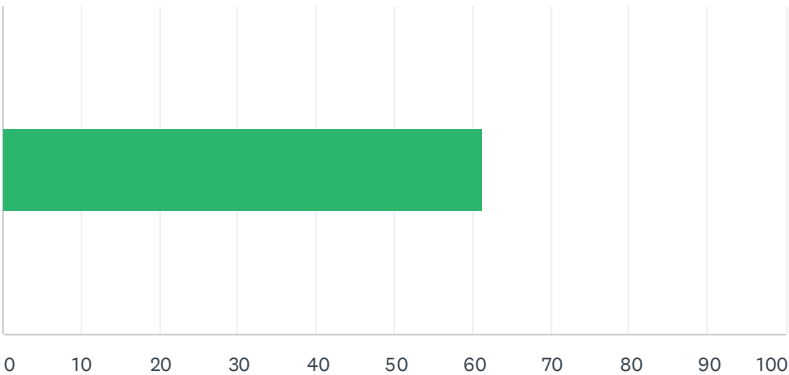
Answered: 148 Skipped: 21



ANSWER CHOICES	AVERAGE NUMBER	TOTAL NUMBER	RESPONSES
	80	11,907	148
Total Respondents: 148			

Q16 Buildings, structures, and site from the 1960s – 1980s are important to Boulder City’s architectural and cultural history.

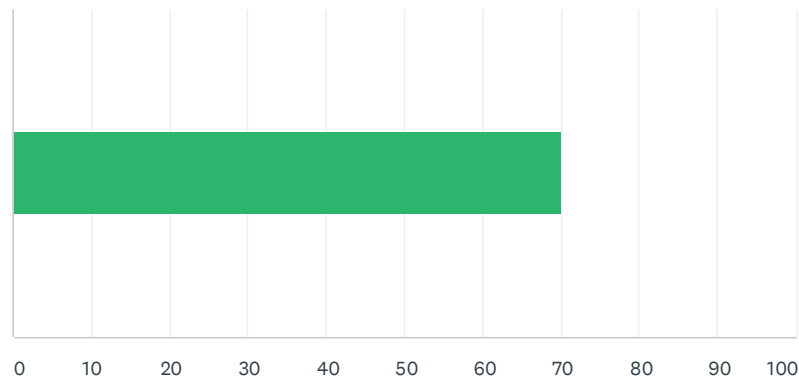
Answered: 148 Skipped: 21



ANSWER CHOICES	AVERAGE NUMBER	TOTAL NUMBER	RESPONSES
	61	9,075	148
Total Respondents: 148			

Q17 If Boulder City joined the Nevada Main Street Program, they would get access to training, grants, and support to increase tourism for locals and tourists. Boulder City would have to pay an at least part-time staffer to run this program for the City. How supportive are you of Boulder City becoming a Nevada Main Street Town?

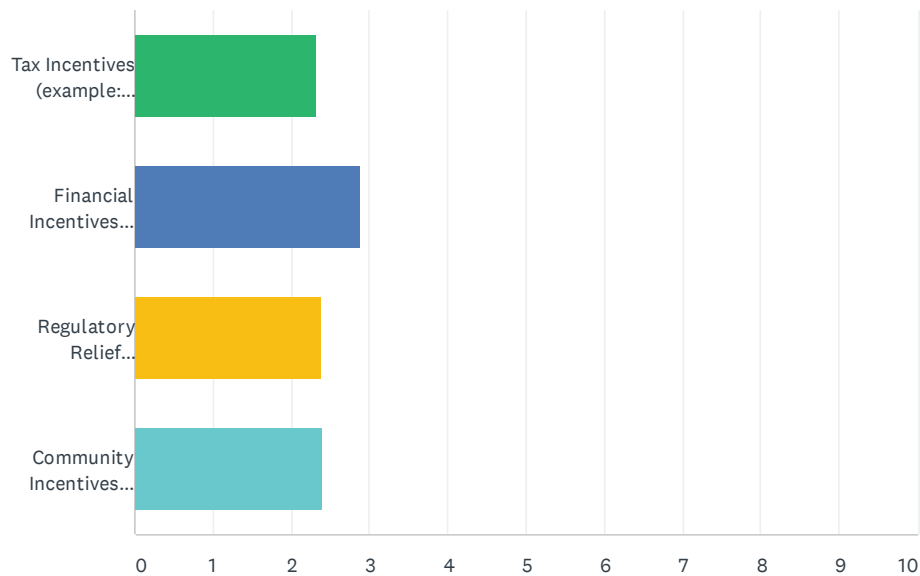
Answered: 145 Skipped: 24



ANSWER CHOICES	AVERAGE NUMBER	TOTAL NUMBER	RESPONSES
	70	10,166	145
Total Respondents: 145			

Q18 In the presentation, Nevada Preservation talked about several different forms of historic preservation incentives. Please rank them in order of your preference where (1) you like the most and (4) you like the least:

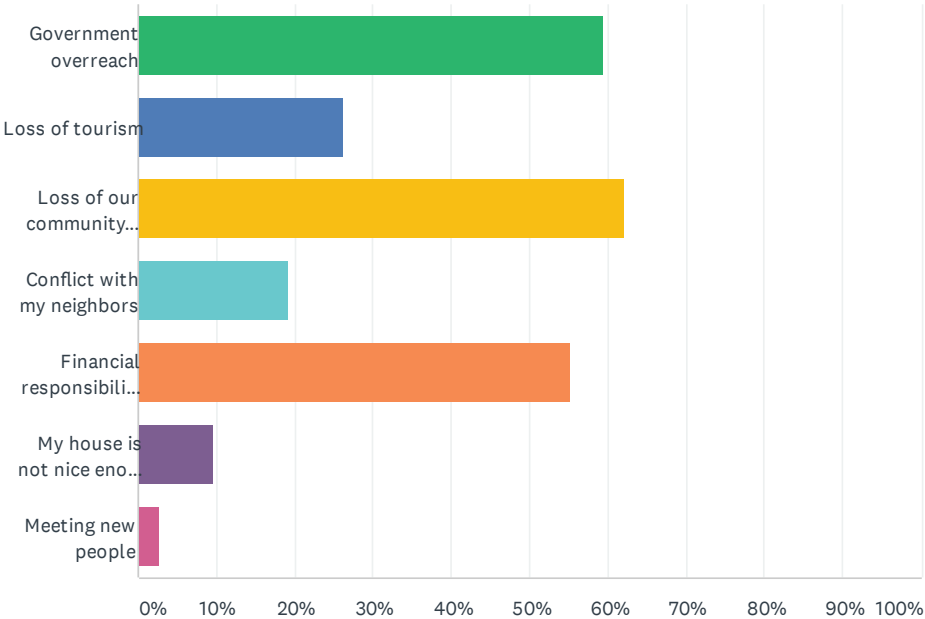
Answered: 145 Skipped: 24



	1	2	3	4	TOTAL	SCORE
Tax Incentives (example: locally designated homes' property taxes are frozen for 3-5 years)	17.24% 25	25.52% 37	30.34% 44	26.90% 39	145	2.33
Financial Incentives (example: a matching grant for renovations that meet design guidelines)	38.62% 56	26.90% 39	17.93% 26	16.55% 24	145	2.88
Regulatory Relief (example: waiver of building codes that don't jeopardize life safety)	20.69% 30	26.21% 38	24.83% 36	28.28% 41	145	2.39
Community Incentives (example: demolition of historic structures for parking lots discouraged)	23.45% 34	21.38% 31	26.90% 39	28.28% 41	145	2.40

Q19 When you think about historic preservation in Boulder City, what concerns or worries you the most? Choose as many as you would like.

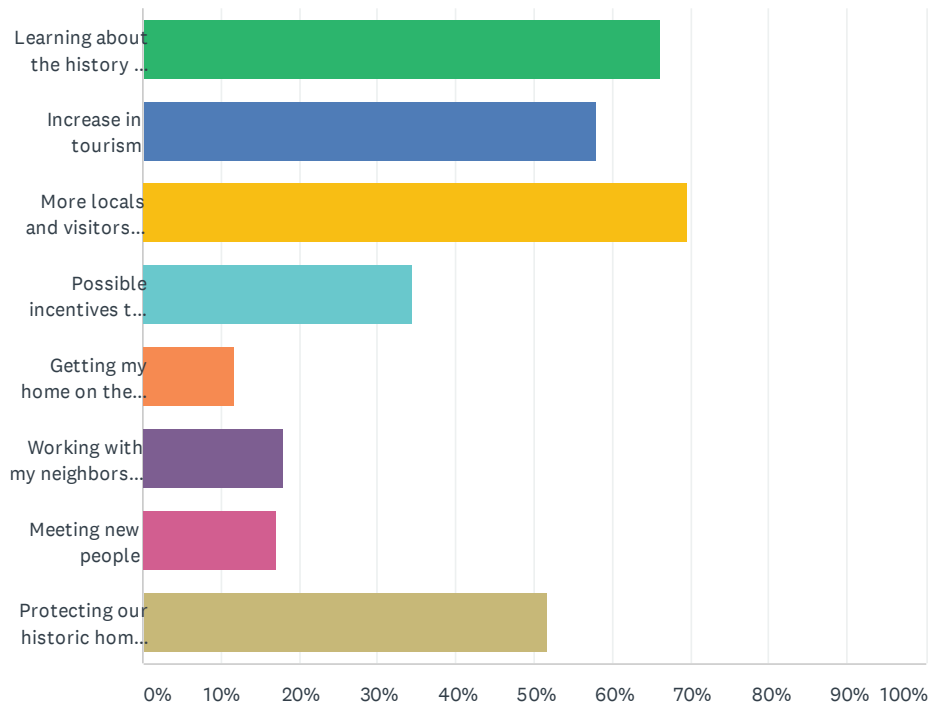
Answered: 145 Skipped: 24



ANSWER CHOICES	RESPONSES	
Government overreach	59.31%	86
Loss of tourism	26.21%	38
Loss of our community history	62.07%	90
Conflict with my neighbors	19.31%	28
Financial responsibility of keeping up a historic home	55.17%	80
My house is not nice enough for historic designation	9.66%	14
Meeting new people	2.76%	4
Total Respondents: 145		

Q20 When you think about historic preservation in Boulder City, what makes you excited about your town? Choose as many as you would like.

Answered: 145 Skipped: 24



ANSWER CHOICES	RESPONSES	
Learning about the history of my neighborhood and/or community	66.21%	96
Increase in tourism	57.93%	84
More locals and visitors learning about our history	69.66%	101
Possible incentives to work on my historic home	34.48%	50
Getting my home on the local historic register	11.72%	17
Working with my neighbors to get our neighborhood designated as a historic district	17.93%	26
Meeting new people	17.24%	25
Protecting our historic homes through mandatory design guidelines	51.72%	75
Total Respondents: 145		

APPENDIX B

HISTORIC PRESERVATION COMMITTEE GOALS

OBJECTIVE	ACTION ITEM	TENTATIVE TIMELINE
1. Develop a mission statement	<ul style="list-style-type: none"> Mission statement, proposed by HPC and presented to City Council would direct future activities regarding Historic Preservation efforts in community 	07.01.19 - 10.30.19
2. Develop a Historic Preservation Plan for Boulder City	<ul style="list-style-type: none"> Review BC 1998 Historic Preservation Plan Review Henderson's 2004 Historic Preservation Plan and other city's plans to identify similar goals, objectives, and tasks Include goal - "Review & amend existing City codes and charter to achieve historic preservation goals Incorporate other Strategic Plan Goals and Strategies as appropriate into Historic Preservation Plan Historic Preservation Committee (HPC) to review/comment on Historic Preservation Plan 	07.01.19 - 06.30.20
3. Explore creating new Historic Preservation Districts in Boulder City	<ul style="list-style-type: none"> Conduct a city-wide reconnaissance and/or intensive survey to identify historic and cultural places that are historically significant Complete a city-wide historic context statement that expands from previous historic contexts (e.g. BC Historic District); develop a complete chronological history of the City of Boulder City up to the present Complete appropriate City, State, and/or National Register Nomination Forms for historic and cultural places HPC to review/comment on inventories, historic context statement, and historic property nomination forms 	02.15.19 - 06.30.21
4. Amend existing codes, and programs to achieve historic preservation goals and to comply with CLG and SOI Standards	<ul style="list-style-type: none"> Existing Chapter 11-27 Historic Resources Ordinance #1103 (adopted Feb 22, 2000 then repealed Mar 8, 2005 by Ordinance #1243) Other codes that address Signage; Demolition & Demolition by Neglect; Blight & boarded-up buildings; Landscaping; Building codes; New / infill construction; Zoning; RDA Update and/or draft additional illustrative guidelines or standards for existing or newly designated historic properties HPC to review/comment on code, charter amendments Amend City Code to create a new 'Chapter 5 - Historic Preservation Commission', under 'Title 3, Boards & Commissions, Chap 1 - Definitions' 	07.01.19 - 06.30.21
5. Identify financial incentives to promote historic preservation	<ul style="list-style-type: none"> Work with property owners, businesses, stakeholders, realtors, developers, landlords, Chamber of Commerce, etc. to encourage use of financial incentives to promote the purchase and adaptive use of historic properties. HPC to review/comment on new RDA grant program and guidance prior to submission to City Council 	07.01.19 - 06.30.20
6. Promote economic development through historic preservation	<ul style="list-style-type: none"> Prepare a white paper on economic development benefits of historic districts Develop a marketing campaign that highlights BC unique historic assets HPC to review/comment on white paper and marketing campaign prior to submission to City Council 	07.01.19 - 06.30.22

HISTORIC PRESERVATION COMMITTEE GOALS

7. Develop an educational campaign that promotes historic Boulder City and encourages historic preservation	<ul style="list-style-type: none"> HPC continues to work with partners (Museum, Art Guild, Chamber of Commerce, businesses, residents, etc.) regarding HPC-related events HPC continues to prepare annual Historic Preservation Day event in May which can involve workshops, speakers, tours, etc. HPS continues to oversee annual Historic Preservation Award program in May HPC to review/comment on educational campaign prior to submission to City Council 	07.01.22 - 06.30.24
8. Identify historic buildings to repurpose and reuse as appropriate for a given area	<ul style="list-style-type: none"> Complete Stantec Study that evaluates City needs for City owned historic buildings Research successful examples of adaptive reuse of historic buildings 	01.05.19 - 01.05.24

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Boulder City Historic Preservation Ordinances and Resolutions

- 11/26/1991 –
Resolution no. 2054: Adoption of the 1991 Master Plan for the community pursuant to NRS 278.220
- 02/13/1996 –
Resolution no. 2681: Resolution of the City Council of Boulder City, NV, establishing a historic district preservation plan study committee.
- 2/24/2000 -
Ordinance no. 1103: An ordinance amending Title 11 by adding a new chapter 27 entitled, "Historic Preservation" (AM-99-234).
- 12/09/2003 –
Resolution 4234: Resolution of the City Council of Boulder City, Nevada, to approve the request to repeal and replace the 1991 Master Plan as amended with the 2003 Master Plan.
- 3/30/2005 –
Ordinance no. 1243: An ordinance amending Title 11 (Zoning and Subdivisions) to repeal of Chapter 27 'Historic Preservation' (AM-05-258)
- 07/19/2006 –
Ordinance no. 1295: An ordinance by the City of Boulder City, to amend Title 11 Zoning, by adopting Chapter 11-27, Historic Resources
- 9/13/2007 –
Ordinance no. 1338: An ordinance of the City of Boulder City, to amend Chapter 27 of Title 11, Zoning and Subdivisions, to change the meeting date of the historic preservation committee (AM-07-273)
- 12/04/2008 –
Ordinance no. 1369: An ordinance of the City of Boulder City to repeal and replace Title 11, Chapter 27 of the City Code, Historic Resources, based on a recommendation from the Historic Preservation Committee (AM-08-279)
- 2008 –
2008 Community Historic Preservation Survey, relative to possible future amendments to Chapter 11-27 of the City Code, 'Historic Resources'
- 12/16/2011 –
Ordinance no. 1470: An ordinance of the City of Boulder City, Nevada, to amend Title 11, Chapter 27 of the City Code for minor updates to the Historic Resources Chapter (AM-11-297)
- 10/20/2016 –
Ordinance no. 1572: An ordinance of the City of Boulder City, Nevada, to re-adopt Title 11, Chapter 27 of the City Code, Historic Resources, as per NRS requirements, including the boundaries of the federally established Boulder City Historic District (AM-16-328)

03/21/2019 –

Ordinance no. 1622: An ordinance of the City of Boulder City, Nevada, to amend Title 11, Chapter 27 of the City Code, Historic Resources, for changes relative to the Certified Local Government Program (AM-19-338)

7/9/2019 -

Resolution no. 6963: Resolution of the City Council of Boulder City, Nevada, approving agreement no. 19-1827 between the City of Boulder City and Nevada State Historic Preservation Office for Certified Local Government designation.

10/13/2020-

Resolution no. 7167: Resolution of the City Council of Boulder City, Nevada, establishing an Ad Hoc committee to recommend changes to City Code, Title 11, Chapter 27 Historic Resources

Nevada State Historic Preservation

Model Historic Preservation Ordinance

The drafted ordinance below is prepared as a recommendation for Cities and Counties in the State of Nevada that wish to establish historic preservation programs consistent with established state enabling legislation (NRS 278 and 384). Different local governments in the State of Nevada will have different needs and expectations for an historic preservation program and will likely need to adapt the recommended language below to suit individual needs. Local governments seeking to establish an historic preservation program for the purposes of becoming a Certified Local Government (CLG) should contact the CLG Coordinator at the Nevada SHPO to ensure any proposed or adopted historic preservation ordinance is consistent with the certification requirements of that program.

Key

Text Required for CLG Status (highlighted)

Text Recommended for Successful Operation (not highlighted)

Note: Although language below is oriented toward municipal governments, a county government could adopt such an ordinance with appropriate textual modifications.

Notes for Rural Cities or Counties

Rural areas, especially rural counties, may find that adopting some provisions included in this model ordinance are not feasible within their current administrative framework. Rural local governments wishing to become CLGs should consult with the CLG coordinator about developing a sustainable preservation ordinance that fits their area's needs. Local government representatives may want to consider the following:

- Current administrative framework for development permitting - Where a local government needs more flexibility in its development code, the adoption of a design review program overseen by its historic preservation commission may not be feasible. To become a CLG, a local government must, at minimum, adopt the highlighted provisions in this model ordinance. Variations on language may be acceptable – a local government should discuss variations with the Nevada SHPO's CLG Coordinator.
- Economic environment – In areas where there are large numbers of low-income residents residing in historic buildings, provisions such as minimum maintenance standards (see Section 9) may not be advisable. In this potential environment, a minimum maintenance standard, without the provision of alternative financial support, may have unintended adverse effects on area residents.

ORDINANCE NO. _____ AN ORDINANCE FOR THE CITY OF _____, IN THE STATE OF NEVADA, TO BE KNOWN AS CHAPTER _____, "HISTORIC PRESERVATION CODE"; PROVIDING FOR THE ESTABLISHMENT OF THE HISTORIC PRESERVATION Commission; PROVIDING FOR DUTIES AND FUNDING FOR THE SAID Commission; PROVIDING THAT THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT FROM AND AFTER ITS PASSAGE, APPROVAL, AND PUBLICATION ACCORDING TO LAW.

WHEREAS, Chapters 278 and 384 of the Nevada Revised Statutes empowers cities and counties to make provisions for the identification and preservation of historic sites; and,

WHEREAS, the City Council of the City of _____ deems it in the best interest of the community to establish a historic preservation ordinance;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF _____ THAT A NEW CHAPTER BE, AND THE SAME HEREBY IS, ENACTED TO BE DESIGNATED AS CHAPTER _____, THE HISTORIC PRESERVATION CODE, OF THE ORDINANCES OF THE CITY OF _____, WHICH SHALL READ AS FOLLOWS:

SECTION 1 PURPOSE

The purpose of this article is to establish historic areas and landmarks for the educational, cultural, and economic benefit of city inhabitants. Due to the pressures resulting from population growth and development, which may result in the destruction, impairment, or alteration of historic resources that reflect elements of the city's cultural and architectural heritage, the following policies and responsibilities are established:

- (a) protect and enhance the landmarks and districts which represent distinctive elements of _____'s historic, architectural, and cultural heritage; Preserve, protect, enhance, regulate, and use buildings, structures, sites, and areas which are unique or irreplaceable assets to the city and its neighborhoods, which provide examples of the physical surroundings in which past generations lived, or which are archaeologically significant for present and future generations;
- (b) foster civic pride in the accomplishments of the past;
- (c) protect and enhance _____'s attractiveness to visitors and the support and stimulus to the economy thereby provided;
- (d) ensure the harmonious, orderly, and efficient growth and development of the city that is sensitive to its historic resources;
- (e) promote economic prosperity and welfare of the community by encouraging the most appropriate use of historic properties within the city;
- (f) encourage stabilization, restoration, and improvements of such properties and their values by offering incentives for rehabilitation.

SECTION 2 DEFINITIONS

The following words and phrases when used in this Ordinance shall have, unless the context clearly indicates otherwise, the following meanings:

City. The City of _____.

Commission. The Historic Preservation Commission of the City of _____.

Historic Property. Any building, structure, district, area or site that is significant in the history, architecture, archaeology or culture of this community, the state or the nation.

Designated Historic Property. In order for any historic property to be designated in the ordinance, it must in addition meet the criteria established for inclusion of the property in the National Register of Historic Places.

Historic Preservation. The identification, evaluation, recordation, documentation, curation, acquisition, management, protection, restoration, rehabilitation, stabilization, maintenance, interpretation, conservation, and education of buildings, structures, objects, districts, areas, and sites significant in the history, architecture, archaeology or culture of this state, its communities or the Nation.

SECTION 3 HISTORIC PRESERVATION COMMISSION

- (a) There is hereby created a Historic Preservation Commission which shall consist of ## members who shall be appointed by the Mayor with the advice and consent of the Council.
- (b) All members of the Commission shall have a demonstrated interest, competence, or knowledge in history or historic preservation. The Council shall appoint [##] members with professional training or experience in the disciplines of architecture, history, architectural history, urban planning, archaeology, engineering, conservation, landscape architecture, law, or other historic preservation related disciplines.
- (c) Initial appointments to the Commission shall be made as follows: Half of appointed Commissioners shall serve for one-year terms and half for two-year terms, except as otherwise established by Council. All subsequent appointments shall be made for two-year terms. Commission members may be reappointed to serve additional terms. Vacancies shall be filled in the same manner as original appointments and the appointee shall serve for the remainder of the unexpired term.
- (d) The members of the Commission may be reimbursed by the City for expenses incurred in connection with their duties.

SECTION 4 ORGANIZATION, OFFICERS, RULES, MEETINGS

- (a) The Commission shall have the power to make whatever rules are necessary for the execution of its duties as set forth in this Ordinance. Rules of procedure and bylaws adopted by the Commission shall be available for public inspection.
- (b) The Commission shall elect officers from among the Commission members. The chairperson shall preside at meetings of the Commission. The vice-chairperson shall, lacking the chairperson, perform the duties of the chairperson.
- (c) All meetings of the Commission shall be open to the public, and follow the requirements of Nevada's open meeting laws (NRS 241). The Commission shall keep minutes and other appropriate written records of its resolutions, proceedings, and actions.
- (d) The Commission may recommend to the Council, within the limits of its funding, the employment of or the contracting with other parties for the services of technical experts or other persons as it deems necessary to carry on the functions of the Commission.

SECTION 5 POWERS, DUTIES, AND RESPONSIBILITIES OF THE COMMISSION

In general, the Commission shall be advisory to the Council and shall be authorized to:

- (a) Conduct a survey of local historic properties.
- (b) Recommend the acquisition of fee and lesser interests in historic properties, including adjacent or associated lands, by purchase, bequest, or donation.
- (c) Recommend methods and procedures necessary to preserve, restore, maintain and operate historic properties under the ownership or control of the City.
- (d) Recommend the lease, sale, or other transfer or disposition of historic properties subject to rights of public access and other covenants and in a manner that will preserve the property.
- (e) Contract, with the approval of the Council, with the state or federal government, or any agency of either, or with any other organization.
- (f) Cooperate with the federal, state, and local governments in the pursuance of the objectives of historic preservation.
- (g) Make recommendations in the planning processes undertaken by the county, the city, the state, or the federal government and the agencies of these entities.
- (h) Recommend ordinances and otherwise provide information for the purposes of historic preservation in the City.

- (i) Promote and conduct an educational and interpretive program on historic preservation and historic properties in the City.
- (j) Commission members, employees or agents of the Commission may enter private property, buildings, or structures in the performance of its official duties only with the express consent of the owner or occupant thereof.
- (k) Review nominations of properties to the National Register of Historic Places for properties within the City's jurisdiction.

SECTION 6 PROCEDURES FOR LANDMARK OR HISTORIC DISTRICT RECOMMENDATION

- (a) *Generally.* The City Council may designate landmarks and historic districts in the City to accomplish the purposes of this article. In making such designations, the Council shall consider the recommendation of the Historic Preservation Commission.
- (b) *Public Hearing.* The Council shall conduct a public hearing on such historic designations according to public hearing procedures described in this chapter, and NRS 278 and 384.
- (c) *Recommendation by the Historic Preservation Commission.* In general, the Council will not schedule a public hearing for historic designation until the nomination for such designation is reviewed and approved by the Commission.
 - 1. *Public Hearing.* The Commission shall conduct a public hearing on all recommendations of landmarks, landmark sites, or historic districts.
 - 2. *Initiation of Process.* A Commission member, the owner of the property, or any Council member may initiate consideration by the Commission of the recommendation of any site as a Landmark or Historic District in writing. The decision to conduct a public hearing shall be approved or denied by a majority of the Commission present.
 - a) If a request for recommendation is approved for a public hearing upon the request of someone other than the owner of the property, notice of the proposed recommendation shall be mailed by certified mail to the owner of the property. Such notice shall describe the property affected and provide notice of the date, time, and place at which a hearing before the Commission shall be conducted.
 - b) The hearing shall be not less than 30 days following the mailing of notice to the owner.
 - 3. *Recommendations on Landmarks and Historic Districts.* At the conclusion of the public hearing, the Commission shall recommend to the Council the designation of a

Landmark or Historic District if such resource or collection of resources under the following guidelines:

- a) An individual Landmark may be designated if it is at least fifty (50) years old and it substantially complies with two or more of the following:
 - i. Possesses significance in history, architecture, archeology, and culture.
 - ii. Is associated with events that have made a significant contribution to the broad patterns of local, regional, state, or national history.
 - iii. Is associated with events that have made a significant impact in our past.
 - iv. Represents the work of a master designer, builder, or craftsman.
 - v. Embodies the distinctive characteristics of a type, period, or method of construction.
 - vi. Represents an established and familiar visual feature of the city.
 - b) A District may be designated if it substantially complies with both of the following:
 - vii. Contains properties and an environmental setting which meet two or more of the criteria for designation of a Landmark, and;
 - viii. Constitutes a distinct section of the city.
4. *Recommended Waivers.* The Commission's recommendation to the Council may include recommendations for exceptions from provisions of this Code. The Commission in its recommendation shall describe the reasons for the decision and provide written notice of the decision to the property owner within ten days of the hearing. The Commission shall forward its recommendation to the Council.
5. *National Register Designation.* Inclusion of any area or property within the City in the National Register of Historic Places, as provided in the National Historic Preservation Act of 1966, shall not be construed as a local historic designation, and shall not automatically subject a property owner to the provisions of this chapter.
- (d) *Economic Incentives.* The Council, at its discretion, may make available economic incentives to enhance the possibility of designation as an historic landmark or district. The Council is further empowered to receive private or public grants that would enhance historic preservation.
- (e) *Code Waivers.* The Council shall also be empowered to designate items for "community significance waivers." Upon the recommendation of the Commission, waivers to provisions of this Code may be granted by the Council, including but not limited to setback and height restrictions that would otherwise require the facades, historic landmarks, or structures within historic districts to be altered. Such a waiver may also exempt square footage, animation, and prohibitions or any other Code provision as indicated by the city Council. At Council's discretion, designation of community significance waivers may occur any time after the Commission has recommended Landmark or Historic District status for any item. The Council may award such designation without further review by the Commission, and without public hearing.

- (f) *Waiver Criteria.* The criteria for such designation shall be that the waiver is necessary to preserve the historic character or significance of the affected site. The protections and guidelines emanating from such designation shall be identical to those for Historic Landmarks or Districts, and shall expire at the time the use that created the historical character of the item changes or ceases. Owners or managers of property containing items with community significance waivers shall paint, repair, and otherwise refurbish the items to keep them in good repair and working order. Failure to maintain the item may cause a rescission of the waiver designation.
- (g) *Amendments.* The Council may also amend or rescind its designation of any historic landmark, district, or community significance waiver. The Commission's recommendation for such amendment or rescission of historic designation shall be effected in the same manner and procedure as was followed in the original designation, including a public hearing.

SECTION 7 CERTIFICATES OF APPROPRIATENESS FOR ALTERATIONS OR NEW CONSTRUCTION AFFECTING LANDMARKS OR HISTORIC DISTRICTS

- (a) *Applicability.* No person shall carry out any construction, reconstruction, alteration, restoration, rehabilitation, or relocation of any Landmark or any property within a District, nor shall any person make any material change to the character-defining features of the property, or other exterior elements visible from a public right-of-way which affect the appearance and cohesiveness of any Landmark or any property within a District without a Certificate of Appropriateness (CoA). The application for a CoA must be reviewed and approved by the Historic Preservation Officer (HPO) or the Commission prior to the issuance of any building permit involving any Landmark or property located within a District. The application shall be required in addition to, and not in lieu of, any required building permit.
- (b) *Review Criteria.* In considering an application for a Certificate of Appropriateness, the HPO and the Commission shall review it for compliance with the *Secretary of the Interior's Standards for Treatment of Historic Properties* (the Standards) and any applicable adopted Design Guidelines previously ratified by the City Council. The Standards and any applicable adopted Design Guidelines shall apply to all properties designated as an Historic District or Historic Landmark by the Council. All review criteria shall be made available to the applicant, and property owners of Landmarks and properties located within Districts. The Commission shall promulgate and make recommendations to update the adopted Design Guidelines as necessary, provided that the changes do not pose a conflict with underlying land-use zoning and the changes do not take effect until ratified by Council.
- (c) *Procedure for Review.* The procedure for obtaining a Certificate of Appropriateness may be initiated by the City for all City-owned Landmarks or proposed work within a District, or by the individual property owner(s) of the subject Landmark or for a property located within a District. The application must be submitted for reviewed and approved by the HPO or the Commission prior to the commencement of any work. An application for Certificate of Appropriateness shall be made on forms as prescribed by the City and shall be filed with the HPO along with fees in accordance with the municipal fee schedule, if applicable.

1. Administrative design review affecting Landmarks and properties located in Districts.

- a. Upon receipt of a completed Certificate of Appropriateness application as determined by the HPO, the HPO shall review the application for a preliminary determination of compliance with the Secretary of the Interior's Standards for Rehabilitation and the adopted Design Guidelines. The applicant is encouraged to schedule a meeting with the HPO prior to the submittal of an application to discuss the proposed work and get initial design direction. The HPO reserves the right to forward any Certificate of Appropriateness application to the Commission for review and approval when direction on design policy is needed or if unable to determine compliance with the Secretary of the Interior's Standards for Rehabilitation or the Design Guidelines. Proposed work to all city-owned Landmarks, all proposed work within a District, and for all city preservation related incentive programs or federal projects must be reviewed by the Commission.
- b. Within five (5) days of receipt of a completed Certificate of Appropriateness application and a preliminary determination of compliance, notice of the pending administrative action shall be mailed to the property owner(s), to all immediate adjacent property owner(s), and posted on the property by the city establishing a fourteen (14) day period in which written comments may be submitted to the HPO.
- c. At the end of the notice period, the HPO shall meet with the Chair of the Commission to review the application and any comments received for design compliance consensus. If approved, the HPO shall issue a Certificate of Appropriateness consisting of written findings of fact, conclusions of law and any specific conditions of approval (if any), supporting the decision. The HPO shall also provide anyone who submitted written comments with a copy and forward its decision to the Development Services Department. Any specific conditions of approval as identified by the HPO shall be attached to the construction documents prior to the issuance of any building permits. No subsequent changes shall be made to the approved design without the prior review and approval of the HPO. An applicant shall have one (1) year from the date of issuance of a Certificate of Appropriateness to secure a building permit for the specified improvements or it shall become null and void.
- d. If the HPO and Chair of the Commission finds the proposed work will have an Adverse Effect on the Landmark, or property located within a District, or if the proposed work is inconsistent with the Secretary of the Interior's Standards for Rehabilitation or adopted Design Guidelines, the HPO shall advise the applicant and any written commenter of the disapproval of the application and of any changes to the application which are necessary for approval of same. A Certificate of Appropriateness application that has been denied administratively may not be resubmitted without incorporating changes to the application which are necessary for approval of the same.

- e. If no action has been taken by the HPO within sixty (60) days of the original receipt of the application, a Certificate of Appropriateness shall be deemed issued by the HPO and the HPO shall so advise the applicant in writing.
- f. The applicant or any persons adversely affected by the determination of the HPO may appeal the decision to the Commission. Appeal requests shall be filed in writing to the HPO within ten (10) days of the HPO's decision. The HPO must schedule the appeal for a public hearing at the next available regularly scheduled Commission meeting. Notice of the appeal shall be posted on the property for a period of fourteen (14) days upon receipt of a 17 formal appeal request. A written notice of the public hearing for the appeal request shall also be provided to all parties who received mailed notice for the original HPO's preliminary determination. Appeals to the Commission shall be considered only on the record made before the HPO.

2. *Commission design review affecting Landmarks and properties located in Districts.*

- a. Upon receipt of a completed Certificate of Appropriateness application as determined by the HPO, the HPO shall review the application for a preliminary determination of compliance with the Secretary of the Interior's Standards for Rehabilitation and any applicable adopted Design Guidelines. The applicant is encouraged to schedule a meeting with the HPO prior to the submittal of an application to discuss the proposed work and get initial design direction.
- b. Within five (5) days of receipt of a completed Certificate of Appropriateness and a preliminary determination of compliance, the HPO shall schedule a public hearing at the next available regularly scheduled Commission meeting. Notice of the pending Commission hearing for compliance with the Secretary of the Interior's Standards for Rehabilitation and any adopted Design Guidelines shall be mailed to the property owner(s), to all immediate adjacent property owner(s), and posted on the property by the city establishing a fourteen (14) day period in which written comments may be submitted to the HPO. A published notice of the scheduled hearing shall also be made in accordance with Nevada Open Meeting Law. All review criteria shall be made available to the applicant prior to the hearing.
- c. The Commission shall review the application at a regularly scheduled meeting. At that time, the applicant shall have an opportunity to be heard, present testimony and evidence to demonstrate that the proposed work is in compliance with the Secretary of the Interior's Standards for Rehabilitation and any adopted Design Guidelines. Other interested parties and technical experts may also present testimony or documentary evidence which will become part of a record. The burden of proof shall be upon the applicant. In the event a hearing is not scheduled within ninety (90) days of receipt of the application, a Certificate of Appropriateness shall be considered be granted.
- d. The Commission may take action to approve, postpone requesting additional information, or deny the application. If no hearing has been scheduled within

ninety (90) days of the original receipt of the application by the HPO, a Certificate of Appropriateness shall be deemed issued and the HPO shall so advise the applicant in writing.

- e. If approved, the HPO shall issue a Certificate of Appropriateness to the applicant with the written findings of fact, conclusions of law and any specific conditions of approval (if any) supporting the decision. The HPO shall also provide anyone who submitted written comments with a copy and forward the Commission's decision to the [appropriate City department]. Any specific conditions of approval made by the Commission shall be attached to the construction documents prior to the issuance of any building permits. No subsequent changes shall be made to the approved design without the prior review and approval of the HPO or Commission. An applicant shall have one (1) year from the date of issuance of a Certificate of Appropriateness to secure a building permit for the specified improvements or it shall become null and void.
 - f. If the Commission finds the proposed work will have an Adverse Effect on the Landmark, or property located within a District, or if the proposed work is inconsistent with the Secretary of the Interior's Standards for Rehabilitation or any applicable adopted Design Guidelines, the Commission shall advise the applicant at the hearing of the disapproval of the application and of any changes to the application which are necessary to approval of the same. Within five (5) days following the meeting, the HPO shall provide the applicant and any written commenter noticing in writing of the disapproval of the application and of any changes to the application which are necessary for approval of the same. A Certificate of Appropriateness application that has been denied may not be resubmitted without incorporating changes to the application which are necessary for approval of the same.
 - g. The applicant or any persons adversely affected by the action of the Commission may appeal the decision to the City Council. Appeal requests shall be filed in writing to the HPO within ten (10) days of the Commission's decision. The HPO must schedule the appeal for a public hearing at the next available regularly scheduled Council meeting. Notice of the appeal shall be posted on the property for a period of fourteen (14) days upon receipt of a formal appeal request. A written notice of the public hearing for the appeal request shall also be provided to all parties who received mailed notice for the Commission hearing.
 - h. The City Council shall give notice, follow publication procedure, hold hearings, and make its decision in the same manner as provided in the general zoning ordinance of the City. Appeals to the City Council shall be considered only on the record made before the Commission, and may only allege that the Commission's decision was arbitrary, capricious, or illegal.
- (d) *Ordinary Maintenance.* Nothing in this ordinance shall be construed to prevent the ordinary maintenance and repair of any exterior architectural feature of a landmark or property within a Historic District which does not involve a change in design, material, or outward appearance that require the issuance of a building permit. In-kind repair/replacement and repainting is included in this definition of ordinary maintenance unless painting involves an

exterior masonry surface that was not previously painted. The HPO shall determine what actions constitute "ordinary maintenance."

SECTION 8 DEMOLITION OF LANDMARKS AND CONTRIBUTING PROPERTIES IN HISTORIC DISTRICTS

It is the intent of this chapter to preserve the historic and architectural resources of the City through limitations on demolition and removal of Landmarks and contributing resources in Historic Districts to the extent it is economically feasible practical and necessary. The demolition or removal of historic buildings structures and sites in the City diminishes the character of the city's Historic Districts and it is strongly discouraged. Instead the City recommends and supports preservation rehabilitation or relocation within the historic district. It is recognized however that structural deterioration, economic hardship and other factors not entirely within the control of the property owner may result in the necessary demolition or removal of a historic building structure or site.

(a) *Removal or repair of hazardous or dangerous Landmarks.*

1. If the building official determines a Landmark to be structurally unsound and a hazardous or dangerous building pursuant to the provisions found in the City's adopted building code, the building official shall be required to provide written notice to the Commission of the ordered removal or repair of the Landmark prior to taking such action.
2. The property owner(s) of the demolished Landmark removed under this procedure is subject to the penalties found in Section 10 herein.

(b) *Certificates of Appropriateness for Demolition Affecting Landmarks or Historic Districts.* No person shall carry out the demolition of a Landmark or property within a District, including secondary buildings and landscape features that are not previously deemed a hazardous or dangerous building by the building official, without the review and approval of a Certificate of Appropriateness for Demolition application by the Commission. The application shall be required in addition to, and not in lieu of, any required building permit.

1. In the absence of a determination by the building official of the subject property as a hazardous or dangerous building, the Commission may consider an application for a Certificate of Appropriateness for Demolition of a Landmark or property located within a District, only if it meets compliance with one of the following:
 - a) The subject building, structure or object is an accessory building and/or landscape features that is not integral to the historic interpretation or integrity of the Landmark.
 - b) The applicant is requesting a Certificate of Appropriateness for Demolition of a Landmark on the basis of Economic Hardship pursuant to paragraph (c)(4) of this section.
 - c) The subject building, structure or object has lost its architectural significance and integrity over time for reasons not entirely within the control of the current or previous property owner(s).

(c) *Procedure for Certificates of Appropriateness for Demolition Affecting Landmarks or Historic Districts.* The procedure for obtaining a Certificate of Appropriateness for Demolition may be initiated by the City for all City-owned Landmarks or proposed work within a District, or by the individual property owner(s) of the subject Landmark or property within a District. The application must be submitted to the HPO for review and approval by the Commission prior to the commencement of any work. An application for Certificate of Appropriateness for Demolition shall be made on forms as prescribed by the City and shall be filed with the HPO.

1. The application shall contain:
 - a) Name, address, and contact information of applicant, and physical address of the individual property.
 - b) Site plan of the individual property or map indicating the area of the proposed demolition showing all affected buildings and/or structures on the site.
 - c) Photographs of existing conditions as well as any historical photographs, if available.
 - d) All future development plans for the property, if available.
 - e) Any other information which the Commission may deem necessary pursuant to this section.
2. An individual property that is under review by the City for a Certificate of Appropriateness for Demolition shall be protected by and subject to all of the provisions of this Article governing demolition, minimum maintenance standards and penalties until a final decision by the Commission becomes effective.
3. The procedure for a Certificate of Appropriateness for Demolition shall be the same as provided for in Section 7 herein.
4. The procedure for a Certificate of Appropriateness for Demolition application involving a claim of Economic Hardship shall be as follows:
 - a) No Certificate of Appropriateness for Demolition involving a claim of economic hardship may be approved, nor shall a demolition permit be issued by the City unless the owner proves compliance with the following standards for economic hardship:
 1. The property is incapable of earning a reasonable return in its current or rehabilitated state, regardless of whether that return represents the most profitable return possible.
 2. The property cannot be adapted for any other use, whether by the current owner or by a purchaser, which would result in a reasonable return.
 3. Earnest and reasonable efforts to find a purchaser interested in acquiring the property and preserving it have failed.

4. The property cannot be moved or relocated to another, similar site or, for contributing properties within a District, to a new location within the District.
- b) The City shall adopt by resolution separate criteria for review in considering claims of economic hardship for investment for income producing and non-income producing properties, as recommended by the Commission. Non-income producing properties shall consist of owner occupied single family dwellings and non-income producing institutional properties. All standards for review shall be made available to the owner prior to the hearing. The information to be considered by the city may include but not be limited to the following:
1. Purchase date price and financing arrangements
 2. Current market value
 3. Form of ownership
 4. Type of occupancy
 5. Cost estimates of demolition and post demolition plans for development
 6. Maintenance and operating costs
 7. Inspection report by licensed architect or structural engineer having experience working with historic properties
 8. Costs and engineering feasibility for rehabilitation
 9. Property tax information
 10. Rental rates and gross income from the property
 11. Other additional information as deemed appropriate
- c) Claims of economic hardship by the owner shall not be based on conditions resulting from:
1. Evidence of demolition by neglect or other willful and negligent acts by the owner
 2. Purchasing the property for substantially more than market value at the time of purchase
 3. Failure to perform normal maintenance and repairs
 4. Failure to diligently solicit and retain tenants
 5. Failure to provide normal tenant improvements
- d) Throughout the process, the applicant shall consult in good faith with the HPO, local preservation groups and interested parties in a diligent effort to seek an alternative that will result in preservation of the property. Such efforts must be demonstrated to the Commission at the hearing.
- e) Upon receipt of a completed Certificate of Appropriateness for Demolition application, the HPO shall review the application for a preliminary

determination of compliance with the standards for economic hardship and the criteria for review found in this section. The applicant is encouraged to schedule a meeting with the HPO prior to the submittal of an application to discuss the application and receive initial direction.

- f) Within five (5) days of receipt of a completed Certificate of Appropriateness involving a claim of Economic Hardship and a preliminary determination of compliance, the HPO shall schedule a public hearing at the next available regularly scheduled Commission meeting. Notice of the pending Commission hearing for compliance with the standards for economic hardship and the criteria for review. Notice of the hearing shall be mailed to the property owner(s), to all immediate adjacent property owner(s), and posted on the property by the City. The owner shall be required to stabilize and secure the property subject to the penalties of this Article until a final decision by the Commission becomes effective. A published notice of the scheduled hearing shall also be made in accordance with Nevada Open Meeting Law (NRS 241). All review criteria and the formal written report to the HPO shall be made available to the applicant prior to the hearing.
- g) The Commission shall conduct its initial review of the application at a regularly scheduled meeting. At that time, the applicant shall have an opportunity to be heard, present testimony and evidence to demonstrate that standards for economic hardship and the criteria for review have been met. Other interested parties and technical experts may also present testimony or documentary evidence which will become part of the record. The burden of proof shall be upon the applicant. In the event the Commission does not act within ninety (90) days of receipt of the application, a Certificate of Appropriateness for Demolition may be granted.
- h) In considering the application, the Commission shall take action to postpone the application in order to establish a Stay of Demolition period, during which time the owner shall allow the city to post a sign stating that the property is subject to demolition. Said sign shall be readable from a point of public access and state that more information may be obtained from the HPO for the duration of the stay. The owner shall conduct in good faith with the City, local preservation organizations, and interested parties a diligent effort to seek an alternative that will result in the rehabilitation of the Landmark or contributing resource in a District. Negotiations may include, but are not limited to, such actions to utilize various preservation incentive programs, sell or lease the Landmark, or facilitate proceedings for the City to acquire the Landmark under its power of eminent domain, if appropriate and financially possible. If negotiations are successful, the Certificate for Demolition application shall be considered withdrawn and all associated applications closed.
- i) If approved, the HPO shall issue a Certificate of Appropriateness to the applicant with the written findings of fact, conclusions of law and any specific conditions of approval (if any) supporting the decision. The HPO shall also provide anyone who submitted written comments with a copy and

forward the Commission's decision to the [appropriate City department]. The approval shall be valid for one (1) year from the hearing date of the Commission's final decision. The historic property shall immediately be removed from the City's inventory of historic properties, any official public records of real property of [County name], and the official zoning maps of the City.

5. Prior to demolition, the City may as a condition of approval require the owner to provide documentation of the demolished historic property at the owner's expense in accordance with the standards of the Historic American Building Survey (HABS). Such documentation may include photographs, floor plans, measured drawings, an archeological survey, and/or other information as specified.
6. Approval for the demolition of a structure may be conditioned upon the construction of an acceptable replacement structure, or landscape or park plan. A bond or other financial guaranty in the amount of the cost of the replacement structure may be required in order to assure the construction of the replacement structure, or park, or landscape plan.
7. Denial of a Certificate of Appropriateness application for Demolition involving Economic Hardship shall prevent the owner from demolishing the property or reapplying for another Certificate of Appropriateness application for Demolition for a period of three (3) years from the hearing date of the Commission's final decision, unless substantial changes in circumstances have occurred other than resale of the property or those caused by acts beyond the control of the owner. It shall be the responsibility of the owner to stabilize and maintain the minimum maintenance standards for the property so as not to create a hazardous or dangerous building, as outlined in Section 9 herein.
 - a) The City may continue to provide the owner with information regarding financial assistance for the necessary rehabilitation or repair work as it becomes available.
 - b) The owner may appeal the decision of the Commission to the City Council. Appeal requests shall be filed in writing to the HPO within ten (10) days of the Commission's decision. The City Council shall give notice, follow publication procedure, hold hearings, and make its decision in the same manner as provided in the general zoning ordinance of the City. Appeals to the City Council shall be considered only on the record made before the Commission, and may only allege that the Commission's decision was arbitrary, capricious, or illegal.

SECTION 9 MINIMUM MAINTENANCE STANDARDS

No owner or person with an interest in real property designated as a Landmark or a property located within a District shall permit the property to fall into a serious state of disrepair so as to result in the significant deterioration of any exterior architectural feature which would, in the judgment of the Commission, create a detrimental effect upon the historic character of the Landmark or District.

(a) *Examples of serious disrepair or significant deterioration:*

1. Deterioration of exterior walls, foundations, or other vertical support that causes leaning, sagging, splitting, listing, or buckling.
2. Deterioration of external chimneys that causes leaning, sagging, splitting, listing, or buckling.
3. Deterioration or crumbling of exterior plaster finishes, surfaces or mortars.
4. Ineffective waterproofing of exterior walls, roofs, and foundations, including broken windows or doors.
5. Defective protection or lack of weather protection for exterior wall and roof coverings, including lack of paint, or weathering due to lack of paint or other protective covering.
6. Rotting, holes, and other forms of material decay.
7. Deterioration of exterior stairs, porches, handrails, window and door frames, cornices, entablatures, wall facings, and architectural details that causes delamination, instability, loss of shape and form, or crumbling.
8. Deterioration that has a detrimental effect upon the special character of the district as a whole or the unique attributes and character of the contributing structure.
9. Deterioration of any exterior feature so as to create or permit the creation of any hazardous or unsafe conditions to life, health, or other property.

(b) *Procedure to mitigate Demolition by Neglect.* Demolition by Neglect refers to the gradual deterioration of a property when routine or minimum maintenance is not performed. The HPO and other City staff shall work together in an effort to reduce Demolition by Neglect involving Landmarks or properties located within Districts within the City. A Demolition by Neglect citation as determined by the Commission may be issued against the owner of the property for failure to comply with the minimum maintenance standards by permitting the subject property to exhibit serious disrepair or significant deterioration as outlined in paragraph (a) of this section.

1. While the HPO will act as the point of contact, the [appropriate City department] staff shall, when needed, assist with inspections. If there is a dispute between the HPO and [appropriate City department] staff, the City Manager may be consulted as a mitigating party.
2. The procedure for citing a property for Demolition by Neglect shall be as follows:
 - a) Initial identification is made by visual inspection of the area by the HPO, a Commission member, or by referral from someone in the area. All referrals shall be made in writing and shall be submitted to the HPO.
 - i. Once the initial identification is made, followed by a preliminary determination by the HPO, the property owner shall be notified by US mail of the defects of the building and informed of various incentive programs that may be available for repair. The owner is given thirty (30) days in which to respond to the preliminary determination by

submitting a stabilization proposal to HPO. The stabilization proposal will be presented to the Commission at the next available meeting. If the Commission approves the proposal, a Certificate of Appropriateness (if necessary) may be issued administratively by the HPO. The approval will detail the specific work which is necessary to correct the Demolition by Neglect conditions, as well as a time period to begin and complete the work. The HPO shall update the Commission on the status of the property every thirty (30) days once work begins on the property.

- ii. If the property owner receives the letter regarding the preliminary determination, but fails to respond, a second notice shall be sent in the same manner as described above.
- iii. If the property owner fails to receive and/or respond to the letter regarding the preliminary determination after two (2) attempts, the matter returns to the Commission for a citation hearing. The HPO shall send a third notice via certified mail informing the owner of the hearing, the property is posted with a notice of the violation in accordance with the provisions of this chapter, and a public hearing on the citation is scheduled.
- iv. At the public hearing the owner is invited to address the Commission's concerns and to show cause why a citation should not be issued. The Commission may take action to approve any proposed work, defer the matter to give the owner more time either to correct the deficiencies or make a proposal for stabilization, or issue a citation to the owner of the property for failure to correct the Demolition by Neglect conditions.
- v. If the owner is cited for the condition of Demolition by Neglect of the property, he is given fourteen (14) days to submit a stabilization proposal to the HPO, and at the discretion of the Commission, up to one (1) year to correct the defects. The HPO shall update the Commission on the status of the property every thirty (30) days once work begins on the property.
- vi. If the owner does respond with a stabilization proposal, the matter is turned over to the City Attorney's office for action in Municipal Court.

SECTION 10 ENFORCEMENT

All work performed pursuant to a certificate of appropriateness issued under this ordinance shall conform to any requirements included therein. It shall be the duty of the building inspector to inspect periodically any such work to assure compliance. In the event work is not being performed in accordance with the certificate of appropriateness, or upon notification of such fact by the Commission and verification by the HPO, the building inspector shall issue a stop work order and all work shall immediately cease. The property owner shall then be required to apply for a hearing before the Commission to explain the non-compliance. No further work shall be

undertaken on the project as long as a stop work is in effect until a decision is rendered by the Commission on the application.

(a) *Penalties.* It shall be unlawful to construct reconstruct significantly alter restore or demolish any building or structure designated as a Landmark or in a designated District in violation of the provisions of this Article. The City in addition to other remedies may institute any appropriate action or proceeding to prevent such unlawful construction reconstruction significant alteration or demolition to restrain correct or abate such violation or to prevent any illegal act business or maintenance in and about such premises including acquisition of the property

1. Any person firm or corporation violating any provision of this division shall be fined \$500 for each offense. Each day the violation continues shall be considered a separate offense. Such remedy under this section is in addition to the abatement restitution.

SECTION 11 SPECIAL RESTRICTIONS:

Under the provisions of Nevada Revised Statutes, Chapters 278 and 384, the City of _____ may provide by ordinances, special conditions or restrictions for the protection, enhancement and preservation of locally designated historic properties.

SECTION 12 SEPARABILITY:

If any section, subsection, sentence, clause or phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

SECTION 13 EFFECTIVE DATE:

This Ordinance shall be in full force and effect from and after its passage, approval and publication according to law. PASSED AND APPROVED this _____ day of _____, 20____. City of _____, a municipal corporation of the State of Nevada.

BY: _____
Mayor

ATTESTED: _____
City Clerk

PUBLISHED: _____

APPENDIX E

Secretary of the Interior's Standards for the Treatment of Historic Properties

The following links contain more information on the National Park Service, Secretary of the Interior's Standards for the Treatment of Historic Properties, including a PDF document of the standards and guidelines for preserving, rehabilitating, restoring, and reconstructing historic buildings.

<https://www.nps.gov/tps/standards.htm>

<https://www.nps.gov/tps/standards/treatment-guidelines-2017.pdf>



33708

Federal Register / Vol. 62, No. 119 / Friday, June 20, 1997 / Notices

DEPARTMENT OF THE INTERIOR

National Park Service

The Secretary of the Interior's Historic Preservation Professional Qualification Standards

AGENCY: National Park Service, DOI.

ACTION: Proposed renaming of and revisions to "the Secretary of the Interior's Professional Qualification Standards."

SUMMARY: The National Park Service (NPS) proposes to rename and revise "the Secretary of the Interior's Professional Qualification Standards" which are part of the larger "Secretary of the Interior's Standards and Guidelines for Archeology and Historic Preservation." The statutory authority for the Secretary's development of these can be found in sections 101(g), 101(h), 101(i), and 101(j)(2)(A) of the National Historic Preservation Act, as amended (16 U.S.C. 470 *et seq.*). These Standards and Guidelines (including the Professional Qualification Standards) were published in the **Federal Register** in 1983 (48 FR 44716, September 29) as the Secretary's best guidance for historic preservation practice nationally. This remains their preeminent function.

The Standards are renamed "the Secretary of the Interior's Historic Preservation Professional Qualification Standards." This change reflects the fact that the Standards are designed to apply to each discipline as it is practiced in historic preservation; e.g., in the identification, evaluation, documentation, registration, and treatment of historic properties.

The proposed revisions update the standards for the five disciplines included in the 1983 publication and add standards for seven other disciplines mentioned in the National Historic Preservation Act as being important to historic preservation. The proposed revisions also provide (for the first time) published guidance on how to use and interpret the Standards.

These revisions are necessary because the old professional qualification standards had become out-of-date, did not include many disciplines important in the practice of historic preservation, and provided no guidance on their use and interpretation. This absence of national guidance led to confusion and inconsistency in the application of the Standards by Federal, State, Tribal, and local government agencies and other organizations and individuals. The Standards are designed to be a tool to help recognize the minimum expertise generally necessary for performing

professionally credible historic preservation work.

The Standards are not designed to identify the best or ideal person for any position. The effective application of any of these national Standards will require the development of a detailed job description containing additional information to suit a particular situation and need. These Standards do not apply to "entry-level" applicants or to preeminent professionals in the field. Rather, they outline the minimum education and experience and products that together provide an assurance that the applicant, employee, consultant, or advisor will be able to perform competently on the job and be respected within the larger historic preservation community.

All responses to this notice will be summarized as part of the publication of the official issuance of the "Secretary's Historic Preservation Professional Qualification Standards." All comments will also become a matter of public record.

DATES: Comments on this notice must be received by August 19, 1997 to be assured of consideration.

ADDRESSES: Send comments to: Mr. Joe Wallis, Chief, Branch of State, Tribal, and Local Programs, Heritage Preservation Services, National Center for Cultural Resource Stewardship and Partnership Programs, National Park Service, U.S. Department of the Interior, 1849 C Street, NW., Washington, DC 20240. Comments may be hand-delivered or overnight mailed to 800 North Capitol Street, NW., Suite 200, Washington, DC 20002. Comments may be sent by fax to 202-343-6004 or by E-mail to John_Renaud@nps.gov.

FOR FURTHER INFORMATION CONTACT: Mr. John Renaud, Branch of State, Tribal, and Local Programs, Heritage Preservation Services Division, National Center for Cultural Resource Stewardship and Partnership Programs, National Park Service, 202-343-1055, FAX 202-343-6004, or John_Renaud@nps.gov (E-mail).

SUPPLEMENTARY INFORMATION:

Table of Contents—Applying the Historic Preservation Professional Qualification Standards:

Introduction
Program Evolution/Current Changes
Applicability
How to Use the Historic Preservation Qualification Standards
Questions and Answers
Discipline and Historic Preservation Proficiencies
Recommended Discipline Proficiencies
Recommended Historic Preservation Proficiencies

Historic Preservation Professional Qualification Standards

Archeology
(A) Prehistoric Archeology
(B) Historic Archeology
Architectural History
Conservation
Cultural Anthropology
Curation
Engineering
Folklore
Historic Architecture
Historic Landscape Architecture
Historic Preservation Planning
Historic Preservation
History
Sources of Additional Information
Professional Organizations

Introduction*Background*

The identification, evaluation, protection, and preservation of America's important historic and cultural properties depends upon the participation of all citizens; however, certain decisions must involve individuals who meet nationally accepted professional standards in order to assure credibility in the practice of historic preservation at the Federal, State, and local levels, as well as in the private sector.

The Secretary of the Interior is responsible for establishing standards for all programs under Departmental authority. In accordance with this responsibility, "the Secretary of the Interior's Professional Qualification Standards" were developed by the National Park Service (NPS) 20 years ago to ensure that a consistent level of expertise would be applied nationally to the identification, evaluation, documentation, registration, treatment, and interpretation of historic and archeological resources.

The National Historic Preservation Act of 1966 (Pub. L. 89-665) gave the Secretary authority to set criteria for State grants, surveys, and plans. The National Park Service administratively required State Historic Preservation Officers (SHPOs) to maintain professionally qualified staff (in 1976), and to appoint qualified individuals as advisors to serve on State Review Boards (in 1977). The professional qualification standards have not changed since then. The 1980 Amendments to the National Historic Preservation Act (Pub. L. 96-515) statutorily affirmed the previous regulatory requirement for professionally qualified staff. Congress also reiterated the regulation's requirement that State Review Boards include a majority of members qualified in one of the professional disciplines which met minimum Professional

Qualification Standards defined in regulation in 36 CFR part 61 (Architecture, Architectural History, Prehistoric Archeology or Historic Archeology, and History). In addition, the 1980 amendments created the Certified Local Government (CLG) program to recognize the role of local governments in the national partnership, and stipulated that the CLG Review Commission membership needed to be adequate and qualified. The Congressional Committee Report for the 1980 amendments (H.R. Rept. 96-1457) called for "professional bodies which can objectively evaluate the historic significance of properties and provide professional advice on historic preservation matters." Finally, States, local governments, Federal agencies, and the private sector often require that proposals from historic preservation contractors or work submitted by them meet these same professional practice Standards.

How To use the Historic preservation professional qualification standards provides background and general information in a question and answer format about the three basic components of each Standard: academic or comparable training; professional experience; and products and activities that demonstrate proficiency in the field of historic preservation.

Discipline and historic preservation proficiencies consists of a series of general proficiencies (knowledge, skills, and abilities) that are needed by historic preservation program applicants, employees, consultants, and advisors. The first set of proficiencies is related to disciplines; the second, to historic preservation.

Following the standard for each discipline is guidance about meeting the standard for that specific discipline, including a list of some of the most common "closely related fields" within academic degree programs; information on documenting professional experience; and a list of typical products and activities that may be used to document acquired proficiencies in the field of historic preservation.

Finally, a list of Professional Organizations is included to assist users in obtaining additional information about the disciplines, college and university departments, and publications on the practice of each discipline.

Program Evolution/Current Changes

In its 1992 amendments to the Act (Pub. L. 102-575), Congress recognized the evolution and growth of the professional practice of historic preservation, and an expanded role for

Indian tribes in implementing the National Historic Preservation Act. Accordingly, the number of disciplines acknowledged as key to the responsible practice of historic preservation has been increased by the Act and therefore by the National Park Service from the five identified almost 20 years earlier to 12, now including Archeology (Prehistoric and Historic), Architectural History, Conservation, Cultural Anthropology, Curation, Engineering, Folklore, Historic Architecture, Historic Landscape Architecture, Historic Preservation, Historic Preservation Planning, and History.

As a result, NPS consulted at length with Federal agencies, SHPOs, CLGs, and professional societies involved in historic preservation about issuing updated and expanded Professional Qualification Standards that recognize the evolution and development of the disciplines in the field.

"The Secretary of the Interior's Historic Preservation Professional Qualification Standards" are designed to be national measures for determining minimum requirements for professionals practicing in the field of historic preservation. The format for the Standards provides a consistent, yet flexible, framework for establishing sound professionalism in the twelve disciplines. There is one Standard for each of the disciplines.

Each Standard defines:

- Academic degrees or comparable training
- Professional experience; and
- Products and activities that demonstrate proficiency in historic preservation.

These Standards do not apply to "entry-level" applicants or to preeminent professionals in the field. Rather, they outline the minimum education and experience and products that together provide an assurance that the applicant, employee, consultant, or advisor will be able to perform competently on the job and be respected within the larger historic preservation community. The effective application of any of these national Standards will require the development of a detailed job description containing additional information to suit a particular situation and need.

Note: In each discipline, the most common method of meeting that Professional Qualifications Standard is discussed first. Less common alternatives follow. Typically, a graduate degree or professional license is listed first.

Applicability

It should be emphasized that the "Historic Preservation Professional

Qualification Standards" that follow are, in most instances, advisory in nature and may thus be used by anyone hiring personnel or consultants or appointing advisory boards or commissions. Because use of the Standards can help ensure appropriate, informed decisions about protecting and preserving our nation's historic and archeological resources, NPS strongly encourages their adoption and implementation.

However, under well-defined circumstances discussed below, "the Secretary's Historic Preservation Professional Qualification Standards" are requirements by statute and regulation. In those instances, a note is added at the end of the required Standard.

First, the National Historic Preservation Act, Section 101, requires that a professionally qualified staff be appointed or employed by State Historic Preservation Offices. Indian tribes that have executed a Memorandum of Agreement with NPS and assumed responsibilities pursuant to Section 101(d) of the Act also must employ or consult with professionally qualified individuals in carrying out those responsibilities. The performance and supervision of Historic Preservation Fund grant-assisted work must be performed and/or supervised by professionally qualified staff and/or contractors. In accordance with 36 CFR part 61 and NPS policy, three of twelve disciplines are required for State program staff and for staff of Tribes with Section 101(d) status: History, Archeology, and Architectural History. States and Tribes with 101(d) status may propose an alternative minimum staff composition for NPS concurrence if their historic resources, needs, or circumstances would be better served or met. States and Tribes with 101(d) status are expected to obtain the services of other qualified professionals as needed for different types of resources.

Second, section 101(b)(1)(B) and section 301(12) of the Act requires that a majority of State Review Board members be professionally qualified. As specified in 36 CFR part 61, this majority must include, but need not be limited, to the required disciplines of History, Archeology, and Architectural History. One person may meet the Standards for more than one required discipline.

Third, section 101(c)(1)(B) and section 301(13) of the Act requires that State programs encourage CLG Review Commissions to include individuals who are professionally qualified, to the extent that such individuals are

available in the community. The State may specify the minimum number of Commission members that must meet the Standards and decide which, if any, of the disciplines listed in the Standards need to be represented on the Commission.

An accompanying guidance section, *Applying the Historic Preservation Professional Qualification Standards*, has been prepared to assist the consistent application of the "Historic Preservation Professional Qualification Standards" when selecting an employee, consultant, or advisor. As such, the guidance provides additional information and recommendations, but never constitutes a requirement.

How To Use the Historic Preservation Professional Qualification Standards

There are three basic components of each Historic Preservation Professional Qualification Standard: academic degrees or comparable training; professional experience; and products and activities that demonstrate proficiency in the field of historic preservation. A number of commonly asked questions about the design and content of the Standards, as well as their application and implementation, are answered below in order to assist anyone applying for a position or anyone charged with obtaining the services of a professional in the field of historic preservation.

1. *Under what authority are these Standards developed?* "The Secretary of the Interior's Historic Preservation Professional Qualification Standards and Guidance" are part of the larger "Secretary of the Interior's Standards and Guidelines for Archeology and Historic Preservation." The statutory authority for the Secretary's development of these can be found in sections 101(g), 101(h), 101(i), and 101(j)(2)(A) of the National Historic Preservation Act, as amended. These Standards and Guidance (including the Professional Qualification Standards) were published in the **Federal Register** in 1983 as the Secretary's best guidance for historic preservation practice nationally. This remains their preeminent function.

2. *What about the requirements in Section 112 of the National Historic Preservation Act?* Section 112 is not the statutory authority for the "Secretary of the Interior's Historic Preservation Professional Qualification Standards and Guidance" (see the preceding paragraph). Section 112 splits Federal agency requirements for meeting "professional standards" into two parts. Section 112(a)(1)(A) mandates that Federal "actions" meet professional

standards; it is not directed at establishing professional qualification requirements. It is section 112(a)(1)(B) that requires the Federal Office of Personnel Management (OPM) to devise professional qualification requirements for Federal employees and contractors in seven disciplines. OPM is required by statute to consult with the National Park Service (NPS) and others in creating these requirements. When completed, NPS will offer the Professional Qualification Standards and Guidance as its best advice to OPM for their use.

3. *Are the Standards regulatory or are they advisory?* The Standards are not in and of themselves regulatory. A separate regulation or other official action which references or otherwise adopts part or all of them is necessary to give any force to any language in the Standards. In a number of instances, this has occurred. For example, the Standards for Rehabilitation are regulatory in the Federal Preservation Tax Incentives program through 36 CFR part 67. Likewise, the Professional Qualification Standards are regulatory for States, local historic preservation programs, and participating tribes through 36 CFR part 61. The guidance ("Academic Background" and "Documenting Professional Experience") accompanying the Professional Qualification Standards is intended to assist users in the application of the Standards; the guidance is not regulatory.

4. *How were these Standards developed? Who was consulted?* Consultation has been extensive over the four years of this project. The wide range of constituents that use the Standards dictates a broad consultation process, which, not surprisingly, results in widely varying opinions and recommendations. To date, NPS has consulted with: (1) Federal, tribal, State, and local government historic preservation programs as well as related organizations; (2) professional societies and organizations of professional societies; (3) academic programs in historic preservation and organizations of such programs; (4) individuals and companies in the private practice of historic preservation as well as related organizations; and, (5) individuals working in the public sector as well as organizations of such people.

5. *Why did the National Park Service choose the disciplines it did?* These disciplines were selected because each is specifically mentioned in the National Historic Preservation Act. [See sections 112(a)(1)(A), 112(a)(1)(B), 201(a)(9), 301(12)(B), 301(13), and 401(c)(3).]

6. *How are these Standards to be used?* The Standards are designed to be a tool to help recognize the minimum expertise generally necessary for performing professionally credible historic preservation work. The Standards are not designed to identify the best or ideal person for any position or the preeminent practitioners in any discipline, nor are they developed to qualify apprentice or entry level workers. The Standards are designed to describe the typical expertise held by credible mid-level journeymen working in historic preservation.

7. *Do the Standards apply to "entry level" or "technician" level positions?* Although the work of "entry-level" or "technician-level" personnel is critical to the success of historic preservation projects, these professional levels are not addressed in the Secretary's Standards. The Standards apply only to the "journeyman" professional and define the minimum level of expertise necessary to provide reliable technical opinions relating to historic properties (without in-depth oversight or review by another professional in the discipline).

8. *Do Federal agencies have to meet these Professional Qualification Standards?* For Federal employees and Federal contractors, the Historic Preservation Professional Qualification Standards are regulatory only if they are specifically adopted by: (1) The Federal Office of Personnel Management (OPM) pursuant to its responsibility under Section 112(a)(1)(B) of the Act; (2) a Federal agency in its own agency-wide regulations, requirements, or policy; or (3) a Federal agency as part of a program or project agreement with another party.

9. *How are general Standards applied in specific situations?* General standards are intended to define minimum professional qualifications for identifying, evaluating, registering, treating, and interpreting historic properties nationwide; however, the best historic preservation professional for a particular office, program, project, or property depends upon the situation. Different skills and expertise are needed for different geographical areas and resource types. In most cases where the Standards are applied in hiring or contracting, job descriptions and qualifications will have to be tailored to specific situations and locations so that experience and training are relevant to the needs of the resources and the work to be done. Where there is a need for specialized expertise in a project, application of the Standards will necessarily focus upon specialized training and demonstrated experience and products. For example, a person may be highly skilled in restoring a

particular kind of resource (such as covered bridges), but that person would not be an appropriate choice to work on other types of resources.

10. *Do all staff, consultants, and appointed advisors need to meet the Standards?* SHPOs, CLGs, and tribes hire staff, select consultants, and appoint advisors to perform historic preservation work. However, it is NPS policy that historic preservation activity supported by the Historic Preservation Fund must be conducted, supervised, overseen, evaluated, or signed off by someone who meets the appropriate Professional Qualification Standard. Therefore, NPS requires the use of some of these Standards in certain circumstances by State Historic Preservation Offices, State Review Boards, and Certified Local Government Commissions (see 36 CFR part 61). Consequently, in some offices there could be no staff meeting the Professional Qualification Standards as long as there is access somewhere along the line to the appropriate expertise. For offices (e.g., States) required to have professionally qualified staff and Review Board membership, the requirement is usually to have at least one qualified individual in the three specified core disciplines. States and Tribes with 101(d) status are expected to obtain the services of professionals qualified in other disciplines as needed. It is possible that an individual may meet the Professional Qualification Standards for more than one discipline. Other staff members working in the discipline do not have to meet the Standards.

11. *What about professionals who were hired under the old Standards?* For programs administered by the National Park Service, each State staff, State Review Board member and Certified Local Government Commission member approved by the Secretary as meeting the Professional Qualification Standards will retain that status, regardless of any subsequent changes in the Standards, until such time as that individual no longer is employed by the State office, serves on the State Review Board, or serves on the Certified Local Government Commission with which that individual was affiliated as of the date of that individual's approval. Contractors qualified in a specified discipline under the old requirements will be deemed qualified in that discipline by NPS under the new rules as long as the contract, cooperative agreement, or other third-party agreement remains in effect. New contractual agreements would apply the new standards. Other organizations using the Professional Qualification

Standards are encouraged to adopt a similar approach.

12. *Why aren't the Standards for each discipline exactly the same?* Because each discipline is different and makes its own distinct contribution to historic preservation, the Professional Qualification Standards differ somewhat according to discipline. Each set of Standards includes educational and experience equivalencies to assure fairness in hiring practices; thus, a graduate or undergraduate degree, or other certification, registration, or professional license or training is given full consideration, when combined with differing periods of full-time professional experience. Documenting a record of high quality products and activities during past employment is required in every Standard; however, the type of products and activities will necessarily differ within each discipline.

13. *Why does one have to demonstrate proficiency in a specific discipline as well as in historic preservation?* When decision makers lack the expertise required to make informed decisions, historic and cultural resources can be overlooked, mis-identified, mis-evaluated, damaged, or lost. Partial expertise can be just as harmful, whether a person is well-grounded in historic preservation, but lacks professional discipline skills, or, alternatively, is an expert in a professional discipline, but fails to understand its important connection to historic preservation. Involvement of people with expertise in both a professional discipline and historic preservation will greatly improve the reliability of decisions affecting our nation's heritage.

14. *What constitutes full-time professional experience?* Full-time professional experience generally refers to experience received after the degree was awarded or education was completed. Full-time professional experience can be acquired in blocks of time that, together, add up to the number of years called for in the Standard. In some disciplines, a portion of this experience must have been earned under the direct supervision of a recognized professional. It is possible that some education and experience received outside the United States is relevant to the identification, evaluation, documentation, registration, treatment, and interpretation of United States historic and cultural properties.

15. *Does the required experience have to occur subsequent to obtaining the requisite educational or licensing credentials?* Although it is preferable to have the practical experience after obtaining the academic training in a

particular discipline, there is no such national requirement. The hiring, choosing, selecting, or contracting office must determine for itself how much experience, of what sort, and in what sequence, is appropriate for the job or position.

16. *How many and what types of products and activities are routinely used to document the quality of professional experience?* The applicant, employee, consultant, or advisor may cite products such as peer-reviewed articles and publications, audio-visual materials, awards, and National Register documentation. Activities could include teaching the theory or practices of a specific discipline; administrative, project review, or supervisory experience in a historic preservation program or office; and field or laboratory work. In any event, products and activities should demonstrate the appropriate use of the applicable "Secretary of the Interior's Standards for Archeology and Historic Preservation." Examples are provided in the Documenting Professional Experience section of the guidance for Applying the Standard for each discipline.

17. *In determining academic qualifications, what is a "closely related field of study?"* To provide flexibility in determining academic credentials, the Standards recognize that a graduate or undergraduate degree may have been attained in either the identified discipline or in a related discipline. Thus a candidate for the position of Architectural Historian may have an undergraduate degree in a closely related field of study, such as Art History or Historic Preservation.

Merely having a degree in a closely related field does not automatically meet the Standard. The course work taken to earn a degree in a related field should be weighed against the course requirements in the Standard's "main" discipline. For example, a degree in Art History does not necessarily, on its own, meet the Standard for Architectural History, unless course work relevant to the Standard can be documented, such as American architectural history. (See the Academic Background guidance given after each Standard, which discusses the typical closely related fields of study for each historic preservation discipline.)

18. *How much and what kind of course work in a "closely related field" is required to meet the Professional Qualifications Standards?* There is no set amount of credit hours. The office hiring or selecting must make a determination that the person with course work in a closely related field has enough relevant education to be

equivalent to that necessary for the standard degree in that discipline, and to enable that person to make judgments about the identification, evaluation, documentation, registration, or treatment of historic or archeological properties in the United States and its Territories.

19. *When is "exceptional experience" a factor?* In general, an applicant, employee, consultant, contractor, or advisor who does not possess a combination of education or training, experience, and products would not meet the Standards. However, in some cases, a person's experience and contributions have been so exceptional that he or she demonstrates the level of expertise that meets the Standards. In particular, this may apply in those situations where persons embarked upon their careers before recognized academic programs were established, and their education or training was thus attained in alternative ways. In such instances, exceptional experience would be substituted for an academic degree or other training. It is up to the organization with administrative oversight responsibility for the program or project to determine whether the individual meets the Standards. For example, in a program under the purview of 36 CFR part 61, the State Historic Preservation Office would request an exception from the National Park Service for the person under consideration for a "professional" position on the State staff or Review Board. Otherwise, the organization doing the hiring or selecting of personnel would determine whether the individual meets the Standards.

Discipline and Historic Preservation Proficiencies

The Historic Preservation Professional Qualification Standards call for an understanding of the general principles, procedures, and practices in the discipline as they are applied to historic preservation. This type of expertise is necessary for historic preservation programs in which the employee, consultant, or advisor is expected to deal with a range of historic resources and issues. Proficiencies in the disciplines and in the practice of historic preservation are outlined below.

Recommended Discipline Proficiencies

The following discipline proficiencies (knowledge, skills, and abilities) should be possessed by applicants, employees, consultants, and advisors:

- Knowledge of the history of the discipline.

- Knowledge of current theories, principles, practices, methods, and techniques of the discipline.
- Familiarity with diverse specializations within the discipline.
- Skills in applying the discipline's techniques of practice, including critical analysis skills.
- Understanding of the discipline's relationships with other disciplines and the ability to design and carry out interdisciplinary projects.
- Understanding of complex research questions.
- Ability to place a specific project in a broader context.
- Knowledge of current scholarly research and its applicability to a given issue.
- Familiarity with the process of rigorous professional peer review that occurs before work is published.

Recommended Historic Preservation Proficiencies

The following historic preservation proficiencies (knowledge, skills, and abilities) should be possessed by applicants, employees, consultants, and advisors:

- Familiarity with the origins and development of the historic preservation movement.
- Knowledge of the field of historic preservation as it is practiced in the United States, including its philosophies, theories, practices, laws, regulations, policies, and standards, and relationship to the discipline as a whole.
- Ability to apply Federal and relevant State and local historic preservation laws, regulations, policies, and standards in the public and private sectors, including Federal, State, and local government agencies, and private organizations.
- Ability to apply the appropriate set(s) of the "Secretary of the Interior's Standards for Archeology and Historic Preservation," and/or the National Register of Historic Places criteria.

In consideration of the foregoing, the "Secretary of the Interior's Professional Qualification Standards" are proposed to read as follows:

Historic Preservation Professional Qualification Standards

Archeology
(A) Prehistoric Archeology
(B) Historic Archeology
Architectural History
Conservation
Cultural Anthropology
Curation
Engineering
Folklore
Historic Architecture
Historic Landscape Architecture

Historic Preservation Planning
Historic Preservation
History

Archeology; Historic Preservation Professional Qualification Standards

Archeology is the study of past human lifeways through the systematic observation, analysis, and protection of the material remains of human activities.

Standard for Archeologist

(A) Prehistoric

The applicant, employee, consultant, or advisor will have a graduate degree in Anthropology with a specialization in Prehistoric Archeology, or a graduate degree in Archeology with a specialization in Prehistoric Archeology, or a graduate degree in a closely related field (see Academic Background for Archeology), PLUS a minimum of two and one-half (2½) years of full-time professional experience in applying the theories, methods, and practices of Archeology that enables professional judgments to be made about the identification, evaluation, documentation, registration, or treatment of prehistoric archeological properties in the United States and its Territories (at least six months of experience must have been acquired in the performance of field and analytical activities under the supervision of a professional prehistoric archeologist, and one year of experience in the study of the archeological resources of the prehistoric period must have been at a supervisory level); and products and activities that demonstrate the successful application of acquired proficiencies in the discipline to the practice of historic preservation (see Documenting Professional Experience for Archeologists).

(B) Historical

The applicant, employee, consultant, or advisor will have a graduate degree in Anthropology with a specialization in Historical Archeology, or a graduate degree in Archeology with a specialization in Historical Archeology, or a graduate degree in a closely related field (see Academic Background for Archeology), plus a minimum of two and one-half (2½) years of full-time professional experience applying the theories, methods, and practices of Archeology that enables professional judgments to be made about the identification, evaluation, documentation, registration, or treatment of historic archeological properties in the United States and its Territories (at least six months of experience must have been acquired in

the performance of field and analytical activities under the supervision of a professional Historical Archeologist, and one year of experience in the study of the archeological resources of the historic period must have been at a supervisory level); and products and activities that demonstrate the successful application of acquired proficiencies in the discipline to the practice of historic preservation (see Documenting Professional Experience for Archeologists).

(Note: Pursuant to 36 CFR part 61, a person meeting this Standard (either Prehistoric or Historic Archeology) is required as part of the core staff for each State Historic Preservation Office (SHPO) and as part of each State Review Board. Expertise described by this standard is also needed for Tribal Preservation Office staff or consultants of tribes that have executed a Memorandum of Agreement to implement Section 101(d) of the National Historic Preservation Act. It also may be needed for consultants hired with HPF grant funds and for members of Certified Local Government Commissions.)

Archeology—Academic Background

Closely related fields: Anthropology, with a specialization in Archeology, is the typical degree discipline for archeologists practicing in the United States. One of the usual requirements for receiving the degree is completion of an archeological field school in which the student learns about techniques of survey, excavation, and laboratory processing. However, degree programs have also been established in Archeology, Cultural Resources Management, Historical Archeology, and Public Archeology. Some Historical Archeology programs are housed in History, Public History, or American Studies Departments. For these degrees, a list of courses taken should be reviewed to determine if the program is equivalent to that typically provided for a degree in Anthropology with a specialization in Archeology, including course work in archeological methods and theory, archeology of a geographic region (e.g., North America), and the field school.

Discipline specializations: The most prevalent specializations in Archeology include Historical Archeology or Prehistoric Archeology, i.e., the specialization in resources of either the prehistoric period or the historic period. These specializations necessarily require expertise in different types of sites and different sources of information about past human activities. For example, a prehistoric archeologist usually requires a knowledge of environmental sciences, while a historical archeologist needs to understand the techniques of archival

research. Additional specialized training and experience is also required for those specializing in, for example, underwater archeology, physical anthropology (human bones and burials), forensic archeology, or zooarcheology (non-human bones). In addition, archeologists typically specialize in the archeological resources of a particular time period, geographic region, resource type, or research subject.

Applying the Standard for Archeologist—Documenting Professional Experience

A professional archeologist typically has experience in field survey, site testing, site excavation, artifact identification and analysis, documents research, and report preparation. Supervised field experience as a graduate student may be counted as part of the overall 2½ year professional experience requirement.

A Prehistoric Archeologist meeting this Standard would document one year of supervisory experience in the study of prehistoric archeological sites; a Historical Archeologist would document one year of supervisory experience in the study of sites of the historic period.

The two archeologist specializations of Prehistoric Archeology and Historic Archeology are not interchangeable. Documentation to show that someone qualifies in both Prehistoric and Historic Archeology should include a minimum of one additional year of supervisory experience on resources of the other specialty, for a total of 3½ years of experience, with products and activities in both specializations.

Products and Activities.

Professional experience and expertise must be documented through “products and activities that demonstrate the successful application of acquired proficiencies in the discipline to the practice of historic preservation.” Products and activities that meet the appropriate Secretary Standards for Archeology and Historic Preservation may include:

- Survey and excavation reports of cultural resource management or Section 106 (or other compliance) projects. These reports are typically called “grey literature;” they often have multiple authors and are usually produced in limited quantities by consulting firms.
- National Register documentation resulting in property listings or Determinations of Eligibility.
- Materials such as presentations, booklets, brochures, lesson plans, or

videos that interpret the results of archeological investigation for the general public.

- Publications including articles in professional journals, monographs, books, or chapters in edited books, related to the preservation of historic or archeological properties.
- Presentations at regional, national, or international professional conferences related to the preservation of historic or archeological properties.
- Professional service on boards or committees of regional, national, or international professional organizations concerned with the preservation of historic or archeological properties.
- Awards, research grants, research fellowships, or invitations to teaching posts.

This list is not comprehensive. Furthermore, it is not expected that all of these products and activities will need to be documented in order to meet the Standard; rather, a combination of several of these products and activities would be more typical. However, if the applicant were documenting professional experience in one of the specializations, the majority of products and activities should reflect that specialization.

Architectural History; Historic Preservation Professional Qualification Standards

Architectural History is the study of the development of building practices through written records and design and the examination of structures, sites, and objects in order to determine their relationship to preceding, contemporary, and subsequent architecture and events.

Standard for Architectural Historian

- (a) The applicant, employee, consultant, or advisor will have a graduate degree in Architectural History or a closely related field of study (see Academic Background for Architectural History), plus a minimum of two (2) years of full-time professional experience applying the theories, methods, and practices of Architectural History that enables professional judgments to be made about the identification, evaluation, documentation, registration, or treatment of historic properties in the United States and its Territories; and products and activities that demonstrate the successful application of acquired proficiencies in the discipline to the practice of historic preservation (see Documenting Professional Experience for Architectural Historians); or * * *
- (b) An undergraduate degree in Architectural History or a closely

related field of study (see Academic Background for Architectural History), plus a minimum of four (4) years of full-time professional experience applying the theories, methods, and practices of Architectural History that enables professional judgments to be made about the identification, evaluation, documentation, registration, or treatment of historic properties in the United States and its Territories; and products and activities that demonstrate the successful application of acquired proficiencies in the discipline to the practice of historic preservation (see Documenting Professional Experience for Historians).

(Note: Pursuant to 36 CFR part 61, a person meeting this Standard is required as part of the core staff for each State Historic Preservation Office (SHPO) and as part of each State Review Board. Expertise described by this standard is also needed for Tribal Preservation Office staff or consultants of tribes that have executed a Memorandum of Agreement to implement Section 101(d) of the National Historic Preservation Act. It also may be needed for consultants hired with HPF grant funds and for members of Certified Local Government Commissions.)

Architectural History—Academic Background

Closely related fields: Professional Architectural Historians typically receive their formal training through Architectural History, Art History, or Historic Preservation programs, which include course work in American Architectural History. Other fields of study may offer relevant training, provided that course work in American Architectural History is taken. These other fields may include American Studies, American Civilization, Architecture, Landscape Architecture, Urban and Regional Planning, American History, Historic Preservation, and Public History.

Discipline specializations: Architectural Historians tend to be generalists, although specializations within Architectural History are typically based on time periods (such as 18th century), on a particular architectural style (such as Georgian or vernacular), or a combination of these (such as plantation architecture in the antebellum South).

Applying the Standard for Architectural Historian—Documenting Professional Experience

Products and Activities

Professional experience and expertise must be documented through "products and activities that demonstrate the successful application of acquired proficiencies in the discipline to the

practice of historic preservation." A professional Architectural Historian typically has expertise in research, survey, documentation, and evaluation, of architectural resources, including buildings, structures, objects, and districts. Documentation of such experience is desirable. Products and activities that meet the appropriate Secretary's Standards for Archeology and Historic Preservation may include:

- Survey reports assessing the significance of historic properties.
- Historic structure reports.
- National Register documentation resulting in property listings or Determinations of Eligibility.
- Documentation that meets HABS/HAER standards for recording historic properties.
- Publications, which might include articles in regional, national, or international professional journals, monographs, books, or chapters in edited books, related to the preservation of historic structures.
- Presentations at regional, national, or international professional conferences related to the preservation of historic structures.
- Professional service on boards or committees of regional, national, or international professional organizations concerned with the preservation of historic structures.
- Awards, research grants, research fellowships, or invitations to teaching posts.

This list is not comprehensive. Furthermore, it should be understood that not all of these products and activities are needed in order to meet the Standard; rather, a combination of several products and activities would be more typical. If the applicant were documenting professional experience in one of the specializations, however, the majority of products and activities would naturally reflect that specialization.

Conservation; Historic Preservation Professional Qualification Standards

Conservation is the practice of prolonging the physical and aesthetic life of prehistoric and historic material culture through documentation, preventive care, treatment, and research.

Standard for Conservator

(a) The applicant, employee, consultant, or advisor will have a graduate degree in Conservation or a graduate degree in a closely related field of study with a certificate in Conservation (see Academic Background for Conservation), plus a minimum of three (3) years of full-time professional experience applying the

theories, methods, and practices of Conservation that enables professional judgments to be made about the identification, evaluation, documentation or treatment of objects associated with historic and prehistoric properties in the United States and its Territories; and products and activities that demonstrate the successful application of acquired proficiencies in the discipline to the practice of historic preservation (see Documenting Professional Experience for Conservators); or * * *

(b) An undergraduate degree in Art History, or Natural or Physical Science, or another closely related field to Conservation (see Academic Background for Conservation), with an additional (3) years of full-time enrollment in an apprenticeship program equivalent to graduate studies in Conservation and supervised by a professional Conservator; plus a minimum of three (3) years full-time professional experience applying the theories, methods, and practices of Conservation that enables professional judgments to be made about the identification, evaluation, documentation, or treatment of objects associated with historic and prehistoric properties in the United States and its Territories; and products and activities that demonstrate the successful application of acquired proficiencies in the discipline to the practice of historic preservation (see Documenting Professional Experience for Conservators).

Conservation—Academic Background

Closely related fields: Since Conservators tend to specialize in a particular class of objects, closely related fields will be diverse, and could include Art, Art Conservation, Art History, Architecture, Historic Preservation, Museum Studies, Chemistry, Physics, Engineering (or a related scientific field), Archeology, Anthropology, or other fields related to the conservation specialization. If a closely related field is being claimed, the degree in the closely related field should be accompanied by a certificate in Conservation, or the completion of course work equivalent to that typically offered in graduate Conservation programs. This course work should include examination, documentation, and treatment of objects; history and technology of objects; and conservation science. In addition, such a program should include the completion of a two-semester internship.

Discipline specializations: Professional conservators specialize in the treatment and maintenance of a

specific class of objects or materials, such as archeological artifacts, architectural elements or fragments, or collections, books, ceramics, glass, decorative arts, ethnographic objects, furniture, metals, paintings, paper, photographs, sculpture, and textiles. Some conservators have studied more than one specialty, and have accumulated experience which allows them to practice in several of these specialties (although they are often closely related, such as books, drawings, prints or paper; decorative arts and furniture; sculpture and archeological artifacts). In these cases, the time period that distinguishes the materials is often the specialty. Each of these specialties requires focused training and experience, since each represents unique problems which are not always necessarily shared with other materials or time periods. Hence, a professional conservator should be able to perform according to professional standards of practice within the claimed area of specialty and should be both capable and willing to recognize his or her limitations. The professional conservator, moreover, should be generally knowledgeable about the issues of other specialties and the benefit of effective communication among the specialties. A broad understanding of the general principles of the conservation discipline is paramount as well, particularly in the area of technological and philosophical concerns that govern the ethics of the profession.

A note on Conservation education: Many professional Conservators received their training by serving apprenticeships with professional Conservators. For some time, however, graduate conservation programs have been established in academic institutions; these require an internship in recognition of the critical importance of hands-on training and experience in preparing students for professional practice.

Applying the Standard for Conservator—Documenting Professional Experience

A professional Conservator typically possesses specialized technical skills and has experience in the examination, analysis, documentation, treatment, and preventive care of a specific class, or classes, of objects.

Products and Activities

Professional experience and expertise must be documented through "products and activities that demonstrate the successful application of acquired proficiencies in the discipline to the

practice of historic preservation." Products and activities that meet the appropriate Secretary's Standards for Archeology and Historic Preservation may include:

- A portfolio of current and past conservation work, including written and photographic documentation.
- Reports of examination, condition, or treatment of objects.
- Publications, which might include articles in professional journals, monographs, books, or chapters in edited books, related to the care and treatment of objects.
- Presentations at regional, national, or international professional conferences, workshops or other educational venues related to the care and treatment of objects.
- Professional service on boards or committees of regional, national, or international professional organizations concerned with the conservation of objects.
- Awards, research grants, research fellowships, or invitations to teaching posts.

This list is not comprehensive. Furthermore, it should be understood that not all of these products and activities are needed in order to meet the Standard; rather, a combination of several products and activities would be more typical. If the applicant were documenting professional experience in one of the specializations, however, the majority of products and activities would naturally reflect that specialization.

Cultural Anthropology; Historic Preservation Professional Qualification Standards

Cultural anthropology is the description and analysis of cultural systems, which include systems of behaviors (economic, religious, social), values, ideologies, and social arrangements.

Standard for Cultural Anthropologist

(a) The applicant, employee, consultant, or advisor will have a graduate degree in Anthropology with a specialization in Applied Cultural Anthropology, or a closely related field (see Academic Background for Cultural Anthropology), plus a minimum of two (2) years of full-time professional experience (including at least six months of field work supervised by a professional Cultural Anthropologist) applying the theories, methods, and practices of Cultural Anthropology that enables professional judgments to be made about the identification, evaluation, documentation, registration, or treatment of historic, prehistoric, or

traditional cultural properties in the United States and its Territories; and products and activities that demonstrate the successful application of acquired proficiencies in the discipline to the practice of historic preservation (see Documenting Professional Experience for Cultural Anthropologists); or * * *

(b) An undergraduate degree in Anthropology or a closely related field (see Academic Background for Cultural Anthropology), with a specialization in Applied Cultural Anthropology, plus a minimum of four (4) years of full-time professional experience (including at least twelve months of field work supervised by a professional Cultural Anthropologist) applying the theories, methods, and practices of Cultural Anthropology that enables professional judgments to be made about the identification, evaluation, documentation, registration, or treatment of historic, prehistoric, or traditional cultural properties in the United States and its Territories; and products and activities that demonstrate the successful application of acquired proficiencies in the discipline to the practice of historic preservation (See Documenting Professional Experience for Cultural Anthropologists).

Cultural Anthropology—Academic Background

Closely related fields: A degree in Anthropology with a specialization in Applied Cultural Anthropology is the typical degree discipline for Cultural Anthropologists practicing in the United States. Closely related fields of study may include Sociology, Cultural Geography, Folklife, History, and American Studies.

Discipline specializations: Specializations in this discipline include Applied Cultural Anthropology, and Social Anthropology (which may be considered the most closely related to Cultural Anthropology; some academic programs even combine them, referring to Sociocultural Anthropology). Departments of Anthropology typically provide training in Archeology, Physical Anthropology, Ethnography, and Sociocultural Anthropology, and they may offer Applied Anthropology concentrations in one or more of these fields. Professional Cultural Anthropologists tend to specialize geographically (such as in the Southwest United States, Micronesia or New England) or topically (such as Medical Anthropology or Urban Anthropology), or in working with particular cultural or linguistic groups (such as fishermen, Irish immigrants, or Northwest Coast Indians).

Applying the Standard for Cultural Anthropologist—Documenting Professional Experience

A professional Cultural Anthropologist typically has experience in the use of ethnohistoric and ethnographic techniques, including participant observation field work among one or more contemporary ethnic groups. The typical Cultural Anthropologist would also have performed field survey to identify and assess ethnographic resources, which can include, in addition to historic and cultural places of value, environmental features and places that have symbolic and other cultural value for Native American and/or other ethnic communities. A Cultural Anthropologist engaged in substantial ethnographic field work should demonstrate professional experience in the relevant geographic area and/or among the New World peoples, immigrant, ethnic, or minority communities with whom they will work.

Products and Activities

Professional experience and expertise must be documented through "products and activities that demonstrate the successful application of acquired proficiencies in the discipline to the practice of historic preservation." Products and activities that meet the appropriate Secretary's Standards for Archeology and Historic Preservation may include:

- Ethnographic field studies and survey reports, oral histories, or social impact assessments.
- National Register documentation of ethnographic resources or traditional cultural properties resulting in property listings or Determinations of Eligibility.
- Publications, which might include articles in regional, national, or international professional journals, monographs, books, or chapters in edited books, related to the documentation and preservation of historic and archeological resources, and/or traditional cultural properties.
- Presentations at regional, national, or international professional conferences, symposia, workshops or exhibits related to the documentation and preservation of historic and archeological resources, and/or traditional cultural properties.
- Professional service on boards or committees or regional, national, or international professional organizations concerned with the documentation and preservation of historic and archeological resources.
- Awards, research grants, research fellowships, or invitations to teaching posts.

This list is not comprehensive. Furthermore, it should be understood that not all of these products and activities are needed in order to meet the Standard; rather, a combination of several products and activities would be more typical. If the applicant were documenting professional experience in one of the specializations, however, the majority of products and activities would naturally reflect that specialization.

Curation; Historic Preservation Professional Qualification Standards

Curation is the practice of documenting, managing, preserving, and interpreting museum collections according to professional museum and archival practices.

Standard for Curator

(a) The applicant, employee, consultant, or advisor will have a graduate degree in Museum Studies or a closely related field of study (see Academic Background for Curation), plus a minimum of two (2) years of full-time professional experience applying the theories, methods, and practices of Curation that enables professional judgments to be made about the identification, evaluation, documentation, preventive care, or interpretation of collections associated with historic and prehistoric properties in the United States and its Territories; and products and activities that demonstrate the successful application of acquired proficiencies in the discipline to the practice of historic preservation (see Documenting Professional Experience for Curators); or

(b) An undergraduate degree in Museum Studies or a closely related field of study (see Academic Background for Curation), plus a minimum of four (4) years of full-time professional experience applying the theories, methods, and practices of Curation that enables professional judgments to be made about the identification, evaluation, documentation, preventive care, or interpretation of collections associated with historic and prehistoric properties in the United States and its Territories; and products and activities that demonstrate the successful application of acquired proficiencies in the discipline to the practice of historic preservation (see Documenting Professional Experience for Curator).

Curation—Academic Background

Closely related fields: A degree program called Museum Studies in one academic institution might be called

Museum Science or Museology in another institution. Since Curators often specialize in particular disciplines, those fields of study would be relevant provided that theoretical as well as hands-on training was also obtained in museum methods and techniques, including collections care and management. Examples of relevant fields could include American Studies, Anthropology, Archeology, Art History, Archival or Library Science, History, Biology, Botany, Chemistry, Physics, Engineering, Geology, Zoology, and other similar fields of study, depending upon the nature of the collections to be curated.

Discipline specializations:

Professional Curators tend to be specialists in a particular academic discipline relevant to the collections held by their institution or museum, which could include, for example, 19th-century Hudson Valley School paintings, Southwest Pueblo pottery, Civil War military uniforms, site-specific archeological materials, or natural history specimens.

Applying the Standard for Curator—Documenting Professional Experience

A professional Curator typically has experience in managing and preserving a collection according to professional museum and archival practices. Cultural training should involve experience with the chemical and physical properties of material culture, as well as practical and legal aspects of health and safety, an understanding of climate control systems, security, and conservation methods. The Curator is directly responsible for the care and academic interpretation of all objects, materials, and specimens belonging to or lent to the museum; recommendations for acquisition, de-accession, attribution and authentication; and research on the collections and the publication of the results of that research. The Curator also may have administrative and/or exhibition responsibilities.

Products and Activities

Professional experience and expertise must be documented through "products and activities that demonstrate the successful application of acquired proficiencies in the discipline to the practice of historic preservation." Products and activities that meet the appropriate Secretary's Standards for Archeology and Historic Preservation may include:

- Exhibit catalogs and other scholarly reports.
- Field or laboratory work that demonstrates ability to conserve, document, or interpret archeological,

archival, or material culture objects or collections.

- Plans or finding aids for the preservation or documentation of museum collections.
- Publications, which might include articles in regional, national, or international professional journals, monographs, books, or chapters in edited books, related to the care and treatment of archeological, archival, or material culture objects or collections.
- Presentations at regional, national, or international professional conferences, symposia, workshops, or exhibits related to the care and treatment of archeological, archival, or material cultural objects or collections.
- Professional service on boards or committees or regional, national, or international professional organizations concerned with the care and treatment of archeological, archival, or material culture objects or collections.
- Awards, research grants, research fellowships, or invitations to teaching posts.

This list is not comprehensive. Furthermore, it should be understood that not all of these products and activities are needed in order to meet the Standard; rather, a combination of several products and activities would be more typical. If the applicant were documenting professional experience in one of the specializations, however, the majority of products and activities would naturally reflect that specialization.

Engineering: Historic Preservation Professional Qualification Standards

Engineering is the practice of applying scientific principles to the research, planning, design, and management of structures and machines such as roads, bridges, canals, dams, docks, locomotives, and buildings, including their structural, electrical, or mechanical systems. Historic Engineering involves specialized training in engineering principles, theories, concepts, methods, and technologies of the past, and appropriate methods of interpreting and preserving historic engineered structures or machinery.

Standard for Engineer

(a) The applicant, employee, consultant, or advisor will have a State Government-recognized license to practice civil or structural engineering, plus, a minimum of two (2) years of full-time professional experience applying the theories, methods, and practices of engineering that enables professional judgments to be made about the documentation or treatment of historic

structures and machines in the United States and its Territories; and products and activities that demonstrate the successful application of acquired proficiencies in the discipline to the practice of historic preservation (see Documenting Professional Experience for Engineers); or * * *

(b) A Masters of Civil Engineering degree with demonstrable course work in Historic Preservation, for historic structures rehabilitation, plus a minimum of two (2) years of full-time professional experience applying the theories, methods, and practices of Engineering that enables professional judgments to be made about the documentation or treatment of historic structures and machines in the United States and its Territories; and products and activities that demonstrate the successful application of acquired proficiencies in the discipline to the practice of historic preservation (see Documenting Professional Experience for Engineers); or * * *

(c) A Bachelors of Civil Engineering degree with at least one year of graduate study in History of Technology, Historic Preservation, Engineering History, or a closely related field (see Academic Background for Engineers), plus a minimum of two (2) years of full-time professional experience applying the theories, methods and practices of Engineering that enables professional judgments to be made about the documentation or treatment of historic structures and machines in the United States and its Territories; and products and activities that demonstrate the successful application of acquired proficiencies in the discipline to the practice of historic preservation (see Documenting Professional Experience for Engineers).

(Note: Only persons who are licensed to practice Engineering in that State may prepare and seal plans and specifications in order to obtain construction permits, authorize payments to contractors, and certify that the work is complete. However, State staff, State Review Board members, and CLG staff or Commission members who are not licensed, but who meet the Standard for Engineer under (b) or (c) above, can review proposed and completed work for compliance with the applicable Secretary's Standards for Tax Act, HPF Grant, or other related programs.)

Engineering—Academic Background

Closely related fields: The Bachelor of Civil Engineering degree is a five-year degree that is unlikely to include historic preservation course work. The same is true of a Masters of Civil Engineering degree. An Engineer with an Engineering degree is well grounded in all aspects of engineering practice,

including design, planning, construction specifications, and contract administration. Although this background is essential, additional training is needed in order to understand and work with historic structures, sites, and machines, with their complex material evolution and treatment problems. Specialized training, to supplement that provided by the professional Engineering program, should be acquired in such areas as American Architectural and Engineering History, History of Technology, Architectural Preservation, Conservation, Historic Construction Technologies, Historic Building Materials, Historical Archeology, and Historic Preservation.

Discipline specializations: Civil Engineering, Electrical Engineering, Mechanical Engineering, and Structural Engineering are typical specializations within the broader discipline of Engineering. The two specializations most often used in historic preservation projects are Civil and Structural Engineering. Occasionally, there may be the need for a Mechanical Engineer to address issues concerning historic machinery such as locomotives, steam engines, water turbines, electric generators, and similar machines and equipment, or particularly complex mechanical systems in a historic structure.

Applying the Standard for Engineer—Documenting Professional Experience

To be licensed by a State Government as a professional Engineer, an individual must pass a written exam and successfully fulfill education, training, and experience requirements. In addition, a professional Historical Engineer has both theoretical knowledge and technical skill associated with preserving historic structures and machines, and with the application of Engineering theories, methods, and practices that enables professional judgments to be made about the evaluation, documentation, or treatment of historic structures and machines in the United States and its Territories. A professional Historical Engineer typically has gained experience on structural preservation projects, which have included research and detailed investigations of historic structures or mechanical artifacts and preparation of recommendations for the treatment of such properties in order to preserve them in accordance with the appropriate Secretary's Standards for Archeology and Historic Preservation (particularly the Secretary's Standards for the Treatment of Historic Properties).

Products and Activities

Professional experience and expertise must be documented through "products and activities that demonstrate the successful application of acquired proficiencies in the discipline to the practice of historic preservation." Products and activities that meet the Secretary Standards for Archeology and Historic Preservation may include:

- Plans and Specifications for the preservation, rehabilitation, or restoration of historic structures, such as bridges, dams, canal locks, and for the structural rehabilitation or seismic stabilization of buildings.
- Adaptive reuse or feasibility studies that make recommendations for preserving or structurally stabilizing historic structures, including bridges.
- Historic Structure Reports or Condition Assessments of historic structures or machines.
- Documentation that meets HABS/HAER standards for recording historic structures or machines.
- Experience applying the Secretary of the Interior's Standards for the Treatment of Historic Properties to the review of work on historic structures, sites or machines.
- Awards for historic structure preservation, rehabilitation, or restoration received from local, regional, national, or international professional organizations.
- Publications, which might include articles in regional, national, or international professional journals, monographs, books, or chapters in edited books about the preservation of historic structures or machines.
- Presentations at regional, national, or international professional conferences, symposia, workshops, or exhibits about the preservation of historic structures or machines.
- Professional service on boards or committees or regional, national, or international professional organizations concerned with the preservation of historic structures or machines.

This list is not comprehensive. Furthermore, it should be understood that not all of these products and activities are needed in order to meet the Standard; rather, a combination of several products and activities would be more typical.

Folklore; Historic Preservation Professional Qualification Standards

Folklore is the study and documentation of traditional, expressive culture shared within various ethnic, familial, occupational, religious, and regional groups.

Standard for Folklorist

(a) The applicant, employee, consultant, or advisor will have a graduate degree in Folklore, Folklife Studies, Anthropology or a closely related field of study (see Academic Experience for Folklore), with a specialization in Folklore or Folklife Studies, plus a minimum of two (2) years of full-time professional experience applying the theories, methods, and practices of Folklore that enables professional judgments to be made about the identification, evaluation, or documentation of folk cultures or lifeways associated with historic or prehistoric properties in the United States and its Territories; and products and activities that demonstrate the successful application of acquired proficiencies in the discipline to the practice of historic preservation (see Documenting Professional Experience for Folklorists); or * * *

(b) An undergraduate degree in Anthropology or a closely related field of study (see Academic Experience for Folklore), plus a minimum of four (4) years of full-time professional experience applying the theories, methods, and practices of Folklore that enables professional judgments to be made about the identification, evaluation, or documentation of folk cultures or lifeways associated with historic or prehistoric properties in the United States and its Territories; and products and activities that demonstrate the successful application of acquired proficiencies in the discipline to the practice of historic preservation. (see Documenting Professional Experience for Folklorists).

Folklore—Academic Background

Closely related fields: Typically, a professional Folklorist has a graduate degree in Folklore or Folklife Studies, or from highly specialized study within other disciplines such as Anthropology, English, Linguistics, or Sociology, provided that such study included training in theory, research and fieldwork techniques, and in the diverse categories of expressive culture.

Discipline specializations: A graduate degree in Anthropology may be combined with a specialization in Folklore and Folklife Studies. Other specializations may include: English, Cultural Anthropology, Ethnohistory, Ethnobotany, Ethnozoology, Ethnoarchaeology, Cultural Geography, Sociology, and Oral History.

A professional Folklore specialist, or Folklorist, may specialize in any of the categories of traditional expressive culture, such as music

(ethnomusicology), spoken word traditions, material culture, customs, or religious and belief systems; or specialization may focus on the study of a particular contemporary group (such as the Pennsylvania Amish) or region of the United States (such as Appalachia).

Applying the Standard for Folklorist—Documenting Professional Experience

A professional Folklorist typically demonstrates professional knowledge and skills in established methods and techniques of folklore and folklife research in the collection, evaluation, documentation, analysis, and/or presentation of grassroots and traditional cultural expression, including folk music, spoken word, dance, craftsmanship and artistic traditions, folkways, customs, belief systems, traditional foodways, and regional and/or occupational groups and communities. Experience would typically include fieldwork, with on-site interviews, observation, and documentation of contemporary human cultural activities.

Products and Activities

Professional experience and expertise must be documented through "products and activities that demonstrate the successful application of acquired proficiencies in the discipline to the practice of historic preservation." Products and activities that meet the appropriate Secretary's Standards for Archeology and Historic Preservation may include:

- Field studies and survey reports, oral histories, or assessments of the significance of historic properties.
- Publications, which might include articles in regional, national, or international professional journals; monographs, books, or chapters in edited books, related to assessing the significance of historic or traditional cultural properties.
- Presentations at regional, national, or international professional conferences, symposia, workshops, exhibitions, or other educational venues related to analyzing cultural traditions in evaluating the significance of historic or traditional cultural properties.
- Professional service on boards or committees of regional, national, or international professional organizations concerned with documenting and analyzing cultural traditions.
- Awards, research grants, research fellowships, or invitations to teaching posts.

This list is not comprehensive. Furthermore, it should be understood that not all of these products and activities are needed in order to meet

the Standard; rather, a combination of several products and activities would be more typical. If the applicant were documenting professional experience in one of the specializations, however, the majority of products and activities would naturally reflect that specialization.

Historic Architecture; Historic Preservation Professional Qualification Standards

Historic Architecture is the practice of applying artistic and scientific principles to the research, planning, design, and management of the built environment with specialized training in the principles, theories, concepts, methods, and techniques of preserving historic buildings and structures.

Standard for Historical Architect

(a) The applicant, employee, consultant, or advisor will have a State Government-recognized license to practice Architecture, plus, a minimum of two (2) years of full-time professional experience applying the theories, methods, and practices of Architecture that enables professional judgments to be made about the evaluation, documentation, or treatment of historic structures in the United States and its Territories; and products and activities that demonstrate the successful application of acquired proficiencies in the discipline to the practice of historic preservation (see Documenting Professional Experience for Historical Architects); or * * *

(b) A Masters of Architecture degree with demonstrable course work in Architectural Preservation, Architectural History, Historic Preservation, Historic Preservation Planning, or a closely related field (see Academic Background for Historic Architecture), plus a minimum of two (2) years of full-time professional experience applying the theories, methods, and practices of Historic Architecture that enables professional judgments to be made about the evaluation, documentation, or treatment of historic structures in the United States and its Territories; and products and activities that demonstrate the successful application of acquired proficiencies in the discipline to the practice of historic preservation (see Documenting Professional Experience for Historical Architects); or * * *

(c) A Bachelors of Architecture degree with at least one year of graduate study in Architectural Preservation, Architectural History, Historic Preservation, Historic Preservation Planning, or a closely related field (see Academic Experience for Historic

Architecture), plus a minimum of two (2) years of full-time professional experience applying the theories, methods and practices of Historic Architecture that enables professional judgments to be made about the evaluation, documentation, or treatment of historic structures in the United States and its Territories; and products and activities that demonstrate the successful application of acquired proficiencies in the discipline to the practice of historic preservation (see Documenting Professional Experience for Historical Architects).

(Note: Only persons who are licensed to practice Architecture in that State may prepare and seal plans and specifications in order to obtain construction permits, authorize payments to contractors, and certify that the work is completed. However, State staff, State Review Board members, and CLG staff or Commission members who are not licensed, but who meet the Standard for Historical Architect under (b) or (c) above, can review proposed and completed work for compliance with the applicable Secretary's Standards for Tax Act, HPF Grant, or other related programs.)

Historic Architecture—Academic Background

Closely related fields: The Bachelor of Architecture degree is a five-year degree that does not always include historic preservation course work. The same may be true of a Masters of Architecture degree. An Historical Architect is first an Architect and, as such, is well grounded in all aspects of architectural practice, including architectural design, planning, construction specifications, and contract administration. Although this background is essential, additional training is needed in order to understand and work with historic structures, with their complex material evolution and treatment problems. Specialized training, to supplement that provided by the professional Architecture program, should be acquired in such areas as American Architectural History, Architectural Preservation, Conservation, Historic Construction Technologies, Historic Building Materials, and Historic Preservation.

Discipline specialization: Historic Architecture is a specialization within the broader discipline of Architecture.

Applying the Standard for Historical Architect—Documenting Professional Experience

To be licensed by a State Government as a professional Architect, an individual must pass a written exam and successfully fulfill education, training, and experience requirements. In addition, a professional Historical

Architect has both theoretical knowledge and technical skill associated with preserving historic structures, and with the application of Architecture theories, methods, and practices that enables professional judgments to be made about the evaluation, documentation, or treatment of historic properties in the United States and its Territories. A professional Historical Architect typically has gained experience on structural preservation projects, which have included research and detailed investigations of historic structures and preparation of recommendations for the treatment of properties in order to preserve them in accordance with the appropriate Secretary's Standards for Archeology and Historic Preservation (particularly the Secretary's Standards for the Treatment of Historic Properties).

Products and activities

Professional experience and expertise must be documented through "products and activities that demonstrate the successful application of acquired proficiencies in the discipline to the practice of historic preservation." Products and activities that meet the Secretary Standards for Archeology and Historic Preservation may include:

- Plans and Specifications for the preservation, rehabilitation, or restoration of historic structures.
- Adaptive reuse or feasibility studies that make recommendations for preserving historic structures.
- Historic Structure Reports or Condition Assessments of historic structures.
- Documentation that meets HABS/HAER standards for recording historic structures.
- Experience applying the Secretary of the Interior's Standards for the Treatment of Historic Properties to the review of work on historic structures.
- Awards for historic structure preservation, rehabilitation, or restoration received from local, regional, national, or international professional organizations.
- Publications, which might include articles in regional, national, or international professional journals, monographs, books, or chapters in edited books about the preservation of historic structures.
- Presentations at regional, national, or international professional conferences, symposia, workshops, or exhibits about the preservation of historic structures.
- Professional service on boards or committees or regional, national, or international professional organizations

concerned with the preservation of historic structures.

This list is not comprehensive. Furthermore, it should be understood that not all of these products and activities are needed in order to meet the Standard; rather, a combination of several products and activities would be more typical.

Historic Landscape Architecture; Historic Preservation Professional Qualification Standards

Historic Landscape Architecture is the practice of applying artistic and scientific principles to the research, planning, design, and management of both natural and built environments with specialized training in the principles, theories, concepts, methods, and techniques of preserving cultural landscapes.

Standard for Historical Landscape Architect

(a) The applicant, employee, consultant, or advisor will have a State Government-recognized license to practice Landscape Architecture, plus, a minimum of two (2) years full-time professional experience applying the theories, methods, and practices of Landscape Architecture that enables professional judgments to be made about the identification, evaluation, documentation, registration, or treatment of historic properties in the United States and its Territories; and products and activities that demonstrate the successful application of acquired proficiencies in the discipline to the practice of historic preservation (see Documenting Professional Experience for Historic Landscape Architects); or

* * *

(b) A Masters degree in Landscape Architecture with demonstrable course work in the principles, theories, concepts, methods, and techniques of preserving cultural landscapes, plus a minimum of two (2) years of full-time professional experience applying the theories, methods, and practices of Landscape Architecture that enables professional judgments to be made about the identification, evaluation, documentation, registration, or treatment of historic properties in the United States and its Territories; and products and activities that demonstrate the successful application of acquired proficiencies in the discipline to the practice of historic preservation (see Documenting Professional Experience for Historic Landscape Architects); or

* * *

(c) A four-year or five-year Bachelors degree in Landscape Architecture, plus a minimum of three (3) years of full-

time professional experience applying the theories, methods, and practices of Landscape Architecture that enables professional judgments to be made about the identification, evaluation, documentation, registration, or treatment of historic properties in the United States and its Territories; and products and activities that demonstrate the successful application of acquired proficiencies in the discipline to the practice of historic preservation (see Documenting Professional Experience for Historic Landscape Architects).

(Note: Only persons who are licensed to practice Landscape Architecture in that State may prepare and seal plans and specifications in order to obtain construction permits, authorize payments to contractors, and certify that the work is completed. However, State staff, State Review Board members, and CLG staff or commission members who are not licensed, but who meet the Standard for Historical Landscape Architect under (b) or (c) above, can review proposed and completed work for compliance with the applicable Secretary's Standards for Tax Act, HPF Grant, Grant, or other related programs.)

Historic Landscape Architecture—Academic Background

Closely related fields: Landscape Architecture is the typical professional Bachelors degree, which is awarded after successful completion of a four-year or five-year undergraduate program. However, the Bachelors or Masters in Landscape Architecture may not always include historic preservation course work. While the standard Landscape Architecture degree program addresses all general aspects of landscape architectural practice (including design, planning, construction specifications, and professional practice), additional training is needed for Historical Landscape Architects. They may need training in landscape research, documentation, analysis, evaluation, and treatment techniques. This additional training is achieved through additional course work and/or professional experience.

Graduate study: The Masters in Landscape Architecture degree is the typical graduate degree, which is awarded after successful completion of a two-year or three-year graduate program. This degree should include studies in the principles, theories, concepts, methods, and techniques of preserving cultural landscapes. Course work may include cultural geography; landscape history; archival research techniques; historic preservation theory, principles, and practice; and preservation technologies.

Discipline specialization: Historic Landscape Architecture is a specialization within the broader field of Landscape Architecture. Historical Landscape Architects should have completed training in the principles, theories, concepts, methods, and techniques of preserving cultural landscapes. Cultural landscape preservation focuses on preserving a landscape's physical attributes, biotic systems, and use (especially when that use contributes to its historical significance). Graduate study and/or professional experience provides the specialized training needed by the Historical Landscape Architect.

Applying the Standard for Historical Landscape Architect—Documenting Professional Experience

To be licensed by a State Government as a professional Landscape Architect, an individual typically must pass a written exam and successfully fulfill education, training, and experience requirements. In addition, an Historical Landscape Architect must have two years of experience in the application of Landscape Architecture theories, methods, and practices to the identification, evaluation, documentation, registration, or treatment of historic properties in the United States and its Territories. A professional Historical Landscape Architect has both theoretical knowledge and technical skill associated with the preservation of cultural landscapes in accordance with the Secretary's Standards for Archeology and Historic Preservation. Cultural landscapes include historic sites, historic designed landscapes, historic vernacular landscapes, and ethnographic landscapes.

Products and Activities

Professional experience and expertise must be documented through "products and activities that demonstrate the successful application of acquired proficiencies in the discipline to the practice of historic preservation." Products and activities that meet the appropriate Secretary's Standards for Archeology and Historic Preservation may include:

- Surveys and inventories of cultural landscapes.
- Documentation of cultural landscapes that meets the Secretary's Standards for Documentation.
- National Register nominations or Determinations of Eligibility for cultural landscapes.
- Cultural Landscape treatment and maintenance plans.
- Cultural Landscape Reports.

- Publications, which might include articles in regional, national, or international professional journals, monographs, books, or chapters in edited books about cultural landscape preservation.
- Presentations at regional, national, or international professional conferences, symposia, workshops, or exhibits about cultural landscape preservation.
- Professional service on boards or committees or regional, national, or international professional organizations concerned with cultural landscape preservation.
- Awards, research grants, research fellowships, or invitations to teaching posts associated with cultural landscape preservation.

This list is not comprehensive. Furthermore, it should be understood that not all of these products and activities are needed in order to meet the Standard; rather, a combination of several products and activities would be more typical.

Historic Preservation Planning; Historic Preservation Professional Qualification Standards

Historic Preservation Planning, a specialization within Planning, is the practice of identifying and carrying out particular goals and strategies to protect historic and archeological resources at the local, regional, State, or national level.

Standard for Historic Preservation Planner

(a) The applicant, employee, consultant, or advisor will have a State Government-recognized certification or license in Land-use Planning, plus, minimum of two (2) years of full-time professional experience applying the theories, methods, and practices of Historic Preservation Planning that enables professional judgments to be made about the identification, evaluation, documentation, registration, protection, or treatment of historic and archeological properties in the United States and its Territories; and products and activities that demonstrate the successful application of acquired proficiencies in the discipline to the practice of historic preservation (see Documenting Professional Experience for Historic Preservation Planner); or

(b) A graduate degree in Planning with demonstrable course work in Historic Preservation, or a graduate degree in a closely related field of study with demonstrable course work in Historic Preservation (see Academic Background for Historic Preservation

Planning), plus a minimum of two (2) years of full-time professional experience applying the theories, methods, and practices of Historic Preservation Planning that enables professional judgments to be made about the identification, evaluation, documentation, registration, protection, or treatment of historic and archeological properties in the United States and its Territories; and products and activities that demonstrate the successful application of acquired proficiencies in the discipline to the practice of historic preservation (see Documenting Professional Experience for Historic Preservation Planner); or

(c) An undergraduate degree in Planning with demonstrable course work in Historic Preservation or an undergraduate degree in a closely related field of study with demonstrable course work in Historic Preservation (see Academic Background for Historic Preservation Planning), plus a minimum of four (4) years of full-time professional experience applying the theories, methods, and practices of Historic Preservation Planning that enables professional judgments to be made about the identification, evaluation, documentation, registration, protection, or treatment of historic and archeological properties in the United States and its Territories; and products and activities that demonstrate the successful application of acquired proficiencies in the discipline to the practice of historic preservation (see Documenting Professional Experience for Historic Preservation Planner).

Historic Preservation Planning—Academic Background

Closely related fields: Professional Historic Preservation Planners typically receive their education through academic Planning programs, although increasingly Historic Preservation programs are offering Historic Preservation Planning as a concentration in which degrees are awarded. Other fields that may be closely related, provided that training relevant to Historic Preservation Planning is obtained, include Historical or Cultural Geography, Architecture, Urban Design, and Historic Preservation.

Discipline specializations: Historic Preservation Planning is a specialization within the broader discipline of Planning. Other specializations include Urban, City, Town, or Community Planning; Regional Planning; Land Use Planning; Environmental Planning; Recreation Planning; Transportation Planning; and Housing Planning.

Applying the Standard for Historic Preservation Planner—Documenting Professional Experience

In order to receive a license or be registered or certified as a professional Planner, an individual typically must pass a written exam and have completed a specified number of years of experience. A professional Historic Preservation Planner typically has gained experience in data collection and analysis; survey and evaluation of existing conditions; consultation with elected and appointed officials and the general public; identification of alternative strategies; enforcement or administration of relevant statutes and regulations; and the preparation of planning documents.

Products and Activities

Professional experience and expertise must be documented through "products and activities that demonstrate the successful application of acquired proficiencies in the discipline to the practice of historic preservation." Products and activities that meet the appropriate Secretary's Standards for Archeology and Historic Preservation may include:

- Preservation plans adopted by government officials; and/or results of preservation planning studies incorporated into the local comprehensive or master plan.
- Ordinances for the protection of historic and/or archeological resources.
- Economic Feasibility Studies that make recommendations for preserving historic or archeological properties.
- Publications, which might include articles in regional, national, or international professional journals, monographs, books, or chapters in edited books, related to preservation planning.
- Presentations at regional, national, or international professional conferences, symposia, workshops, or exhibits related to preservation planning.
- Professional service on boards of committees or regional, national, or international professional organizations concerned with preservation planning.
- Planning awards received from local, regional, national, or international professional organizations.

This list is not comprehensive. Furthermore, it should be understood that not all of these products and activities are needed in order to meet the Standard; rather, a combination of several products and activities would be more typical. If the applicant were documenting professional experience in one of the specializations, however, the

majority of products and activities would naturally reflect that specialization.

Historic Preservation; Historic Preservation Professional Qualification Standards

Historic Preservation is the application of strategies that promote the identification, evaluation, documentation, registration, protection, treatment, continued use, and interpretation of prehistoric and historic resources.

Standard for Historic Preservationist

(a) The applicant, employee, consultant, or advisor will have a graduate degree in Historic Preservation or a closely related field of study (see Academic Background for the Historic Preservation discipline), plus a minimum of two (2) years of full-time professional experience applying the theories, methods, and practices of Historic Preservation that enables professional judgments to be made about the identification, evaluation, documentation, registration, or treatment of historic and prehistoric properties in the United States and its Territories; and products and activities that demonstrate the successful application of acquired proficiencies in the discipline to the practice of historic preservation (see Documenting Professional Experience for Historic Preservationists); or * * *.

(b) An undergraduate degree in Historic Preservation or a closely related field of study (see Academic Background for the Historic Preservation discipline), plus a minimum of four (4) years of full-time professional experience applying the theories, methods, and practices of Historic Preservation that enables professional judgments to be made about the identification, evaluation, documentation, registration, or treatment of historic and prehistoric properties in the United States and its Territories; and products and activities that demonstrate the successful application of acquired proficiencies in the discipline to the practice of historic preservation (see Documenting Professional Experience for Historic Preservationists).

Historic Preservation—Academic Background

Closely related fields: Various fields of study may be considered closely related to Historic Preservation, such as American Studies, Architecture, Architectural History, Archeology, History, and Historical or Cultural Geography, provided that such

programs of study include course work in the history of the designed environment, history and theory of preservation, historic preservation methods, techniques, and legislation (Federal, State and local), plus a formal supervised practicum or internship for hands-on application of knowledge and technical skills in the field.

Discipline specializations: While most Historic Preservationists tend to be generalists, many specialize in such areas as Architectural, Landscape, and Community Design, Historic Building Technology, Preservation Economics, Preservation Law, Historic Preservation Planning, and Site Interpretation and Management.

Applying the Standard for Historic Preservationist—Documenting Professional Experience

A professional Historic Preservationist typically has experience that demonstrates a well-grounded understanding of the principles, practices, laws and regulations, and diverse resources of historic preservation.

Products and Activities

Professional experience and expertise must be documented through "products and activities that demonstrate the successful application of acquired proficiencies in the discipline to the practice of historic preservation of historic or archeological resources." Products and activities that meet the appropriate Secretary's Standards for Archeology and Historic Preservation may include:

- National Register documentation that has resulted in property listings or Determinations of Eligibility.
- Survey reports assessing the significance of historic properties.
- Historic Structure Reports.
- Adaptive reuse plans or feasibility studies that make recommendations for preserving historic properties.
- Written opinions that have been accepted that assess the impact that an undertaking will have on historic or archeological properties.
- Historic District Ordinances that have been adopted by a local government.
- Documentation that meets HABS/HAER standards for recording historic properties.
- Publications, which might include articles in regional, national, or international professional journals, monographs, books, or chapters in edited books, related to historic preservation.
- Presentations at regional, national, or international professional

conferences, symposia, workshops, or exhibits related to historic preservation.

- Professional service on boards or committees or regional, national, or international professional organizations concerned with historic preservation.
- Awards, research grants, research fellowships, or invitations to teaching posts.

This list is not comprehensive. Furthermore, it should be understood that not all of these products and activities are needed in order to meet the Standard; rather, a combination of several products and activities would be more typical. If the applicant were documenting professional experience in one of the specializations, however, the majority of products and activities would naturally reflect that specialization.

History; Historic Preservation Professional Qualification Standards

History is the study of the past through written records, oral history, and material culture and the examination of that evidence within a chronological or topical sequence in order to interpret its relationship to preceding, contemporary and subsequent events.

Standard for Historian

(a) The applicant, employee, consultant, or advisor will have a graduate degree in History or a closely related field of study (see Academic Background for History), plus a minimum of two (2) years of full-time professional experience applying the theories, methods, and practices of History that enables professional judgments to be made about the identification, evaluation, documentation, registration, or treatment of historic properties in the United States and its Territories; and products and activities that demonstrate the successful application of acquired proficiencies in the discipline to the practice of historic preservation (see Documenting Professional Experience for Historians); or * * *.

(b) An undergraduate degree in History or a closely related field of study (see Academic Background for History), plus a minimum of four (4) years of full-time professional experience applying the theories, methods, and practices of History that enables professional judgments to be made about the identification, evaluation, documentation, registration, or treatment of historic properties in the United States and its Territories; and products and activities that demonstrate the successful application of acquired proficiencies in the discipline to the

practice of historic preservation (see Documenting Professional Experience for Historians).

(**Note:** Pursuant to 36 CFR part 61 a person meeting this Standard is required as part of the core staff for each State Historic Preservation Office (SHPO) and as part of each State Review Board. Expertise described by this standard is also needed for Tribal Preservation Office staff or consultants of tribes that have executed a Memorandum of Agreement to implement Section 101(d) of the National Historic Preservation Act. It also may be needed for consultants hired with HPF grant funds and for members of Certified Local Government Commissions.)

History—Academic Background

Closely related fields: For this Standard, the professional degree is typically awarded in History, American History, or Public History. Relevant training can be obtained in programs of American Studies, American Civilization, Historical or Cultural Geography, Anthropology, Ethnohistory, and Historic Preservation, providing that course work is offered in historical research methods and techniques. Education in the social and cultural history of countries other than North America may be relevant when dealing with the histories of immigrant, ethnic or minority groups in the United States.

Discipline specializations: Professional Historians tend to concentrate their education and experience in one of the many chronological, regional, and topical specializations within American History (such as colonial history, southern history, community history, women's history, military history, history of technology, or industrial history).

Applying the Standard for Historian—Documenting Professional Experience

A professional Historian has experience in archival and primary documents research, evaluating and synthesizing this information, and preparation of scholarly narrative histories. Historic research experience in countries other than North America may be relevant when researching the histories of immigrant, ethnic or minority groups in the United States of America.

Products and Activities

Professional experience and expertise must be documented through "products and activities that demonstrate the successful application of acquired proficiencies in the discipline to the practice of historic preservation." Products and activities that meet the appropriate Secretary's Standards for

Archeology and Historic Preservation may include:

- National Register documentation that has resulted in property listings or Determinations of Eligibility.
- Documentation that meets HABS/HAER standards for recording historic properties.
- Survey reports assessing the significance of historic properties.
- Publications, which might include articles in regional, national, or international professional journals, monographs, books, or chapters in edited books, related to documenting and evaluating the significance of historic properties.
- Presentations at regional, national or international professional conferences, symposia, workshops, or exhibits related to documenting and evaluating historic properties.
- Professional service on boards or committees of regional, national, or international professional organizations concerned with documenting and evaluating the significance of historic properties.
- Awards, research grants, research fellowships, or invitations to teaching posts.

This list is not comprehensive. Furthermore, it should be understood that not all of these products and activities are needed in order to meet the Standard; rather, a combination of several products and activities would be more typical. If the applicant were documenting professional experience in one of the specializations, however, the majority of products and activities would naturally reflect that specialization.

Sources of Additional Information—Professional Organizations

The following organizations may be contacted to request additional information about the specific disciplines, college and university departments, workshops, and conferences and publications about the practice of each discipline.

American Anthropological Association, 4350 North Fairfax Drive, Suite 630, Arlington, VA 22203-1621
 American Association of Museums, P.O. Box 4002, Washington, D.C. 20042-4002
 American Association for State Federal and Local History, 530 Church Street, Suite 600, Nashville, TN 37219-2325
 American Cultural Resources Association, c/o New South Associates, 6150 Ponce de Leon Avenue, Stone Mountain, GA 30083
 American Folklife Center, Library of Congress, Washington, D.C. 20540-8100
 American Historical Association, 400 A Street, SE., Washington, D.C. 20003

American Institute for the Conservation of Historic & Artistic Works, 1717 K Street, NW., Suite 301, Washington, D.C. 20006
 American Institute of Architects, 1735 New York Avenue, NW., Washington, D.C. 20006
 American Institute of Certified Planners, 1776 Massachusetts Avenue, NW., Washington, D.C. 20036
 American Planning Association, 122 S. Michigan Avenue, Suite 1200, Chicago, IL 60603-6107
 American Society of Civil Engineers, 1801 Alexander Bell Drive, Reston, VA 20191-4400
 American Society of Landscape Architects, 4401 Connecticut Avenue, NW., Washington, D.C. 20008-2302
 American Society of Mechanical Engineers, P.O. Box 2900, Fairfield, NJ 07007-2900
 American Studies Association, 1120 19th Street, NW., Suite 301, Washington, D.C. 20036
 Association for Preservation Technology, P.O. Box 3511, Williamsburg, VA 23187
 Association of American Geographers, 1710 16th Street, NW., Washington, D.C. 20009
 Center for Museum Studies, Smithsonian Institution, Arts and Industries Building, Suite 2235, MRC, 427, Washington, D.C. 20560
 The Institute for Electrical and Electronic Engineers, 445 Hoes Lane, Piscataway, NJ 08855-1331
 National Council on Preservation Education, c/o Center for Historic Architecture and Engineering, University of Delaware, Newark, DE 19716
 National Council on Public History, 327 Cavanaugh Hall-IUPUI, 425 University Blvd., Indianapolis, IN 46202-5140
 National Society of Professional Engineers, 1420 King Street, Alexandria, VA 22314-2794
 National Trust for Historic Preservation, 1785 Massachusetts Avenue, NW., Washington, D.C. 20036
 Organization of American Historians, 112 North Bryan Street, Bloomington, IN 47408-4199
 Society for American Archaeology, 900 2nd Street, NE., Suite 12, Washington, D.C. 20002
 Society for Applied Anthropology, P.O. Box 24083, Oklahoma City, OK 73124
 Society of Architectural Historians, Charnley-Persky House, 1365 North Astor Street, Chicago, IL 60610-2144
 Society for Historical Archeology, P.O. Box 30446, Tucson, AZ 85751
 Society of Professional Archeologists, Department of Anthropology, Southern Methodist University, Dallas, TX 75275
 Dated: June 12, 1997.

Katherine H. Stevenson,

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VI. HOW TO IDENTIFY THE TYPE OF SIGNIFICANCE OF A PROPERTY

INTRODUCTION

When evaluated within its historic context, a property must be shown to be significant for *one or more of the four Criteria for Evaluation - A, B, C, or D* (listed earlier in *Part II*). The Criteria describe how properties are significant for their association with important events or persons, for their importance in design or construction, or for their information potential.

The basis for judging a property's significance and, ultimately, its eligibility under the Criteria is *historic context*. The use of historic context allows a property to be properly evaluated in a nearly infinite number of capacities. For instance, Criterion C: Design/Construction can accommodate properties representing construction types that are unusual or widely practiced, that are innovative or traditional, that are "high style" or vernacular, that are the work of a famous architect or an unknown master craftsman. *The key to determining whether the characteristics or associations of a particular property are significant is to consider the property within its historic context.*

After identifying the relevant historic context(s) with which the property is associated, the four Criteria are applied to the property. Within the scope of the historic context, the National Register Criteria define the kind of significance that the properties represent.

For example, within the context of "19th Century Gunpowder Production in the Brandywine Valley," Criterion A would apply to those properties associated with important events in the founding and development of the industry. Criterion B would apply to those properties associated with persons who are significant in the founding of the industry or associated with important inventions related to gunpowder manufacturing. Criterion C would apply to those buildings, structures, or objects whose architectural form or style reflect important design qualities integral to the industry. And Criterion D would apply to properties that can convey information important in our understanding of this industrial process. If a property qualifies under more than one of the Criteria, its significance under each should be considered, if possible, in order to identify all aspects of its historical value.

NATIONAL REGISTER CRITERIA FOR EVALUATION*

The National Register Criteria recognize different types of values embodied in districts, sites, buildings, structures, and objects. These values fall into the following categories:

Associative value (Criteria A and B): Properties significant for their association or linkage to events (Criterion A) or persons (Criterion B) important in the past.

Design or Construction value (Criterion C): Properties significant as representatives of the manmade expression of culture or technology.

Information value (Criterion D): Properties significant for their ability to yield important information about prehistory or history.

*For a complete listing of the Criteria for Evaluation, refer to Part II of this bulletin.

CRITERION A: EVENT

Properties can be eligible for the National Register if they are associated with events that have made a significant contribution to the broad patterns of our history.

UNDERSTANDING CRITERION A: EVENT

To be considered for listing under Criterion A, a property must be associated with one or more events important in the defined historic context. Criterion A recognizes properties associated with single events, such as the founding of a town, or with a pattern of events, repeated activities, or historic trends, such as the gradual rise of a port city's prominence in trade and commerce. The event or trends, however, must clearly be important within the associated context: settlement, in the case of the town, or development of a maritime economy, in the case of the port city. Moreover, the property must have an important association with the event or historic trends, and it must retain historic integrity. (See *Part V: How to Evaluate a Property Within its Historic Context*.)

Several steps are involved in determining whether a property is significant for its associative values:

- Determine the nature and origin of the property,
- Identify the historic context with which it is associated, and
- Evaluate the property's history to determine whether it is associated with the historic context in any important way.

APPLYING CRITERION A: EVENT

TYPES OF EVENTS

A property can be associated with either (or both) of two types of events:

- A specific event marking an important moment in American prehistory or history and
- A pattern of events or a historic trend that made a significant contribution to the development of a community, a State, or the nation.

Refer to the sidebar on the right for a list of specific examples.

ASSOCIATION OF THE PROPERTY WITH THE EVENTS

The property you are evaluating must be documented, through accepted means of historical or archeological research (including oral history), to have existed at the time of the event or pattern of events *and* to have been associated with those events. A property is *not* eligible if its associations are speculative. For archeological sites, well reasoned inferences drawn from data recovered at the site can be used to establish the association between the site and the events.

SIGNIFICANCE OF THE ASSOCIATION

Mere association with historic events or trends is not enough, in and of itself, to qualify under Criterion A: the property's specific association must be considered important as well. For example, a building historically in commercial use must be shown to have been significant in commercial history.

EXAMPLES OF PROPERTIES ASSOCIATED WITH EVENTS

Properties associated with specific events:

- *The site of a battle.*
- *The building in which an important invention was developed.*
- *A factory district where a significant strike occurred.*
- *An archeological site at which a major new aspect of prehistory was discovered, such as the first evidence of man and extinct Pleistocene animals being contemporaneous.*
- *A site where an important facet of European exploration occurred.*

Properties associated with a pattern of events:

- *A trail associated with western migration.*
- *A railroad station that served as the focus of a community's transportation system and commerce.*
- *A mill district reflecting the importance of textile manufacturing during a given period.*
- *A building used by an important local social organization.*
- *A site where prehistoric Native Americans annually gathered for seasonally available resources and for social interaction.*
- *A downtown district representing a town's growth as the commercial focus of the surrounding agricultural area.*

TRADITIONAL CULTURAL VALUES

Traditional cultural significance is derived from the role a property plays in a community's historically rooted beliefs, customs, and practices. Properties may have significance under Criterion A if they are associated with events, or series of events, significant to the cultural traditions of a community.⁵

Eligible

- A hilltop associated in oral historical accounts with the founding of an Indian tribe or society is eligible.
- A rural community can be eligible whose organization, buildings, or patterns of land use reflect the cultural traditions valued by its long-term residents.
- An urban neighborhood can be eligible as the traditional home of a particular cultural group and as a reflection of its beliefs and practices.

Not Eligible

- A site viewed as sacred by a recently established utopian or religious community does not have traditional cultural value and is not eligible.



Criterion A - The Old Brulay Plantation, Brownsville vicinity, Cameron county, Texas. Historically significant for its association with the development of agriculture in southeast Texas, this complex of 10 brick buildings was constructed by George N. Brulay, a French immigrant who introduced commercial sugar production and irrigation to the Rio Grande Valley. (Photo by Texas Historical Commission).

⁵For more information, refer to *National Register Bulletin: Guidelines for Evaluating and Documenting Traditional Cultural Properties*.

CRITERION B: PERSON

Properties may be eligible for the National Register if they are associated with the lives of persons significant in our past.

UNDERSTANDING CRITERION B: PERSON⁶

Criterion B applies to properties associated with individuals whose specific contributions to history can be identified and documented. Persons "significant in our past" refers to individuals whose activities are demonstrably important within a local, State, or national historic context. The criterion is generally restricted to those properties that illustrate (rather than commemorate) a person's important achievements. (The policy regarding commemorative properties, birthplaces, and graves is explained further in *Part VIII: How to Apply the Criteria Considerations*.)

Several steps are involved in determining whether a property is significant for its associative values under Criterion B. First, determine the importance of the individual. Second, ascertain the length and nature of his/her association with the property under study and identify the other properties associated with the individual. Third, consider the property under Criterion B, as outlined below.

EXAMPLES OF PROPERTIES ASSOCIATED WITH PERSONS

Properties associated with a Significant Person:

- The home of an important merchant or labor leader.
- The studio of a significant artist.
- The business headquarters of an important industrialist.



Criterion B - The William Whitney House, Hinsdale, DuPage County, Illinois. This building is locally significant for its historical association with William Whitney, the founder of the town of Hinsdale, Illinois. Whitney, a citizen of New York State, moved to Illinois, established the town, and while living here between 1870 and 1879 was a prominent local businessman and politician. (Photo by Frederick C. Cue).

⁶For further information on properties eligible under Criterion B, refer to *National Register Bulletin: Guidelines for Evaluating and Documenting Properties Associated with Significant Persons*.

APPLYING CRITERION B: PERSON

SIGNIFICANCE OF THE INDIVIDUAL

The persons associated with the property must be *individually* significant within a historic context. A property is not eligible if its only justification for significance is that it was owned or used by a person who is a member of an identifiable profession, class, or social or ethnic group. It must be shown that the person gained importance within his or her profession or group.

Eligible

- The residence of a doctor, a mayor, or a merchant is eligible under Criterion B if the person was significant in the field of medicine, politics, or commerce, respectively.

Not Eligible

- A property is not eligible under Criterion B if it is associated with an individual about whom no scholarly judgement can be made because either research has not revealed specific information about the person's activities and their impact, or there is insufficient perspective to determine whether those activities or contributions were historically important.

ASSOCIATION WITH THE PROPERTY

Properties eligible under Criterion B are usually those associated with a person's *productive* life, reflecting the time period when he or she achieved significance. In some instances this may be the person's home; in other cases, a person's business, office, laboratory, or studio may best represent his or her contribution. Properties that pre- or post-date an individual's significant accomplishments are usually not eligible. (See *Comparison to Related Properties*, below, for exceptions to this rule.)

The individual's association with the property must be documented by accepted methods of historical or archeological research, including written or oral history. Speculative associations are not acceptable. For archeological sites, well reasoned inferences drawn from data recovered at the site are acceptable.

COMPARISON TO RELATED PROPERTIES

Each property associated with an important individual should be compared to other associated properties to identify those that best represent the person's historic contributions. The best representatives usually are properties associated with the person's adult or *productive* life. Properties associated with an individual's formative or later years may also qualify if it can be demonstrated that the person's activities during this period were historically significant or if no properties from the person's productive years survives. Length of association is an important factor when assessing several properties with similar associations.

A community or State may contain several properties eligible for associations with the same important person, if each represents a different aspect of the person's productive life. A property can also be eligible if it has brief but consequential associations with an important individual. (Such associations are often related to specific events that occurred at the property and, therefore, it may also be eligible under Criterion A.)

ASSOCIATION WITH GROUPS

For properties associated with several community leaders or with a prominent family, it is necessary to identify specific individuals and to explain their significant accomplishments.

Eligible

- A residential district in which a large number of prominent or influential merchants, professionals, civic leaders, politicians, etc., lived will be eligible under Criterion B if the significance of one or more specific individual residents is explicitly justified.
- A building that served as the seat of an important family is eligible under Criterion B if the significant accomplishments of one or more individual family members is explicitly justified.

Not Eligible

- A residential district in which a large number of influential persons lived is not eligible under Criterion B if the accomplishments of a specific individual(s) cannot be documented. If the significance of the district rests in the cumulative importance of prominent residents, however, then the district might still be eligible under Criterion A. Eligibility, in this case, would be based on the broad pattern of community development, through which the neighborhood evolved into the primary residential area for this class of citizens.
- A building that served as the seat of an important family will not be eligible under Criterion B if the significant accomplishments of individual family members cannot be documented. In cases where a succession of family members have lived in a house and collectively have had a demonstrably significant impact on the community, as a family, the house is more likely to be significant under Criterion A for association with a pattern of events.

ASSOCIATION WITH LIVING PERSONS

Properties associated with living persons are usually not eligible for inclusion in the National Register. Sufficient time must have elapsed to assess both the person's field of endeavor and his/her contribution to that field. Generally, the person's active participation in the endeavor must be finished for this historic perspective to emerge. (See Criteria Considerations C and G in *Part VII: How to Apply the Criteria Considerations*.)

ASSOCIATION WITH ARCHITECTS/ARTISANS

Architects, artisans, artists, and engineers are often represented by their works, which are eligible under Criterion C. Their homes and studios, however, can be eligible for consideration under Criterion B, because these usually are the properties with which they are most personally associated.

NATIVE AMERICAN SITES

The known major villages of individual Native Americans who were important during the contact period or later can qualify under Criterion B. As with all Criterion B properties, the individual associated with the property must have made some specific important contribution to history. Examples include sites significantly associated with Chief Joseph and Geronimo.⁷

⁷ For more information, refer to *National Register Bulletin: Guidelines for Evaluating and Documenting Traditional Cultural Properties*.

CRITERION C: DESIGN/CONSTRUCTION

Properties may be eligible for the National Register if they embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction.



Richland Plantation, East Feliciana Parish, Louisiana. Properties can qualify under Criterion C as examples of high style architecture. Built in the 1830s, Richland is a fine example of a Federal style residence with a Greek Revival style portico. (Photo by Dave Gleason).

UNDERSTANDING CRITERION C: DESIGN/ CONSTRUCTION

This criterion applies to properties significant for their physical design or construction, including such elements as architecture, landscape architecture, engineering, and artwork. To be eligible under Criterion C, a property must meet *at least one* of the following requirements:

- Embody distinctive characteristics of a type, period, or method of construction.
- Represent the work of a master.
- Possess high artistic value.

- Represent a significant and distinguishable entity whose components may lack individual distinction.

The first requirement, that properties “embody the distinctive characteristics of a type, period, or method of construction,” refers to the way in which a property was conceived, designed, or fabricated by a people or culture in past periods of history.

“The work of a master” refers to the technical or aesthetic achievements of an architect or craftsman. “High artistic values” concerns the expression of aesthetic ideals or preferences and applies to aesthetic achievement.

Resources “that represent a significant and distinguishable entity whose components may lack individual distinction” are called “districts.” In the Criteria for Evaluation (as published in the *Code of Federal Regulations* and reprinted here in Part II), districts are

defined within the context of Criterion C. Districts, however, can be considered for eligibility under all the Criteria, individually or in any combination, as is appropriate. For this reason, the full discussion of districts is contained in Part IV: *How to Define Categories of Historic Properties*.

Throughout the bulletin, however, districts are mentioned within the context of a specific subject, such as an individual Criterion.



Grant Family House, Saco vicinity, York County, Maine. Properties possessing high artistic value meet Criterion C through the expression of aesthetic ideals or preferences. The Grant Family House, a modest Federal style residence, is significant for its remarkably well-preserved stenciled wall decorative treatment in the entry hall and parlor. Painted by an unknown artist ca. 1825, this is a fine example of 19th century New England regional artistic expression. (Photo by Kirk F. Mohney).

EXAMPLES OF PROPERTIES ASSOCIATED WITH DESIGN/ CONSTRUCTION

Properties associated with design and construction:

- A house or commercial building representing a significant style of architecture.
- A designed park or garden associated with a particular landscape design philosophy.
- A movie theater embodying high artistic value in its decorative features.
- A bridge or dam representing technological advances.

APPLYING CRITERION C: DESIGN/ CONSTRUCTION

DISTINCTIVE CHARACTERISTICS OF TYPE, PERIOD, AND METHOD OF CONSTRUCTION

This is the portion of Criterion C under which most properties are eligible, for it encompasses all architectural styles and construction practices. To be eligible under this portion of the Criterion, a property must clearly illustrate, through “distinctive characteristics,” the following:

- The pattern of features common to a particular class of resources,
- The individuality or variation of features that occurs within the class,
- The evolution of that class, or
- The transition between classes of resources.

Distinctive Characteristics: “Distinctive characteristics” are the physical features or traits that commonly recur in individual types, periods, or methods of construction. To be eligible, a property must clearly contain enough of those characteristics to be considered a true representative of a particular type, period, or method of construction.

Characteristics can be expressed in terms such as form, proportion, structure, plan, style, or materials. They can be general, referring to ideas of design and construction such as basic plan or form, or they can be specific, referring to precise ways of combining particular kinds of materials.

Eligible

- A building eligible under the theme of Gothic Revival architecture must have the distinctive characteristics that make up the vertical and picturesque qualities of the style, such as pointed gables, steep roof pitch, board and batten siding, and ornamental bargeboard and veranda trim.
- A late Mississippian village that illustrates the important concepts in prehistoric community design and planning will qualify.
- A designed historic landscape will qualify if it reflects a historic trend or school of theory and practice, such as the City Beautiful Movement, evidencing distinguished design, layout, and the work of skilled craftsmanship.

Not Eligible

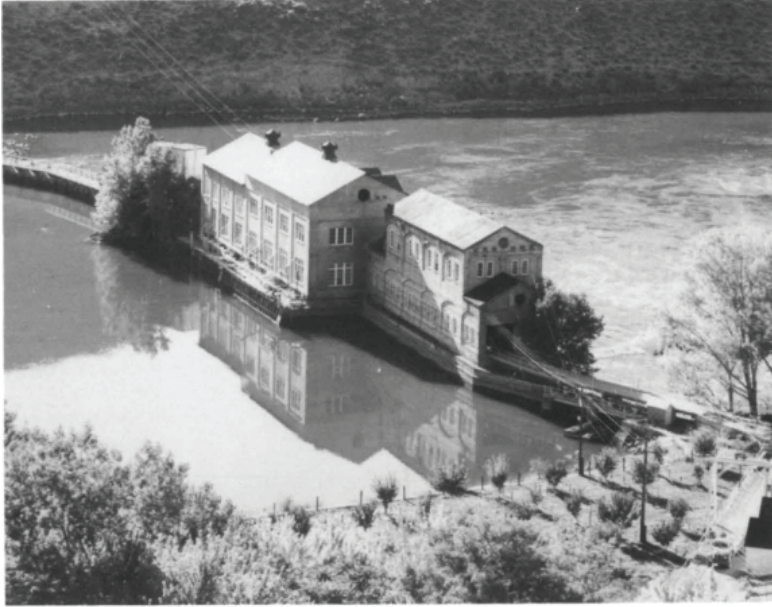
- A commercial building with some Art Deco detailing is not eligible under Criterion C if the detailing was added merely as an afterthought, rather than fully integrated with overall lines and massing typical of the Art Deco style or the transition between that and another style.
- A designed landscape that has had major changes to its historic design, vegetation, original boundary, topography/grading, architectural features, and circulation system will not qualify.

Type, Period, and Method of Construction: “Type, period, or method of construction” refers to the way certain properties are related to one another by cultural tradition or function, by dates of construction or style, or by choice or availability of materials and technology.

A structure is eligible as a specimen of its type or period of construction if it is an important example (within its context) of building practices of a particular time in history. For properties that represent the variation, evolution, or transition of construction types, it must be demonstrated that the variation, etc., was an important phase of the architectural development of the area or community in that it had an impact as evidenced by later buildings. A property is not eligible, however, simply because it has been identified as the only such property ever fabricated; it must be demonstrated to be significant as well.

Eligible

- A building that has some characteristics of the Romanesque Revival style and some characteristics of the Commercial style can qualify if it illustrates the transition of architectural design and the transition itself is considered an important architectural development.
- A Hopewellian mound, if it is an important example of mound building construction techniques, would qualify as a method or type of construction.
- A building which illustrates the early or the developing technology of particular structural systems, such as skeletal steel framing, is eligible as an example of a particular method of construction.



Swan Falls Dam and Power Plant, Murphy vicinity, Ada County, Idaho. Significant works of engineering can qualify under Criterion C. Built between 1900-1907 the Swan Falls Dam and Power Plant across the Snake River is one of the early hydroelectric plants in the State of Idaho. (Photo by H.L. Hough).



Looney House, Asheville vicinity, St. Clair County, Alabama. Examples of vernacular styles of architecture can qualify under Criterion C. Built ca. 1818, the Looney House is significant as possibly the State's oldest extant two-story dogtrot type of dwelling. The defining open center passage of the dogtrot was a regional building response to the southern climate. (Photo by Carolyn Scott).

HISTORIC ADAPTATION OF THE ORIGINAL PROPERTY

A property can be significant not only for the way it was originally constructed or crafted, but also for the way it was adapted at a later period, or for the way it illustrates changing tastes, attitudes, and uses over a period of time.

A district is eligible under this guideline if it illustrates the evolution of historic character of a place over a particular span of time.

Eligible

- A Native American irrigation system modified for use by Europeans could be eligible if it illustrates the technology of either or both periods of construction.
- An early 19th century farmhouse modified in the 1880s with Queen Anne style ornamentation could be significant for the modification itself, if it represented a local variation or significant trend in building construction or remodeling, was the work of a local master (see *Works of a Master* on page 20), or reflected the tastes of an important person associated with the property at the time of its alteration.
- A district encompassing the commercial development of a town between 1820 and 1910, characterized by buildings of various styles and eras, can be eligible.

WORKS OF A MASTER

A master is a figure of generally recognized greatness in a field, a known craftsman of consummate skill, or an anonymous craftsman whose work is distinguishable from others by its characteristic style and quality. The property must express a particular phase in the development of the master's career, an aspect of his or her work, or a particular idea or theme in his or her craft.

A property is not eligible as the work of a master, however, simply because it was designed by a prominent architect. For example, not every building designed by Frank Lloyd Wright is eligible under this portion of Criterion C, although it might meet other portions of the Criterion, for instance as a representative of the Prairie style.

The work of an unidentified craftsman is eligible if it rises above the level of workmanship of the other properties encompassed by the historic context.

PROPERTIES POSSESSING HIGH ARTISTIC VALUES

High artistic values may be expressed in many ways, including areas as diverse as community design or planning, engineering, and sculpture. A property is eligible for its high artistic values if it so fully articulates a particular concept of design that it expresses an aesthetic ideal. A property is not eligible, however, if it does not express aesthetic ideals or design concepts more fully than other properties of its type.

A Significant and Distinguishable Entity Whose Components May Lack Individual Distinction. This portion of Criterion C refers to districts. For detailed information on districts, refer to *Part IV* of this bulletin.

Eligible

- A sculpture in a town square that epitomizes the design principles of the Art Deco style is eligible.
- A building that is a classic expression of the design theories of the Craftsman Style, such as carefully detailed handwork, is eligible.
- A landscaped park that synthesizes early 20th century principles of landscape architecture and expresses an aesthetic ideal of environment can be eligible.
- Properties that are important representatives of the aesthetic values of a cultural group, such as petroglyphs and ground drawings by Native Americans, are eligible.

Not Eligible

- A sculpture in a town square that is a typical example of sculpture design during its period would not qualify for high artistic value, although it might be eligible if it were significant for other reasons.
- A building that is a modest example (within its historic context) of the Craftsman Style of architecture, or a landscaped park that is characteristic of turn of the century landscape design would not qualify for high artistic value.

CRITERION D: INFORMATION POTENTIAL

Properties may be eligible for the National Register if they have yielded, or may be likely to yield, information important in prehistory or history.

UNDERSTANDING CRITERION D: INFORMATION POTENTIAL

Certain important research questions about human history can only be answered by the actual physical material of cultural resources. Criterion D encompasses the properties that have the potential to answer, in whole or in part, those types of research questions. The most common type of property nominated under this Criterion is the archeological site (or a district comprised of archeological sites). Buildings, objects, and structures (or districts comprised of these property types), however, can also be eligible for their information potential.

Criterion D has two requirements, which must *both* be met for a property to qualify:

- The property must have, or have had, information to contribute to our understanding of human history or prehistory, and
- The information must be considered important.

Under the first of these requirements, a property is eligible if it has been used as a source of data and contains more, as yet unretrieved data. A property is also eligible if it has not yet yielded information but, through testing or research, is determined a likely source of data.

Under the second requirement, the information must be carefully evaluated within an appropriate context to determine its importance. Information is considered "important" when it is shown to have a significant bearing on a research design that addresses such areas as: 1) current

data gaps or alternative theories that challenge existing ones or 2) priority areas identified under a State or Federal agency management plan.

APPLYING CRITERION D: INFORMATION POTENTIAL

ARCHEOLOGICAL SITES

Criterion D most commonly applies to properties that contain or are likely to contain information bearing on an important archeological research question. The property must have characteristics suggesting the likelihood that it possesses configurations of artifacts, soil strata, structural remains, or other natural or cultural features that make it possible to do the following:

- Test a hypothesis or hypotheses about events, groups, or processes in the past that bear on important research questions in the social or natural sciences or the humanities; or
- Corroborate or amplify currently available information suggesting that a hypothesis is either true or false; or
- Reconstruct the sequence of archeological cultures for the purpose of identifying and explaining continuities and discontinuities in the archeological record for a particular area.

BUILDINGS, STRUCTURES, AND OBJECTS

While most often applied to archeological districts and sites, Criterion D can also apply to buildings, structures, and objects that contain important information. In order for these types of properties to be eligible under Criterion D, they themselves must be, or must have been, the principal source of the important information.

Eligible

- A building exhibiting a local variation on a standard design or construction technique can be eligible if study could yield important information, such as how local availability of materials or construction expertise affected the evolution of local building development.

Not Eligible

- The ruins of a hacienda once contained murals that have since been destroyed. Historical documentation, however, indicates that the murals were significant for their highly unusual design. The ruins can not be eligible under Criterion D for the importance of the destroyed murals if the information is contained only in the documentation.



Criterion D - Champe-Fremont 1 Archeological Site, Omaha vicinity, Douglas County, Nebraska. This archeological site, dating from ca. 1100-1450 A.D., consists of pit houses and storage pits which have the potential to yield important information concerning the subsistence patterns, religious and mortuary practices, and social organization of the prehistoric residents of eastern Nebraska. (Nebraska State Historical Society)

ASSOCIATION WITH HUMAN ACTIVITY

A property must be associated with human activity and be critical for understanding a site's historic environment in order to be eligible under Criterion D. A property can be linked to human activity through events, processes, institutions, design, construction, settlement, migration, ideals, beliefs, lifeways, and other facets of the development or maintenance of cultural systems.

The natural environment associated with the properties was often very different from that of the present and strongly influenced cultural development. Aspects of the environment that are pertinent to human activities should be considered when evaluating properties under Criterion D.

Natural features and paleontological (floral and faunal) sites are not usually eligible under Criterion D in and of themselves. They can be eligible, however, if they are either directly related to human activity or critical to understanding a site's historic environment. In a few cases, a natural feature or site unmarked by cultural materials, that is primarily eligible under Criterion A, may also be eligible under Criterion D, if study of the feature, or its location, setting, etc. (usually in the context of data gained from other sources), will yield important information about the event or period with which it is associated.

ESTABLISHING A HISTORIC CONTEXT

The information that a property yields, or will yield, must be evaluated within an appropriate historic context. This will entail consulting the body of information already collected from similar properties or other pertinent sources, including modern and historic written records. The researcher must be able to anticipate if and how the potential information will affect the definition of the context. The information likely to be obtained from a particular property must confirm, refute, or supplement in an important way existing information.

A property is *not* eligible if it cannot be related to a particular time period or cultural group and, as a result, lacks any historic context within which to evaluate the importance of the information to be gained.

DEVELOPING RESEARCH QUESTIONS

Having established the importance of the information that may be recovered, it is necessary to be explicit in demonstrating the connection between the important information and a specific property. One approach is to determine if specific important research questions can be answered by the data contained in the

property. Research questions can be related to property-specific issues, to broader questions about a large geographic area, or to theoretical issues independent of any particular geographic location. These questions may be derived from the academic community or from preservation programs at the local, regional, State, or national level. Research questions are usually developed as part of a "research design," which specifies not only the questions to be asked, but also the types of data needed to supply the answers, and often the techniques needed to recover the data.

Eligible

- When a site consisting of a village occupation with midden deposits, hearths, ceramics, and stratified evidence of several occupations is being evaluated, three possible research topics could be: 1) the question of whether the site occupants were indigenous to the area prior to the time of occupation or recent arrivals, 2) the investigation of the settlement-subsistence pattern of the occupants, 3) the question of whether the region was a center for the domestication of plants. Specific questions could include: A) Do the deposits show a sequential development or sudden introduction of Ceramic Type X? B) Do the dates of the occupations fit our expectations based on the current model for the reoccupation behavior of slash-and-burn agriculturalists? C) Can any genetic changes in the food plant remains be detected?

Not Eligible

- A property is not eligible if so little can be understood about it that it is not possible to determine if specific important research questions can be answered by data contained in the property.

ESTABLISHING THE PRESENCE OF ADEQUATE DATA

To support the assertion that a property has the data necessary to provide the important information, the property should be investigated with techniques sufficient to establish the presence of relevant data categories. What constitutes appropriate investigation techniques would depend upon specific circumstances including the property's location, condition, and the research questions being addressed, and could range from surface survey (or photographic survey for buildings), to the application of remote sensing techniques or intensive subsurface testing. Justification of the research potential of a property may be based on analogy to another better known property if sufficient similarities exist to establish the appropriateness of the analogy.

Eligible

- Data requirements depend on the specific research topics and questions to be addressed. To continue the example in "Developing Research Questions" above, we might want to ascertain the following with reference to questions A, B, and C: A) The site contains Ceramic Type X in one or more occupation levels and we expect to be able to document the local evaluation of the type or its intrusive nature. B) The hearths contain datable carbon deposits and are associated with more than one occupation. C) The midden deposits show good floral/faunal preservation, and we know enough about the physical evolution of food plants to interpret signs that suggest domestication.

Not Eligible

- Generally, if the applicable research design requires clearly stratified deposits, then subsurface investigation techniques must be applied. A site composed only of surface materials can not be eligible for its potential to yield information that could only be found in stratified deposits.

INTEGRITY

The assessment of integrity for properties considered for information potential depends on the data requirements of the applicable research design. A property possessing information potential does not need to recall *visually* an event, person, process, or construction technique. It is important that the significant data contained in the property remain sufficiently intact to yield the expected important information, if the appropriate study techniques are employed.

Eligible

- An irrigation system significant for the information it will yield on early engineering practices can still be eligible even though it is now filled in and no longer retains the appearance of an open canal.

Not Eligible

- A plowed archeological site contains several superimposed components that have been mixed to the extent that artifact assemblages cannot be reconstructed. The site cannot be eligible if the data requirements of the research design call for the study of artifacts specific to one component.

PARTLY EXCAVATED OR DISTURBED PROPERTIES

The current existence of appropriate physical remains must be ascertained in considering a property's ability to yield important information. Properties that have been partly excavated or otherwise disturbed and that are being considered for their potential to yield additional important information must be shown to retain that potential in their remaining portions.

Eligible

- A site that has been partially excavated but still retains substantial intact deposits (or a site in which the remaining deposits are small but contain critical information on a topic that is not well known) is eligible.

Not Eligible

- A totally collected surface site or a completely excavated buried site is not eligible since the physical remains capable of yielding important information no longer exist at the site. (See *Completely Excavated Sites*, on page 24, for exception.) Likewise, a site that has been looted or otherwise disturbed to the extent that the remaining cultural materials have lost their important depositional context (horizontal or vertical location of deposits) is not eligible.
- A reconstructed mound or other reconstructed site will generally not be considered eligible, because original cultural materials or context or both have been lost.

COMPLETELY EXCAVATED SITES

Properties that have yielded important information in the past and that no longer retain additional research potential (such as completely excavated archeological sites) must be assessed essentially as historic sites under Criterion A. Such sites must be significant for associative values related to: 1) the importance of the data gained or 2) the impact of the property's role in the history of the development of anthropology/ archeology or other relevant disciplines. Like other historic properties, the site must retain the ability to convey its association as the former repository of important information, the location of historic events, or the representative of important trends.

Eligible

- A property that has been excavated is eligible if the data recovered was of such importance that it influenced the direction of research in the discipline, as in a site that clearly established the antiquity of the human occupation of the New World. (See Criterion A in *Part VI: How to Identify the Type of Significance of a Property* and Criteria Consideration G in *Part VII: How to Apply the Criteria Considerations*.)

Not Eligible

- A totally excavated site that at one time yielded important information but that no longer can convey either its historic/ prehistoric utilization or significant modern investigation is not eligible.

Boulder City Master Plan Notes

The Boulder City Master Plan lays out the principles, policies, and goals for the long-range planning needs of the community, including urban growth and annexation, use and development of land, preservation of open spaces, and the expansion of public facilities and services. In this appendix, we examine those planning policies that intersect with historic preservation practices and provide notes to amend said policies to better support historic preservation initiatives in Boulder City.

It is strongly recommended that any future updated to the Master Plan include the guidance of an architectural historian who meets the Secretary of Interior's (SOI) Professional Qualifications to provide a thorough review of the policies and recommendations following SOI Standards.

Chapter 3: Growth Management (GM)

GM Policy 1: City's Role in Managing Growth

The city shall strive to achieve a balance between new, outward growth and redevelopment within established areas of the community, in accordance with the direction of the voters. In addition, the city shall continue to participate in ongoing efforts to address regional growth management issues through its involvement with the Regional Planning Coalition and shall amend its regulations as appropriate to comply with future intergovernmental policies adopted by the Coalition.

GM Policy 4: Infill and Redevelopment

Infill and redevelopment within established areas of the city is encouraged where deteriorated or obsolete structures have become detrimental to an area, where new uses can be accommodated on vacant properties, within the Redevelopment Area Boundary, and in other areas outside the Redevelopment Area Boundary that have been specifically identified for redevelopment. Projects may range in size from a single residential lot to the redevelopment of multiple contiguous blocks within a neighborhood or commercial area. Regardless of its scale, infill and redevelopment shall be designed in a manner that is sensitive to and reflects the character of the surrounding area. Important design considerations include building scale, mass, roof form, height, and orientation, parking location, lot coverage, architectural character, and landscape elements. These design considerations are particularly important when infill or redevelopment occurs within or adjacent to an established residential neighborhood, an area of historic significance, or when a change in use or intensity would otherwise negatively impact the established character of the surrounding area.

The city shall review and consider revision of its development code to remove impediments to infill and redevelopment where appropriate, through adjustments to parking requirements, setbacks, lot size, and other regulations to facilitate more intense development patterns. The

city shall amend the policies of this Master Plan as appropriate to comply with future infill policies adopted by the Regional Planning Coalition.

Chapter 4: Land Use

Residential (R) – All Categories

R Policy 1: Variety of Housing Styles

The incorporation of a variety of housing types and models, sizes, and price ranges in new neighborhoods is strongly encouraged to provide diverse housing options for Boulder City residents and avoid monotonous streetscapes.

R Policy 4: Infill and Redevelopment

Infill and redevelopment within established areas of the city is generally encouraged where deteriorated or obsolete structures have become detrimental to an area, where new uses can be accommodated on vacant properties, and in areas that have been specifically identified for redevelopment. Residential infill and redevelopment shall be designed in a manner that is sensitive to and reflects the character of the surrounding neighborhood. Important design considerations include building scale, mass, roof form, height, and orientation, parking location, lot coverage, architectural character, and landscape elements.

Low-Density Residential (LDR)

LDR Policy 1: Characteristics

The Low-Density Residential designation shall incorporate a mixture of single-family homes located in a neighborhood setting, in combination with compatible non-residential land uses such as educational facilities, churches, schools, and public and private parks and recreational facilities. Appropriate housing types may include single-family detached and manufactured homes on lots of varying sizes.

1. Preservation Note:

The Boulder City Historic District already possesses many of these characteristics and could be used as a guide for future development.

Medium-Density Residential (MDR)

MDR Policy 3: Location

Medium Density Residential neighborhoods should be located close to arterial streets and be bounded by collector streets where possible, with a direct connection to work, shopping, and leisure activities.

2. Preservation Note:

Medium-Density Residential should be placed and designed carefully when in proximity to Old Town. Such residential structures should not be designed to look as if they are from the same era. Instead, they should be designed to be compatible in form and massing, while clearly new.

Central Business District (CBD)

CBD Policy 1: Characteristics

The Central Business District designation is a special purpose designation for Boulder City's downtown and historic center. The area, focused along Nevada Way between Wyoming Street and Colorado Street, has a unique historic character and importance to the broader community. The area has traditionally consisted of a variety of civic, retail, commercial, and office uses in a compact, pedestrian-friendly setting central to the city's historic neighborhoods.

CBD Policy 2: Mix of Uses

A mix of retail, restaurants, employment, commercial, office, and civic uses should continue to be encouraged in the downtown. Retail and restaurant use should be encouraged at the street level to promote pedestrian activity and vitality, particularly along Nevada Way through downtown.

CBD Policy 3: Infill and Redevelopment

Infill and redevelopment that is in keeping with the historic character and scale of downtown is strongly encouraged to utilize vacant or underutilized sites and enhance its vitality.

CBD Policy 4: Renovation and Reuse

The renovation and reuse of existing older underutilized structures, particularly along Nevada Way within the downtown, is strongly encouraged.

3. Preservation Note:

Renovation of historic structures should be undertaken by relying upon the Secretary of the Interior's Standards for the Treatment of Historic Properties. Preservation Briefs 11 and 16 provide guidance for the renovation of historic storefronts and the use of non-historic materials, respectively.

CBD Policy 5: Conversion or Addition of Upper Floors

Where second floors above retail storefronts exist, conversion of these floors to office or residential uses is strongly encouraged to reinforce the variety and vitality of the downtown environment and increase housing options. The addition of second floors to existing one-story structures is also encouraged. Second floor additions should incorporate porticos at the ground level, where appropriate, to provide shade for pedestrians and add visual interest to the streetscape. Porticos also help minimize the bulk and height of the additional story at the street level, helping preserve the traditional, pedestrian-friendly scale of the downtown.

4. Preservation Note:

*Alterations and additions to historic buildings should be done with the utmost care. Second stories should be stepped back and **not visible** from the street level. The addition of porticos is particularly difficult, unless it is the reconstruction of an original portico that had been demolished. There are alternatives to porticos that will not undermine the historic integrity of these buildings. NPS Preservation Brief 14 provides guidance on additions for historic buildings.*

CBD Policy 6: Outdoor Seating

The provision of outdoor dining and seating areas along the sidewalk edge is strongly encouraged to create activity along the street and increase the overall vitality of the downtown.

CBD Policy 7: Street-Level Uses

Active, visible uses that encourage pedestrian activity, such as restaurants or retail storefronts, are most appropriate as first floor uses. Offices, residential, or other uses that typically are “closed off” from the street and lend little to the pedestrian atmosphere should be encouraged as upper floor uses in retail areas, or in secondary locations that are not located in major pedestrian traffic areas.

CBD Policy 8: Porticos

Porticos are a defining feature of many historic structures in the Central Business District and contribute to the unique character of the area. The addition of porticos is encouraged, where appropriate, to provide shade for pedestrians and to further enhance the character of the Central Business District.

5. Preservation Note:

The creation of features, such as porticos, that were not originally included in the building should be avoided. There are alternatives that can create the desired shade without undermining a building's historic integrity.

CBD Policy 9: Parking Design and Location

New surface and structured parking should be sited and designed in a manner that is compatible with the historic character of the downtown and its surrounding neighborhoods. To the extent feasible, off-street parking areas should be located behind structures. Off-street, surface parking is discouraged along the Nevada Way frontage within downtown. Parking structures should exhibit a level of architectural detail that is equal to that found on adjacent structures along the block.

Community Commercial (CC)

CC Policy 4: Architectural Character

Neighborhood centers shall be designed to be compatible with and sensitive to surrounding residences. Building materials and architectural detailing should be compatible with and reflect the character of the surrounding neighborhood. Building heights and scale should be similar to surrounding residences.

6. Preservation Note:

Many of these buildings will be part of a historic district in the future. Renovation and reuse should be sensitive to these future historic buildings and strive to maintain original historic features.

This also applies to MU-CO Policy 4: Unified Architectural Character.

Mixed Use Commercial/Office (MU-CO)

MU-CO Policy 4: Unified Architectural Character

Buildings within a Mixed-Use Commercial/Office setting should have a unified architectural character achieved using similar elements, such as rooflines, materials, colors, signage, landscaping and screening and other architectural and site layout details.

Parks and Recreation (PR)

PR Policy 2: Characteristics

The Parks and Recreation designation includes areas intended to provide for the active and passive recreation needs of the community, including public and private parks, ball fields, golf courses, and natural open spaces.

Open Lands (OL)

OL Policy 2: Location

Open lands are primarily located outside of the city's urbanized area but may also be located within neighborhoods or other areas of the city where development is not desirable due to steep slopes, poor soil conditions, or other environmental constraints.

Public/Quasi-Public (P)

P Policy 2: Location

Depending upon their compatibility with surrounding land uses, public and quasi-public uses will be allowed in all areas of the city. Siting will be determined through the city's land use review procedures. Public and quasi-public facilities should be accessible by the population served.

Chapter 5: Public Facilities

PF Policy 3: Sustainable Funding of Public Facilities and Services

The city should identify and pursue all practical and equitable ways to fund the capital improvement projects necessary to serve existing and future development. City funds should be leveraged and fully supplemented to maximize limited resources. The primary objective of the city will be to provide and maintain adequate public facilities and utility services and reliable funding to protect investment in existing facilities and ensure appropriate levels of service. The city should explore the use of impact fees to help share the cost of providing public facilities and services with developers when considering large land sales. The city's plans and standards shall be revised as appropriate to comply with future standards adopted at a regional level.

7. Preservation Note:

The notion that replacing an existing building with a new one is less expensive has been found by multiple studies to be a myth. In most cases it is less expensive to work with an existing building, especially considering the large public expenditure behind existing public facilities.

Chapter 6: Parks and Recreation

PR Policy 1: Extension of Regional Trail Network

The city should continue ongoing coordination with representatives from Clark County, Henderson, Las Vegas, the Bureau of Land Management, the Bureau of Reclamation, the Lake Mead National Recreation Area, and other regional partners on the extension of the River Mountains Loop Trail and other regional trail opportunities. The city should continue to pursue outside funding sources for future regional trail connections, such as grant monies available through the Southern Nevada Public Land Management Act.

Chapter 7: Natural Resources Conservation

NRC Policy 6: Conservation of Raw Materials

The city should continue to promote the conservation of raw materials by promoting efforts to adapt existing buildings for new uses, rather than destroying them, and by reducing per capita residential solid waste delivered to the city's landfill through ongoing recycling programs.

NRC Policy 7: Land Conservation

The city should continue to promote land conservation through the promotion of infill and redevelopment where services and infrastructure are already in place and by adopting construction practices in new developments that minimize disturbance of the land, such as steep slope protection.

NRC Policy 8: Sensitive Lands Protection

The city's regulations shall be amended to comply with future sensitive lands protection standards at the time of adoption by the Regional Planning Coalition.

Chapter 8: Regional Coordination

RC Policy 2: Regional Coordination

The city shall coordinate its land use goals and policies with those set forth by other governmental agencies within the region, such as the City of Henderson, State of Nevada, Nevada Department of Transportation, Clark County, and the Clark County School District, and identify areas requiring ongoing collaboration and cooperation.

RC Policy 3: Federal Agency Coordination

The city shall coordinate with Federal Agencies, including the Bureau of Land Management, Western Area Power Administration, and National Park Service, whose land holdings are adjacent to the city to minimize land use conflicts, identify opportunities for shared recreational access or amenities, and to ensure that future plans for federal landholdings are mutually compatible with the goals and policies of this Master Plan.

Chapter 9: Transportation and Mobility

TM Policy 2: Interconnected Neighborhood and Street and Sidewalk Patterns

Neighborhood streets and sidewalks in both new and existing areas should be designed to form an interconnected network, including vehicular, bicycle, and pedestrian routes within and between neighborhoods, to connect neighborhoods together and with other parts of the community and region. In particular, direct walkway and bicycle routes to schools, parks, employment and service centers, and other community facilities should be provided. Cul-de-sacs and other dead end streets should be discouraged unless necessitated by site constraints or incompatibilities with adjacent land uses.

8. Preservation Note:

Existing historic streets, bicycle routes, and walkways should not be reconfigured, except in life/safety circumstances. The configuration of historic neighborhoods is an integral part of historic integrity.

Chapter 10: Housing and Neighborhoods

HN Policy 1: Stabilize and Protect Historic Neighborhoods

The city shall work with residents to stabilize and protect historic neighborhoods. The city should explore programs to address the ongoing maintenance and preservation of existing housing stock, and the preservation of neighborhood characteristics and historic features that contribute to the neighborhood's identity, such as the appearance of its traditional streetscape. Potential programs should encourage the rehabilitation of existing homes by making low-cost

loans and other incentives available to qualified homeowners. Consideration should also be given to adoption of development standards for infill and redevelopment projects, remodeling, and additions to existing structures so they achieve compatibility with existing neighborhood scale and character.

HN Policy 2: Promote Residential Infill Development

The city should encourage residential infill development and redevelopment as a means of increasing the variety of housing types available. Infill and redevelopment may be appropriate on vacant or underutilized parcels where infrastructure and services are readily available, within the Redevelopment Area Boundary, or where it would foster the stabilization or revitalization of an existing neighborhood. Infill and redevelopment should be sensitive to the established character of the surrounding neighborhood. **Infill** means the development of new housing or other buildings on scattered vacant sites in a built-up area. **Redevelopment** means the replacement or reconstruction of buildings that are in substandard physical condition, or that do not make effective use of the land on which they are located.

The city shall consider revision of its development code to remove impediments to infill and redevelopment where appropriate, through adjustments to parking requirements, setbacks, lot size, and other regulations to facilitate more intense development patterns. The city shall amend the policies of this Master Plan as appropriate to comply with future infill policies adopted by the Regional Planning Coalition.

9. Preservation Note:

*Great care should be taken in deciding to **demolish** a historic structure. It is almost never cost effective to demolish and rebuild. Additionally, **reconstruction** of historic structures should only be done for interpretive purposes. All other reconstructions create a false sense of community history. **Infill** should take care to match the size and massing of those structures around it. It should look new and not attempt to build a false history through reproduction.*

HN Policy 4: Facilitate Neighborhood-Level Planning Efforts

The city should continue to work with neighborhood organizations and residents on an as-needed basis to facilitate neighborhood-level planning efforts that respond to specific neighborhood issues and concerns.

10. Preservation Note:

Providing a means for a neighborhood to undertake a grassroots initiative to obtain local historic designation is one example of neighborhood-level planning projects.

HN Policy 5: Phased Developments

Due to the constraints of the Growth Control Ordinance, development in future growth areas, such as the Old Airport Subarea, will likely occur in phases over time. During the development review process, the city should ensure that new developments are compatible with adjoining neighborhoods and that appropriate connections are provided. Key considerations should include the identification of future roadway connections, pedestrian, park and open space linkages, and transitions between land uses or developments of varying intensities.

HN Policy 6: Affordable Housing

State Law, pursuant to NRS 278.150.4 and 278.160.1(e) as amended in 2007, requires that all cities located within a county with a population of over 400,000 persons address certain elements within their housing plans. Assembly Bill 439 of the 2007 session of the Nevada Legislature further requires that these cities address at least six of twelve measures to address the subject of affordable housing.

11. Preservation Note:

Older and historic resources are often excellent candidates for affordable housing. They are often smaller, have lower utility costs, and more affordable property taxes. Fostering preservation and maintenance of older and historic resources helps to maintain the stock of affordable housing.

Chapter 11: Historic Preservation

HP Policy 1: Protect Historic Resources

The City should continue to work with the community to protect its historic resources for the enjoyment of future generations by encouraging the adaptive reuse of historic buildings, providing improvement assistance to property owners located within the Redevelopment Area, and taking the necessary steps to appoint a Cultural Resources Commission (in accordance with Title 11, Chapter 27 of Boulder City Code). The city should also consider the establishment of design guidelines for historic properties to address exterior alterations of contributing

properties and all new construction within the existing Historic District and any future historic overlay districts. Guidelines should address exterior design elements and characteristics, such as building materials, massing, scale, proportion of window and door openings, ornamental features, orientation and relative position of buildings, landscape character, as well as roof forms, textures, character of signage, window and door types, and other details deemed essential to the integrity of the architectural styles represented in the District.

HP Policy 3: Promote Historic Preservation Efforts

The CRC, upon appointment, should work with the City and community groups to increase community awareness of the purpose and value of historic preservation, including awareness of incentives available to assist property owners and businesses in the preservation and restoration of historic properties in the City.

HP Policy 4: Stabilize and Protect Historic Neighborhoods

The City shall work with residents to stabilize and protect historic properties and neighborhoods not eligible for protection within a Historic Overlay District. Programs should address ongoing maintenance and preservation of existing housing stock, and the preservation of neighborhood characteristics and historic features that contribute to the neighborhood's identity, such as the appearance of its traditional streetscape.

HP Policy 5: Protect Archaeological Resources

In addition to the historical significance of Boulder City, land bordering the Lake Mead National Recreation Area on the far eastern portion of the City may be archaeologically sensitive. An archaeological survey by the State Division of Historic Preservation and Archeology should be undertaken before land in this area is considered for development.

Chapter 12: Urban Design

UD Policy 2: Historic Landscapes

The landscaped grounds surrounding the city's institutional structures represent an important component of its history and are a source of community pride. The city should ensure that the restoration and ongoing maintenance of these historic landscapes remains a priority. As part of these efforts, the city should consider adopting historic landscape guidelines that would be applicable to properties within the Historic Overlay District to maintain a more traditional landscape character.

UD Policy 3: Urban Forestry

The city should continue to support and expand its urban forestry programs, including its street tree planting and initiatives, and memorial tree fund. Incentives for tree replacement in historic residential neighborhoods should be considered to promote the restoration of Boulder City's

original street tree canopy and to ensure that replacement species are disease resistant and are well-suited to a desert climate.

Chapter 13: Arts and Culture

AC Policy 1: Cultivating the Arts

The city should support the promotion of Boulder City as a flourishing artistic community by helping build a coalition among interested stakeholders, including city agencies; arts, cultural and scientific organizations; educational institutions; foundation and corporate financiers; and local businesses.

AC Policy 2: Economic Development and the Arts

The city should encourage the integration of arts and culture into its economic development activities by including artistic and cultural organizations, institutions, and businesses in business recruitment and retention efforts. In addition, arts and cultural activities should be incorporated into economic development and marketing efforts that seek to promote Boulder City as a business and tourism destination.

12. Preservation Note:

Architectural appreciation and education are important components of the arts. Working to foster ongoing heritage tourism offerings around historic architecture is an important piece in building up an arts community.

Chapter 14: Economic Development

ED Policy 1: Retention of Existing Businesses

The city should encourage the retention and expansion of businesses in industries historically important to Boulder City, including small business, tourism, and state, local and federal government. The city should continue to foster communication and coordination between local businesses and the city to address the policies of this Master Plan.

13. Preservation Note:

Small businesses are more likely to be located in historic buildings. Encouraging small businesses and supporting their efforts simultaneously supports the use and maintenance of the historic buildings that house them.

ED Policy 2: Tourism

The city should continue to work with the Boulder City Chamber of Commerce, Nevada Tourism Commission, and other groups to promote and strengthen Boulder City as a destination for regional visitors as well as out-of-state tourists. The following efforts should be considered:

- Provide high-quality information and accommodations to visitors.
- Expand the role of the performing and visual arts in the city's economy.
- Continue efforts to enhance community gateways and increase visibility with entryway features and signage.
- Expand marketing to Las Vegas and Henderson residents as a nearby "getaway" destination.
- Improve and increase the community's selection of visitor amenities, such as hotels/motels, retail shops, and restaurants.
- Expand marketing of activities and special events such as Art in the Park, BMX races, the Lake Mead boat Christmas parade, and others to increase awareness of Boulder City and to promote visitation; and
- Increase regional and national awareness of year-round attractions such as the Bootleg Canyon mountain bike trails and other amenities.

14. Preservation Note:

Heritage tourists on average spend more than any other type of tourist. They also stay longer, travel in larger groups, and are more likely to become return tourists.

Expanding heritage tourism – especially given the immense history of Boulder City – could be a significant means of economic development.

ED Policy 3: Encourage Infill and Redevelopment

The city should encourage infill and redevelopment activities in targeted areas of the community as a means of spurring reinvestment, stabilizing declining or underutilized properties, and reducing the need to expand the community's boundaries in the future. Emphasis should be placed on the Central Business District, the Highway 93 corridor (Uptown), the city's manufacturing district, and other areas within the Redevelopment Area boundary.

15. Preservation Note:

Infill and redevelopment in the Central Business District and other historic areas should not attempt to recreate the past. Residents and tourists prefer authentic historic spaces. A sensitive mix of historic and modern buildings following the Secretary of the Interior's standards for the Treatment of Historic Properties do not detract from an area's authenticity.

ED Policy 6: Retention and Expansion of Government Agency Offices

The city should work with representatives from local, state, and federal agencies to encourage the retention and expansion of agency offices and facilities in the city. Efforts should focus on ensuring that the long-term space needs of these agencies can be addressed within Boulder City, and on encouraging the attraction of other government agencies as appropriate.

What is a Historic Preservation Easement?

A historic preservation easement is a voluntary legal agreement, typically in the form of a deed, which permanently protects a significant historic property. Since it is a perpetual easement, an owner is assured that the property's historic character will be preserved. In addition, an owner who donates an historic preservation easement may be eligible for one or more forms of tax benefits.

Under the terms of a typical preservation easement, a property owner places restrictions on the development of, or changes to, the property and transfers these restrictions to a qualified organization whose mission includes environmental protection, land conservation, open space preservation, or historic preservation. The organization must have the resources to manage and enforce the restrictions provided for in the easement and have a commitment to do so. Once recorded, the easement restrictions become part of the property's chain of title and "run with the land" in perpetuity, thus binding not only the owner who grants the easement but all future owners as well. Preservation easements in some states may also be called preservation "restrictions," "covenants," or "equitable servitudes."

Benefits of Donating An Easement

An easement is a particularly useful and flexible historic preservation tool. It allows a property owner to retain private ownership of the property while insuring that the historic character of the property will be preserved. Within certain statutory and regulatory constraints, easements can be tailored to meet the needs of the property owner, the individual resource, and the mission of the protecting organization.

If certain criteria are met, the owner may be eligible for a Federal income tax deduction for the value of the easement, and Federal estate taxes also may be reduced. In addition, many State tax codes provide state tax benefits for conservation easement contributions where a reduction in the value of a property occurs. There may also be local tax benefits where property tax assessment is based on a property's highest and best use. Since the rules are complex, property owners interested in the potential tax benefits of an easement



A comprehensive conservation and preservation easement protects the Cambus-Kenneth Farm in Danville, KY. © National Trust for Historic Preservation.

donation should consult with their accountant or tax attorney.

Easement Restrictions

A conservation easement gives the organization to which it is conveyed the legal authority and responsibility to enforce its terms. This includes the right to inspect the property to ensure that the owner is complying with the terms of the easement. Historic preservation easements typically prohibit an owner from demolishing the historic building(s) and from making changes that are inconsistent with the historic character of the property. Proposed alterations to the property may require prior approval from the easement holding organization. Restrictions on subdividing and developing the property are common as well. To be tax deductible, a preservation easement generally cannot be amended. If the restrictions apply only to the exterior of a building, future alterations to the interior do not require approval by the easement-holding organization, as long as the alterations do not affect the building's exterior appearance or structural integrity.

Potential Tax Benefits

When an owner donates an easement in accordance with Federal and State rules to a qualified charitable or governmental organization, the easement may provide tax benefits. The value attributed to the easement may be claimed as a charitable contribution deduction from Federal income tax. The value of the easement is generally the difference between the appraised fair market

value of the property prior to conveying an easement and the appraised fair market value of the property after the easement.

If the easement has value, the amount will depend on a number of factors, such as how the easement affects the property's development potential, which may be determined by the extent to which local government restrictions already restrict changes to the property. Where there is no further development potential for the property or the building is already under local regulations subject to the same conditions as those in the easement (including, for example, binding review by a local historic district commission to insure that the property's historic character is preserved), the easement may be of little or no value. On the other hand, for a property located in an area where there are few regulations governing changes to the exterior of historic buildings, the easement may result in significant protection for the property's historic character, possibly generating tax benefits to the donor.

Recent Federal Tax Law Changes

A property owner seeking a Federal tax deduction for a qualified conservation contribution (including a donation of an historic preservation easement) needs to be aware that there are several detailed requirements to meet, and that there are a number of recent changes to the tax laws. Several of these changes govern properties located in registered historic districts. For example, to be deductible, the deed of easement on a building in a registered historic district must now preserve the entire exterior of the building (including the front, sides, rear and height of the building), and the easement must prohibit any change to the exterior of the building inconsistent with its historic character.

The requirement that the easement cover the entire building exterior does not apply to an easement on a property that qualifies for the deduction on the basis that it is individually listed in the National Register of Historic Places. As in the past, easements on properties individually listed in the National Register of Historic Places can cover part(s) of a building, such as the front façade, a front façade along with an important interior space, or the entire exterior. Most easement-holding organizations, however, require that the entire exterior of a building be covered by the easement's protections.

While a number of the recent Federal tax law changes are designed to address overvaluations by taxpayers and appraisers, several recent changes to the Federal tax code temporarily expanded the availability of the tax deduction in certain respects. These temporary changes, however, expired on January 1, 2010. Currently, the amount of a charitable income tax deduction for a conservation easement contribution that can be used by an individual in any one year is back to 30 per cent of the donor's contribution base (generally adjusted gross income) from the temporary increase of 50 per cent. In addition, the period over which individuals can carry forward unused deductions for conservation easement contributions returns to five years from the temporary increase of fifteen years. Any changes after January 1, 2010 can be viewed on the National Park Service web site.

Qualified Properties

According to the Internal Revenue Code, an income tax deduction may be available for a preservation easement protecting a certified historic structure or a historically important land area.

A property is considered a certified historic structure if it is a building, structure, or land area individually listed in the National Register of Historic Places, or if it is a building located in a registered historic district and is certified by the National Park Service as contributing to the



The modern-style residence of noted residential architect Henry B. Hoover in Lincoln, MA remains in the family while being permanently protected by an easement that includes certain interior rooms. Courtesy of Historic New England.





Completed in 1816, Tudor Place in Georgetown, DC, a National Historic Landmark, is protected by an easement covering the building and grounds granted to the U.S. Department of Interior by a direct family descendant of the original owner, the late Armistead Peter 3rd. Photo: Charles Fisher, NPS.

historic significance of that district. A registered historic district includes any district listed in the National Register of Historic Places. A State or local historic district may also qualify as a registered historic district, provided the district and the enabling statute are certified by the National Park Service.

In the case of a building in a registered historic district, to apply for a certification of significance (a determination by the National Park Service as to whether a building is a certified historic structure), a prospective easement donor contacts the State Historic Preservation Office (SHPO) to request a Historic Preservation Certification Application or downloads the application from the National Park Service website www.nps.gov/history/hps/tps. The property owner then completes Part 1 of the application and returns it to the SHPO. The SHPO then forwards the application, along with a recommendation, to the National Park Service, which makes the certification decision. The property must be certified by the National Park Service either by the time of the transfer of the easement or the due date (including extensions) for filing the Federal income tax return for the taxable year of the easement transfer.

Properties individually listed in the National Register of Historic Places are already recognized as certified historic structures, so a property owner does not need to request a certification from the National Park Service. Unlike the deduction for preservation of properties located in an historic district, charitable contribution deductions for preservation easements on properties individually listed in the National Register are not restricted to protection of buildings but may also be al-

lowed for easements on historic structures or land areas without buildings. Examples of qualifying structures may include bridges, dams, or roller coasters.

A historically important land area must be listed in the National Register of Historic Places. Historically important land areas include either independently significant areas, including any related historic resources, that meet the National Register of Historic Places Criteria for Evaluation, or land areas adjacent to a property individually listed in the National Register of Historic Places, where physical or environmental features of the land contribute to the historic or cultural integrity of the historic property. Common examples of historically important land areas include traditional cultural places, archeological sites, battlefields, and historic cultural and designed landscapes.

Public Benefit

In order to claim the Federal income tax deduction for a historic preservation easement, at least some visual public access to the property must be available. The degree of access is tailored to the historic resource under protection. For example, the amount of access required for a sensitive archeological site individually listed in the National Register may be as little as a few hours a year. Other means of providing access may include ensuring visual access from a public roadway for a historic building and grounds subject to an easement, or allowing the public to tour the inside of a historic house on a reasonable number of days a year if the easement is imposed on portions or all of the interior. Often the easement-holding organization can assist the owner in finding a balance between protecting the property and the owner's privacy, and providing a public benefit.

Qualified Organizations

The recipient of an easement donation must be a qualified organization. Qualified organizations may include governmental units, charities that receive a substantial part of their support from governmental units or from public contributions, publicly supported charities, or charities that meet the requirements of §509(a)(3) and are controlled by qualified organizations. For an easement on a historic property in a registered historic district, the donor and donee must enter into a written agreement certifying that the donee is a qualified

organization with a purpose of environmental protection, land conservation, open space preservation, or historic preservation, and that the organization has the resources to manage and enforce the restriction and a commitment to do so.

An easement-holding organization may require the easement donor to make an additional donation of funds to help the organization administer the easement. Those funds are often held in an endowment that generates an annual income to pay for easement administration costs such as staff time for annual inspections or needed legal services.

Inconsistent Use

To qualify for a deduction, the donor may not retain uses of the property that would permit destruction of significant conservation interests. Retained uses must be specifically circumscribed in the deed of easement.

Valuation/Qualified Appraisal

Easement valuations have come under closer scrutiny by Congress and the IRS in recent years, and the Federal tax code imposes new qualification standards for both appraisals and appraisers. For example, the appraisal must be prepared in accordance with generally accepted appraisal standards.



The 1787 Phelps Inn located in North Colebrook, CT is one of several buildings on a 33-acre property protected by a preservation and conservation agreement granted to Historic New England by the late John A. and Nancy Phelps Blum. Courtesy of Historic New England.

8

The amount of a contribution deduction for a perpetual preservation or conservation easement generally is the fair market value of the easement at the time of the contribution. The most commonly-used method of determining this value is usually referred to as the "before" and "after" method: Generally the fair market value of an easement is equal to the difference between the fair market value of the property before the granting of the easement and the fair market value of the property after the granting of the easement. The appraisal therefore must value the property both before and after the easement is granted.

Treasury Regulations governing valuation of conservation easements (§ 1.170A-14(h)(3)(ii)) provide that, if the before and after valuation method is used, the market value of the property before the contribution must take into account not only the property's current use but also an objective assessment of the likelihood that the property would be developed absent the restrictions, as well as any effect from local zoning, local historic preservation regulations, and similar restrictions that affect the property's highest and best use. In other words, the valuation of an easement must be determined through a qualified appraisal that considers the specific terms of the easement and the specific nature of restrictions imposed by existing local land use or similar laws. Note that there are no generally recognized percentages by which an easement reduces the value of a property. In fact, there are instances in which the grant of an easement may have no material effect on the value of the property, particularly if the easement is no more restrictive than local ordinances already in effect.

In the case of a preservation easement donation for which a deduction of more than \$5,000 is claimed, a donor generally must obtain a qualified appraisal prepared by a qualified appraiser. The appraisal must be attached to the donor's tax return for any claimed deduction over \$500,000. To deduct the value of an easement on a building in a registered historic district, an appraisal must be attached to the tax return regardless of the amount of the claimed deduction. The Internal Revenue Service (IRS) may accept the value determination in the appraisal or make its own determination. Donors and appraisers should be aware that there are strict penalties for overvaluations of property that lead to substantial or gross valuation misstatements.

In the case of a claimed deduction of \$250 or more, the donor must obtain a contemporaneous written acknowledgement as required by section 170(f)(8) of the

9

Internal Revenue Code. This means that the donor needs to obtain from the easement holding organization a document stating the amount of any cash it received and a description of any property it received (such as the preservation easement). The organization must also state whether it provided any goods or services in return for the property and, if so, a description of the goods or services. The donor must obtain this contemporaneous written acknowledgement on or before the earlier of the date the donor files the tax return claiming the charitable contribution or the due date (including extensions) for the tax return.

For easement donations that involve buildings within historic districts where a deduction in excess of \$10,000 is being claimed, the donor must submit a \$500 filing fee with IRS Form 8283-V. In addition, in all cases in which a deduction of more than \$500 is claimed, a properly completed IRS Form 8283 (Noncash Charitable Contributions) must accompany the donor's tax return. For contributions for which a deduction of more than \$5,000 is claimed, the Form 8283 generally must be signed by the appraiser who prepared the qualified appraisal and by the qualified organization that accepted the easement donation.

In addition to the above requirements, the donor of a preservation easement on a building in a registered historic district must include with his or her tax return photographs of the entire exterior of the building and a description of all restrictions on the development of the building.



One of a number of historic commercial properties in a historic district renovated by the Ron Kaufman Co., the 1855 Gibb-Sanborn Warehouse, a rare city survivor of the Gold Rush era, is protected by an easement held by San Francisco Architectural Heritage. Photo: ©SF Architectural Heritage.

10

Qualified Appraisers

To be a qualified appraiser, the appraiser has to have verifiable education and experience in valuing historic properties, must not be prohibited from practicing before the IRS, and must meet several other requirements established by the IRS. In addition, certain appraiser declarations are required.

Combining an Easement with Federal Historic Rehabilitation Tax Credits

A property owner conveying an easement on an historic building that has or will be rehabilitated may also be eligible for a 20% tax credit under the Federal Historic Rehabilitation Tax Incentives Program. This credit is available for properties rehabilitated for income-producing properties, but it is not available for properties used exclusively as the owner's private residence. The rehabilitation must be substantial as defined by IRS and applies only to a project that the National Park Service designates as a certified rehabilitation.

In cases where the donor may qualify for both a Federal income tax deduction and a rehabilitation tax credit, there are two important considerations: First, an easement placed on a building that is the source of a rehabilitation tax credit may be considered a partial disposition of the building, which could affect the available tax credits. Second, where rehabilitation tax credits have been claimed within 5 years preceding the easement donation, the Internal Revenue Code requires some reduction in the amount of the easement contribution deduction. An accountant or tax attorney should be consulted in such cases.

Further Information

For further information about historic preservation easements and how to obtain certified historic structure status for a building in a historic district, visit the National Park Service website at <http://www.nps.gov/history/hps/tps/tax/easement.htm> or contact our office at NPS_HPS-info@nps.gov.

This leaflet incorporates changes to Federal tax law as a result of the Pension Protection Act of 2006 and the Food, Conservation, and Energy Act of 2008 (Public

11

The preservation easement given to the Preservation Alliance for Greater Philadelphia on the Manufacturer's Club protects a National Register listed property not subject to local historic commission review. Courtesy of the Preservation Alliance.



Law 110-234). For updates on any subsequent Federal tax law changes, please refer to the website cited on the previous page.

Acknowledgments

This brochure was prepared by Charles Fisher, National Park Service. The following individuals are gratefully acknowledged for their review and other assistance in the preparation of this publication: Paul W. Edmondson, Vice President & General Counsel, National Trust for Historic Preservation, Washington, DC, and Stefan Nagel, Esq., of Counsel, Law Office of Stephen J. Small, Esq., P.C., Newton, MA. Thanks also go to the Washington Office of the Internal Revenue Service; Michael Auer and Kaaren Staveteig of the National Park Service; and Joseph Cornish, Historic New England, for their assistance.

This publication was prepared pursuant to the National Historic Preservation Act, which directs the Secretary of the Interior to develop and make available to government agencies and individuals information concerning professional methods and techniques for the preservation of historic properties.

Comments or questions regarding this publication are welcomed and should be addressed to Technical Preservation Services, Heritage Preservation Services, 1201 Eye Street NW, Washington, DC 20005 or email at NPS_HPS-info@nps.gov.

cover: Tudor Place, Georgetown, DC

Boulder City Historic Preservation Plan



City Council Adoption

August 24, 2021

Presented & Edited by: Cynthia Ammerman

Prepared by: Mariana Ruiz

Methodology & Process



- Outreach and Communications
 - March 2020: Community Workshop
 - Attended by approximately 50 Boulder City residents
 - Small group discussions on the historic preservation ordinance, role of the historic preservation committee, historic designation processes, and the role of historic preservation
 - Fall 2020: Video Presentation and Online Survey
 - Developed rough recommendations based on March workshop
 - Presented these through Boulder City's TV channel and YouTube
 - Utilized the utilities mailer to promote survey for community input on video presentation
 - Received 169 responses
- Research, Writing and Analysis
 - Compiled plan, providing analysis and recommendations to assist with historic preservation efforts

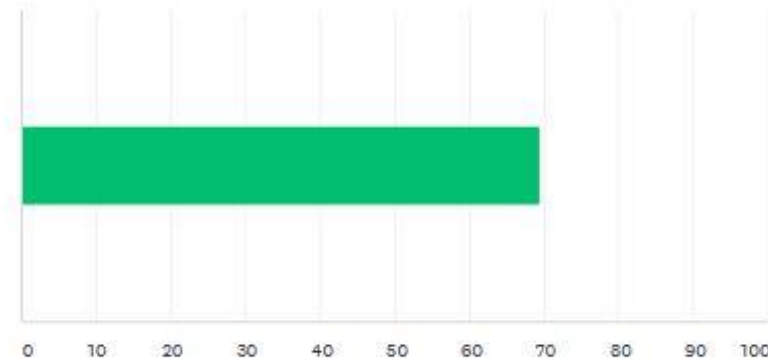
Online Survey

"Good" Historic Preservation



Q1 Good historic preservation means sometimes telling an owner, developer, property owner that they cannot undertake their plans without making some changes.

Answered: 169 Skipped: 0



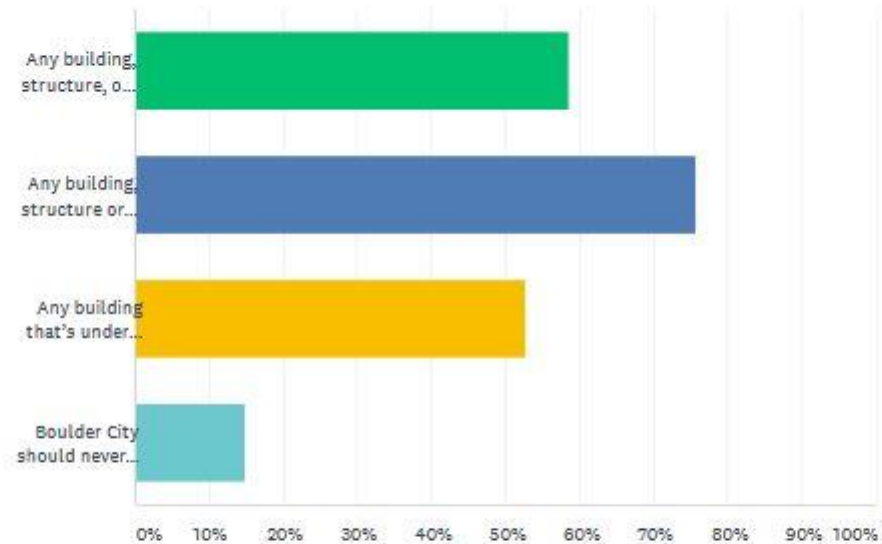
Online Survey

Demolition Review



Q3 Boulder City should delay and review demolition, including public input, for at least 60 days for which of the following (select as many as you would like):

Answered: 169 Skipped: 0



ANSWER CHOICES

RESPONSES

Any building, structure, or site over 50 years old	58.58%	99
Any building, structure or site that has been designated	75.74%	128
Any building that's under 50 years old, but is thought to hold historic importance	52.66%	89
Boulder City should never delay demolition and seek public input for any building, structure, or site	14.79%	25
Total Respondents: 169		

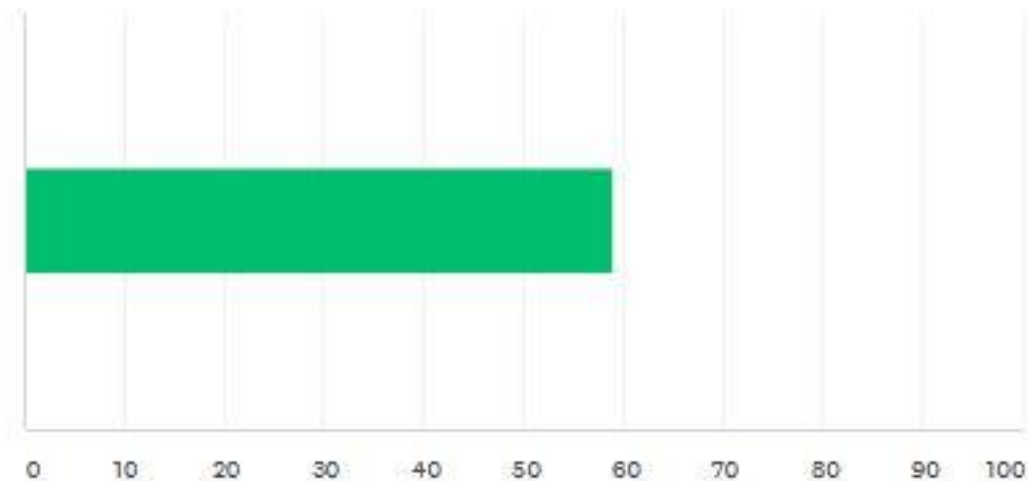
Online Survey

HPC Powers



Q4 The Historic Preservation Committee should have the ability to approve or deny applications to rehabilitate or demolish resources on the Boulder City Register of Historic Places based on existing historic design guidelines.

Answered: 166 Skipped: 3



ANSWER CHOICES	AVERAGE NUMBER	TOTAL NUMBER	RESPONSES
		59	9,790
Total Respondents: 166			

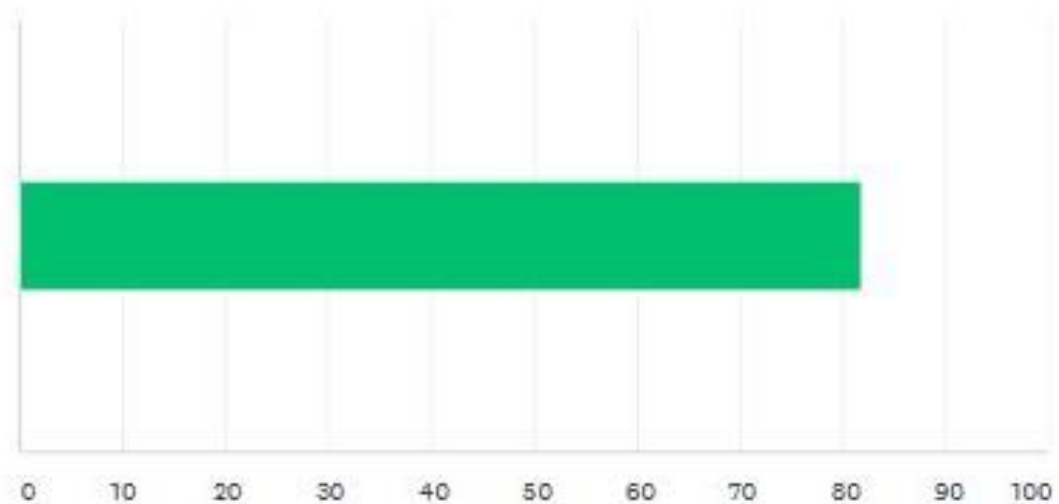
Online Survey

HPC Members



Q7 Some of the members of the Historic Preservation Committee should have professional experience in history, architecture, construction, historic preservation, and other relevant subjects.

Answered: 166 Skipped: 3



ANSWER CHOICES	AVERAGE NUMBER	TOTAL NUMBER	RESPONSES
	82	13,579	166
Total Respondents: 166			

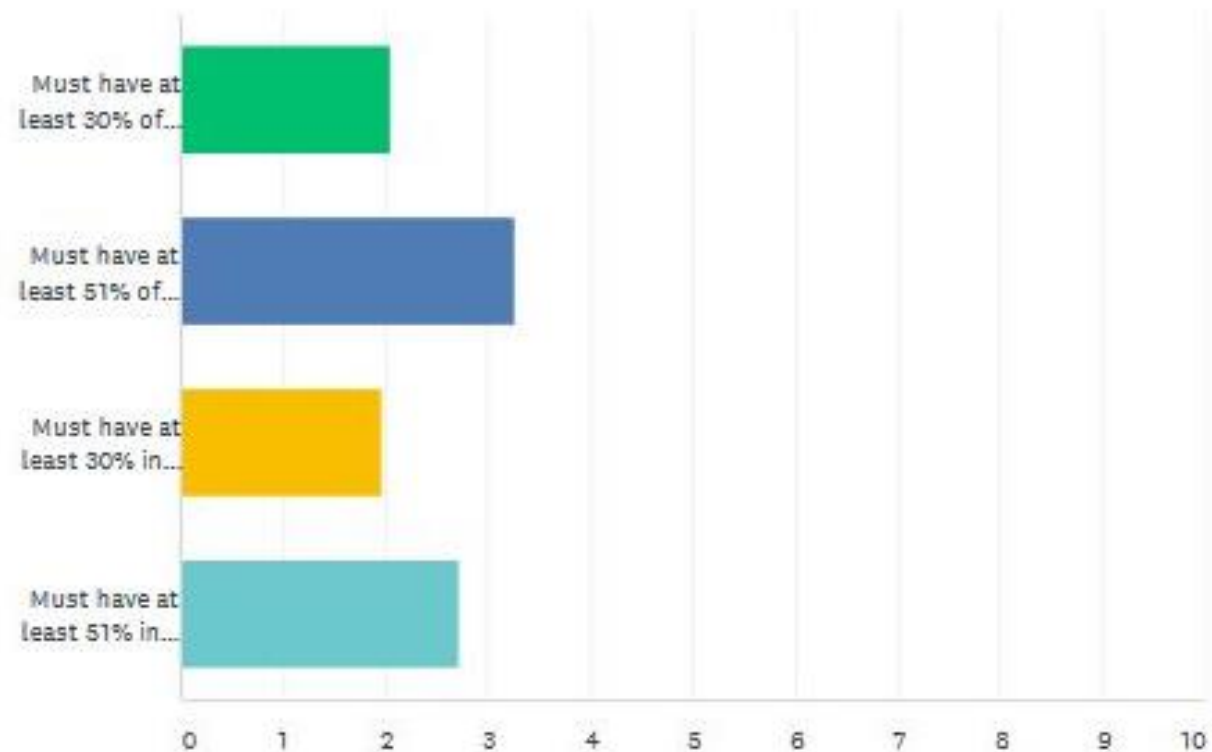
Online Survey

Grassroots Historic Designation



Q11 What percentage of neighborhood residents should be required to nominate a historic district? Please rank the following according to your preference where (1) you like the most and (4) you like the least.

Answered: 156 Skipped: 13



Goals, Tasks, & Objectives



- Update Historic Preservation Ordinance
 - Design Guidelines and Compliance
 - 1983 survey: 17% not eligible
 - 2020 survey: 56% not eligible
- Demolition Review
 - Create process for reviewing, approving, and denying demolitions
 - Survey participants stated a preference for a well-laid out process that includes public input
- Role of the HPC
 - Explore making HPC decisions binding and with an appeal process
 - Include members with specific professional backgrounds in voting capacity

Goals, Tasks, & Objectives



- Designation Processes
 - Continue to educate the public on this process and solicit their input
- Preservation Incentives
 - Financial incentives may not be feasible. Look into regulatory relief to designated resources
- Amend Master Plan
 - Alterations of the street view of a building should be avoided
 - Upper Floors, Porticos, Renovations

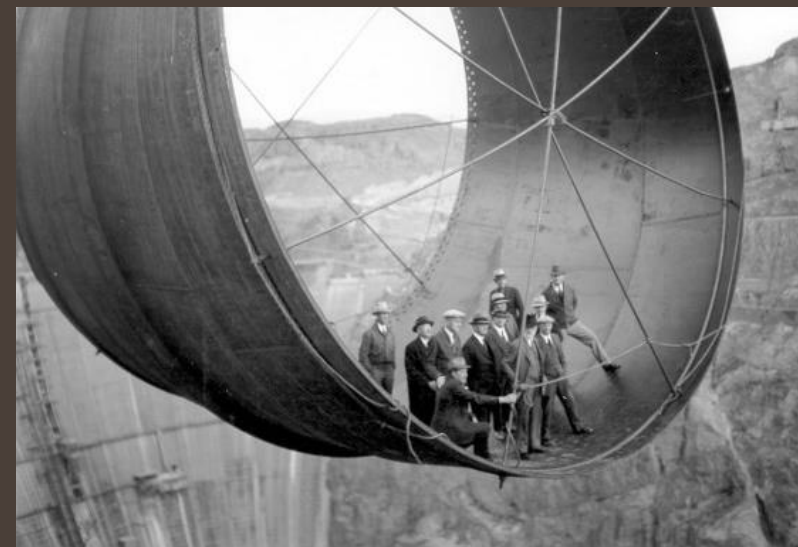
Historic Boulder City



Boulder City is one of the most storied cities in Southern Nevada, with a history of national importance. It is also a city that relies upon its history and historic architecture to not only provide a sense of place for Boulder City residents, but to also provide visitors with a feel of an early era of Southern Nevada history. Today with development pressures and an increasing number of historic structures in Boulder City, a plan such as this is critical to the future of this community.

Boulder City is at an important juncture in terms of historic preservation. The findings that came from the recent updated survey of the Historic District show that historic resources in Boulder City have been significantly undermined over the last three decades.

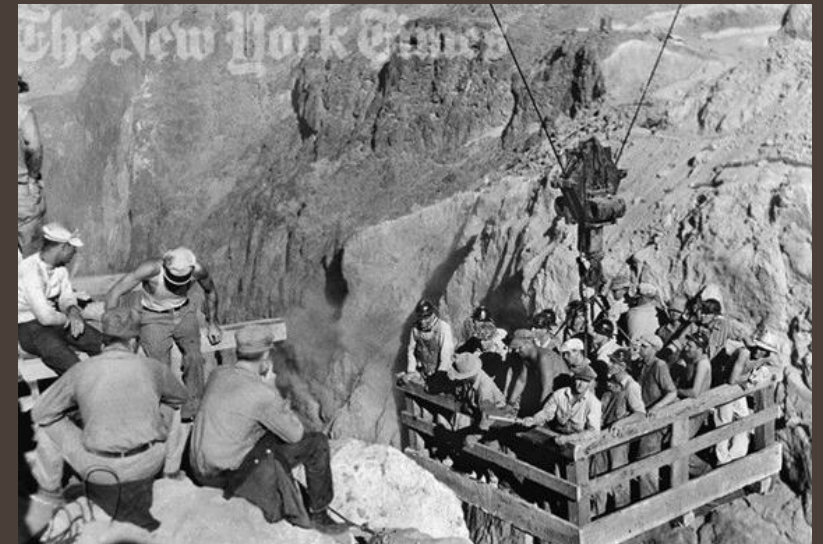
There are many resources remaining that can and should be restored, rehabilitated, and protected. In this Historic Preservation Plan, we hope to have provided solid recommendations that can keep Boulder City the historic hub of Southern Nevada.





Prepared for:
Boulder City
401 California Avenue
Boulder City, NV 89005

Prepared by:
Mariana Ruiz
Cynthia Ammerman
Nevada Preservation Foundation
330 W. Washington Avenue, Ste. 106
Las Vegas, NV 89106



R7324 Joining Forces 2022 Grant

SUBJECT:

For possible action: Resolution No. 7324, a resolution of the City Council of Boulder City, Nevada to accept a Grant Award of \$43,000 for the *Joining Forces* campaign and to amend FY 2022 budget for revenues and expenses.

ADDITIONAL INFORMATION:

ATTACHMENTS:

Description	Type
▢ Staff Report	Cover Memo
▢ R7324	Cover Memo
▢ JF Project Agreement	Cover Memo



BOULDER CITY
CITY COUNCIL

MAYOR
KIERNAN MCMANUS

COUNCIL MEMBERS:
JAMES HOWARD ADAMS
CLAUDIA M. BRIDGES
MATT FOX
SHERRI JORGENSEN



MEETING LOCATION:
CITY COUNCIL CHAMBER
401 CALIFORNIA AVENUE
BOULDER CITY, NV 89005

MAILING ADDRESS:
401 CALIFORNIA AVENUE
BOULDER CITY, NV 89005

WEBPAGE:
WWW.BCNV.ORG



CITY MANAGER:
TAYLOUR TEDDER, CECd

CITY ATTORNEY:
BRITTANY LEE WALKER, ESQ

CITY CLERK:
TAMI MCKAY, MMC, CPO

ADMINISTRATIVE SERVICES DIRECTOR:
BRYCE BOLDT

COMMUNITY DEVELOPMENT DIRECTOR:
MICHAEL MAYS, AICP

PUBLIC WORKS DIRECTOR:
KEEGAN LITTELL, P.E.

UTILITIES DIRECTOR:
DENNIS PORTER, P.E.

POLICE CHIEF:
TIM SHEA

FIRE CHIEF:
WILLIAM GRAY, CFO

FINANCE DIRECTOR:
DIANE PELLETIER, CPA

PARKS & RECREATION DIRECTOR
ROGER HALL

City Council Meeting August 24, 2021 Item No. 08 Staff Report

TO: Taylour Tedder, City Manager

FROM: Timothy J. Shea, Police Chief

DATE: July 29, 2021

SUBJECT: For Possible Action: Resolution No. 7324, a resolution of the City Council of Boulder City, Nevada to accept a Grant Award of \$43,000 for the *Joining Forces* campaign and to amend FY 2022 budget for revenues and expenses.

Business Impact Statement: This action will not have a significant economic impact on business and will not directly restrict the formation, operation, or expansion of a business.

Action Requested: That the City Council approve Resolution No. 7324 accepting a Grant Award in the amount of \$43,000 from the Office of Traffic Safety *Joining Forces* Project and to amend FY 2022 budget for revenues and expenses.

Overview:

- The Police Department has participated in the Nevada Department of Public Safety, Office of Traffic Safety's "Joining Forces" Program for fifteen consecutive years.
- The Police Department has been approved to receive \$43,000.00 in grant funds to participate in FY2022.
- The grant monies will fully fund the police department's participation in the "Joining Forces Program" for the coming year.

Background Information: "Joining Forces" is a multi-jurisdictional traffic enforcement program with the goal of reducing injuries and deaths on the roadways in Nevada. Officers from participating agencies throughout the region conduct targeted traffic enforcement campaigns: DUI, pedestrian crosswalks, speed, red lights, and other violations that cause injuries and deaths on Nevada's roadways. This grant will fully fund the Boulder City Police Department's participation

by providing the financial resources to pay for officer overtime when our personnel are involved in "Joining Forces" traffic enforcement activities.

Financial: There is no negative fiscal impact.

Boulder City Strategic Plan Goal: Goal E: Sustain a High Level of Public Safety Services

Department Recommendation: The Police Department Staff respectfully requests that the City Council approve Resolution No. 7324, accepting a Grant Award in the amount of \$43,000 from the Office of Traffic Safety Joining Forces Project and to amend FY 2022 budget for revenues and expenses.

Attachment(s):

R7324

Office of Traffic Safety Joining Forces Project Agreement - 2022

RESOLUTION NO. 7324

A RESOLUTION OF THE CITY COUNCIL OF BOULDER CITY, ACCEPTING A GRANT AWARD OF \$43,000.00 FOR THE JOINING FORCES CAMPAIGN AND TO AMEND FY 2022 BUDGET FOR REVENUES AND EXPENSES

WHEREAS, the Boulder City Police Department was eligible to apply for participation in Joining Forces, a multi-jurisdictional traffic safety grant offered through the State of Nevada, Department Public Safety, and Office of Traffic Safety; and

WHEREAS, the \$43,000.00 of approved funding will allow the Police Department to fund officers' overtime compensation for participating in specific, multi-jurisdictional traffic enforcement which has specific goals of reducing injuries and deaths on the roadways within the State of Nevada.

NOW, THEREFORE, BE IT RESOLVED that City Council approves Resolution No. 7324, a resolution of the City Council of Boulder City, accepting a Grant Award of \$43,000.00 for the Joining Forces campaign and to amend FY 2022 budget for revenues and expenses; and

BE IT FURTHER RESOLVED that the appropriate staff is hereby authorized to accept and appropriate the grant funds on behalf of the City of Boulder City.

DATED and APPROVED this _____ day of _____, 2021.


Kiernan McManus, Mayor

ATTEST:

Tami McKay, City Clerk

STATE OF NEVADA
DEPARTMENT OF PUBLIC SAFETY
OFFICE OF TRAFFIC SAFETY
JOINING FORCES PROJECT AGREEMENT **OTS UEI # N429NLYU9KN4**

<u>Project Title:</u> Joining Forces			
<u>Applicant Agency:</u> Boulder City Police Department		<u>Governmental Unit:</u>	
<u>UEI Number:</u> GMRJFKJBH9K6		<u>501 (c) Attached:</u> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
<u>Grant Period:</u>		<u>From: Effective date of Authorization</u> <u>To: September 30, 2022</u>	
<u>PROJECT DESCRIPTION:</u> Provide funding for participation in statewide, high visibility multi-jurisdictional traffic enforcement events that are focused on reducing fatalities and serious injury crashes in Nevada. Provide funding for enhanced enforcement of safety belt and child safety seat laws, speed enforcement laws, pedestrian safety, and to reduce distracted and impaired driving through Selective Traffic Enforcement Programs (STEP), Saturation Patrols and checkpoints.			
<u>FAIN</u> 69A37522300004020NV0, 69A37522300001640NVA	<u>FY 2022</u>	<u>Award Amount:</u> \$43,000.00	<u>CFDA #</u> 20.600, 20.608
<p>ACCEPTANCE OF CONDITIONS: It is understood and agreed by the undersigned that a grant received as a result of this agreement is subject to Public Law 114-94, Highway Safety Act of 1966, and Nevada Revised Statutes, Chapter 223.200 and all administrative regulations governing grants established by the U.S. Department of Transportation and the State of Nevada. It is expressly agreed that this project constitutes an official part of the State's Highway Safety Plan and that said Applicant Agency will meet the requirements as set forth herein, including Schedules A, B, C, and C Supplemental which are incorporated herein and made a part of this agreement. The Applicant Agency <u>MAY NOT</u> proceed with this project, or any portion thereof, until funds are appropriated by the U.S. Congress and written authorization is received from the Office of Traffic Safety. It is also understood by the Applicant Agency that any funds expended prior to receipt of the written <u>Authorization to Proceed WILL NOT</u> be reimbursed.</p>			

<u>Department of Public Safety</u>	<u>Authorizing Official</u>
<u>Signature:</u> 	<u>Signature:</u>
<u>Name:</u> Amy Davey	<u>Name:</u> Timothy Shea
<u>Title:</u> Administrator/Highway Safety Coordinator, NV DPS-OTS	<u>Title:</u> Chief of Police
<u>Contact Information</u>	<u>Project Director</u>
<u>Program Manager:</u> Shelley Fleming	<u>Signature:</u>
<u>Phone:</u> (702) 432-5080	<u>Name:</u> John Glenn
<u>E-Mail:</u> sfleming@dps.state.nv.us	<u>Title:</u> Police Sergeant

SCHEDULE A

DESCRIPTION OF PROJECT

PROBLEM STATEMENT:

Fatalities and injuries on Nevada's roadways continue to be a major concern for our citizens.

Safety belts are the single most effective way to reduce injuries and fatalities on our highways. Thirty-five percent of motor vehicle fatalities recorded on Nevada roadways in 2019 were not wearing safety belts. Despite public information and media campaigns, the 2019 daytime observational survey reveals 5.8% of drivers and front seat passengers still do not wear safety belts on a regular basis.

One fatality in every 3.10 motor vehicle fatal crashes in 2019 had alcohol involvement.

Speed is a contributing factor in one of every 3.49 motor vehicle fatalities. This costs society billions of dollars annually and dilutes the effectiveness of other priority traffic safety programs, including efforts to reduce impaired driving, distracted driving, increase safety belt use, and improve pedestrian and motorcycle safety. Speed increases the severity of injury crashes.

Pedestrian fatalities continue to be a concern in urban Nevada. There was 1 pedestrian killed for every 4.90 fatalities recorded in 2019.

PROBLEM SOLUTION:

Law enforcement agencies in Nevada join forces to conduct high visibility enforcement of Nevada's safety belt, child passenger, impaired driving, distracted driving, speeding and pedestrian laws using federal grant funds provided by the Department of Public Safety, Office of Traffic Safety.

GOAL:

- Promote high visibility multi-jurisdictional enforcement of Nevada safety belt, DUI, distracted driving, pedestrian and speeding laws.
- Reduce the number of motor vehicle crash injuries and fatalities through public education, and high visibility enforcement efforts.
- To decrease unrestrained traffic fatalities by 10% from the 2017-2019 average of 67 to 60 fatalities for the 2020-2022 average by December 31, 2022.
- To decrease impaired driving fatalities 10% from the 2019 calendar year number of 92 to 83 by December 31, 2022.
- To decrease speed-related motor vehicle crash fatalities 3% from the calendar year 2019 number of 87 to 84 by December 31, 2022.
- To decrease pedestrian fatalities by 10% from the 2019 number of 62 to 56 by December 31, 2022.
- To decrease traffic fatalities by 7% from the 2017-2019 average of 315 to 293 for the 2020-2022 average, by December 31, 2022.

OBJECTIVES:

- Decrease total roadway fatalities by half by 2030; this equates to a 3% per year reduction in numbers each year until 2030. (CY2019: 304. Goal for CY2022: 295).
- Decrease total roadway serious injuries by half by 2030; this equates to a 3% per year reduction in numbers each year until 2030. (CY2019: 957. Goal for CY2022: 928).
- Maintain observed safety belt use rate at or above 90%.

ACTIVITIES:

Sub-recipients are required to:

- Hold a press conference or submit press release to local newspaper(s) detailing the program, funding source, goals and objectives and the probable outcome within 30 days of receipt of Authorization to Proceed (ATP).
- Track, account for and report all in-kind contributions pertaining to this project. Vehicle operation and maintenance, in addition to officer and supervisor salaries/benefits when not in a grant overtime mode, are examples of in-kind contributions.
- Report motor vehicle fatality data to Nevada's Fatality Analysis Reporting System (FARS) analyst at the Nevada Office of Traffic Safety, 107 Jacobsen Way, Carson City NV 89711, fax: 775-684-7486 or fars@dps.state.nv.us
 - The data gathered by the States to perform FARS analysis is also used by the States when applying for federal highway incentive grants.
 - FARS data is the only census data of all fatal traffic crashes in the U.S. and it is used for many performance measure goals accepted by the States, NHTSA and Federal Highway Administration (FHWA).

NHTSA places the following requirements on the State Office of Traffic Safety to:

- ✓ Provide for the collection of specific data on all reportable traffic fatalities that occur within each jurisdiction (the fifty states plus the District of Columbia, and Puerto Rico);
- ✓ Report basic information on every motor vehicle crash with reportable fatalities within specified time frames;
- ✓ Report all required information on each such crash within a specified time frame and;
- ✓ Encourage the use of the FARS data by members of the traffic and motor vehicle safety community as an important resource for decision making and policy development.
- ✓ To ensure data currency, OTS must report basic information on each crash/fatality within two weeks of the crash/fatality; and to report on basic information on each crash/fatality during a holiday period within one day of the end of that holiday period. All data must be entered using the FARS microcomputer data entry (MDE) system within 90 days following the crash/fatality.
- Send motor vehicle crash reports per NRS 484E.110, et seq., electronically or manually to the Department of Public Safety/NCATS database, within 10 days after the investigation of the crash and as otherwise required by state law.
- In the spirit of the Federal Office of Management and Budget Memorandum M20-26, the Nevada Office of Traffic Safety (OTS) recognizes the need for flexibility to be provided in response to the COVID-19 pandemic; its effect on public health and the need for potential changes of activities in the FFY 2021 grant-funded projects. If the sub-recipient is unable to fulfill the stated objectives and/or activities in any manner in this project, the sub-recipient must contact the OTS program manager immediately and discuss alternate plans or a potential change order. All Federal and State regulations will apply.

See Schedule B (Budget worksheet) with planned events.

- A minimum of one activity within the event must be worked with at least one other agency (co-op).
- Deploy a minimum of 2 officers per site for a minimum of 2 hours. Exceptions can be made by the program manager if approved in writing prior to event. (Officers may be combined with other agencies to meet requirement)

- A minimum of 2 self-initiated contacts (stops) per hour per officer are highly encouraged.
- Complete a progress report and submit within 30 days after the end of each scheduled event.
- Complete and submit a claim with a Payroll Certification Report and back-up documentation within 30 days after the end of each scheduled event.

ENFORCEMENT CRITERIA:

Selective Traffic Enforcement Programs (STEP) Requirements:

- Issue a media release describing the planned activity in advance of the effort. Must be preapproved thru OTS-can be accomplished via e-mail.
- Base STEP activity on: Number and severity of crashes or violations during the past 12 months, types of violations leading to crashes, days of the week and times of day that crashes occur, as well as other pertinent data such as types of vehicles involved, driver ages, etc. Be prepared to provide documentation that supports the enforcement location.

Saturation Patrol Requirements:

- Issue a media release describing the planned activity in advance of the effort. Must be preapproved thru OTS-can be accomplished via e-mail.
- Base Patrol efforts on: Number of related crashes during the past 12 months, number of alcoholic beverage outlets in the area, day of week and time of day that crashes occur, or other factors related to high visibility strategies. Be prepared to provide documentation that supports the enforcement location.

Checkpoint Requirements:

- Issue a media release describing the planned activity in advance of the effort. Must be preapproved thru OTS-can be accomplished via e-mail.
- Conduct sobriety checkpoints in accordance with public law. Base location on number of alcohol related crashes during the past 12 months, number of alcohol beverage outlets in the area, day of week and time of day that crashes occur, or other factors related to high visibility strategies.

RAPID RESPONSE CRITERIA:

- Within 2 weeks of fatalities or spikes in violations that need special enforcement, submit a written request to the JF Program Manager justifying the need for officer overtime funding. Include data to support the request, such as local agency crash data, citation data or officer knowledge that can be documented; Nevada Department of Transportation data; or FARS reports from the OTS. Along with the amount of the request, include how many officers, number of overtime hours, and location(s) to be worked.
- Issue a media release describing the planned activity in advance of the effort. Must be preapproved thru OTS-can be accomplished via e-mail.
- Activities must occur within 30 days of receiving approval for funding. Base activity on: number and severity of crashes or violations, types of violations leading to crashes, days of the week, and times of day.
- Maximum request is \$5,000 and funds not spent within 30 days will be forfeited.

FUNDING: Also see Schedule B

- Your agency's schedule B of this Agreement is the projected events with budget amounts to be considered and performed contingent upon receipt of an Authorization to Proceed (ATP). Any changes to this schedule or budget must be pre-approved by your assigned Program Manager.
- Funding is specific for staff overtime for working directly on Joining Forces events.
- All enforcement events/activities are to be completed during the specific enforcement timelines unless

prior arrangements are made with the Program Manager. Justifications and requests can be made via email.

CLAIMS:

Selective Traffic Enforcement Programs (STEP) Requirements:

- Claims with a Payroll Certification Report and back-up documentation must be submitted within the Nevada eGrants system within 30 days after the last day of the event. Claims and Progress Reports must reconcile in the number of officers, dates, hours, etc.
- Your agency is ultimately responsible for validating the claims and timesheets, verifying that those timesheets and statistics submitted to OTS for Joining Forces overtime events are correct and valid.

EVALUATION:

The Department of Public Safety, Office of Traffic Safety and the Sub-recipient Agency will evaluate and review each event as they are reported. This evaluation will consider the observed statewide safety belt use rates, alcohol related fatality rates, as well as the enforcement efforts related to speeding and pedestrian concerns. Evaluation of all objectives and scheduled events, cooperation, and Joining Forces efforts with other agencies will be reviewed and considered.

An on-site monitoring review may be conducted by OTS with the Project Director for any agency receiving \$25,000.00 or more, or at the discretion of the Program Manager or Highway Safety Coordinator.

SCHEDULE B**ITEMIZATION OF BUDGET**Agency: Boulder City Police DepartmentProject Title: JOINING FORCES 2022

EVENT #	EVENT SCHEDULE October 1, 2021 - September 30, 2022			
1	PEDESTRIAN SAFETY	Oct 12 - Oct 18, 2021	402-Ped	\$1,500.00
2	IMPAIRED DRIVERS/RIDERS	Oct 28 - Nov 15, 2021	164	\$2,500.00
3*	CLICK IT OR TICKET	Nov 22 - Nov 29, 2021	402-OP	\$2,500.00
4	IMPAIRED DRIVERS/RIDERS	Dec 10, 2021 - Jan 3, 2022	164	\$3,500.00
5	DISTRACTED DRIVERS	Jan 10 - Jan 22, 2022	402-DD	\$2,750.00
6	SPEED	Jan 24 - Feb 6, 2022	402-Spd	\$5,000.00
7	IMPAIRED DRIVERS/RIDERS	Feb 10 - Feb 15, 2022	164	\$2,000.00
8	SPEED	Feb 25 - Mar 12, 2022	402-Spd	\$5,000.00
9	IMPAIRED DRIVERS/RIDERS	Mar 17 - Mar 22, 2022	164	\$1,000.00
10	DISTRACTED DRIVERS	Apr 1 - Apr 11, 2022	402-DD	\$2,750.00
11	PEDESTRIAN SAFETY	Apr 18 - Apr 25, 2022	402-Ped	\$1,500.00
12*	CLICK IT OR TICKET	May 16 - May 30, 2022	402-OP	\$2,500.00
13	DISTRACTED DRIVERS	Jun 3 - Jun 20, 2022	402-DD	\$2,500.00
14	SPEED	Jun 27 - July 18, 2022	402-Spd	\$5,000.00
15	PEDESTRIAN SAFETY	Aug 8 - Aug 13, 2022	402-Ped	\$1,000.00
16*	IMPAIRED DRIVERS/RIDERS	Aug 24 - Sep 7, 2022	164	\$1,000.00
	SPECIAL EVENT			
	SPECIAL EVENT-RR			
	TRAVEL			\$1,000.00
	TOTAL			\$43,000.00

* Required event

SCHEDULE C AGREEMENT OF UNDERSTANDING AND COMPLIANCE

THIS AGREEMENT made and entered into by and between the STATE OF NEVADA by and through the Department of Public Safety, Office of Traffic Safety, hereinafter referred to as "STATE" and the Governmental unit or organization named in this agreement, hereinafter referred to as "SUB-RECIPIENT."

WHEREAS, FAST, Fixing America's Surface Transportation Act (P.L. 114-94) of December 4, 2015 provides Federal, State or Other funds through the National Highway Traffic Safety Administration (NHTSA) to the State for approved traffic safety projects, and

WHEREAS, STATE may make said funds available to various state, county, or municipal agencies or governments or political sub-divisions upon application and approvals by STATE and the United States Department of Transportation,

WHEREAS, the SUB-RECIPIENT and any awarding subcontracts must comply with the requirements listed herein, to be eligible for Federal funds in approved traffic safety projects, and

WHEREAS, the SUB-RECIPIENT's application has been approved for Federal, State or Other funds for traffic safety projects, and is aware that this agreement is dependent upon availability of funds as appropriated by Congress or the State.

NOW THEREFORE, IN CONSIDERATION OF MUTUAL PROMISES AND OTHER GOOD AND VALUABLE CONSIDERATION, THE PARTIES AGREE AS FOLLOWS:

I. REIMBURSEMENT OF ELIGIBLE EXPENDITURES AND PROGRAM INCOME

1. It is mutually agreed and promised that upon written agreement by SUB-RECIPIENT and approval by STATE and the United States Department of Transportation, STATE shall obligate said Federal, State or Other funds to SUB-RECIPIENT's account for reimbursement of eligible expenditures as set forth in the agreement.
2. It is mutually agreed and promised that SUB-RECIPIENT shall reimburse STATE for any ineligible or unauthorized expenditure for which Federal, State or Other funds have been claimed and payment received as determined by a State or Federal audit.
3. It is mutually agreed and promised that where reimbursement is made to SUB-RECIPIENT in installments, STATE shall have the right to withhold any installments to make up reimbursement received for any ineligible or unauthorized expenditure until such time as the ineligible claim is made up or corrected by SUB-RECIPIENT.
4. It is further agreed that a clear audit trail must be established to determine costs charged against this agreement. Claims with documents to substantiate all costs will be submitted monthly for any expenses incurred and paid during the prior month.
5. SUB-RECIPIENTS are encouraged to earn income to defray program costs where appropriate. Program Income must be identified in the project agreement and when claiming reimbursements and associated expenses.
6. Definition: Program Income means gross income earned by the subrecipients that is directly generated by a supported activity or earned as a result of the Federal award during the period of performance. See 2 CFR 200.80 for a full definition of Program Income.
7. Reporting requirements and authorized uses of Program Income are found in 2 CFR 200.80, 2 CFR 1201.80 and 2 CFR 200.307.

II. PROPERTY AGREEMENT

1. Property purchased through this project which has an anticipated useful life extending beyond one year, is not consumed in use, is not attached permanently as a non-movable fixture and which costs more than \$5,000 will be recorded in the property management file of the agency in accordance with the State Administrative Manual. The STATE retains the right to inspect and to reclaim custody of any or all of the property described above if, in the opinion of the STATE, the property is not being used as intended; not being used to the capacity that it could be; or being used in a negligent manner.
2. It is mutually agreed and promised by the SUB-RECIPIENT that no property purchased through this project will be conveyed, sold, salvaged, transferred, etc. without the express written approval of the STATE.

III. RECORDS

It is mutually agreed and promised that records of the project, including substantiation for reimbursement, shall be maintained for a period of three years upon reimbursement of final claim voucher and shall be subject to audit during that period.

IV. AUDIT RESPONSIBILITY

All agencies that expend \$750,000 or more in Federal awards in a Federal fiscal year must have a single or program specific audit in compliance with the Single Audit Act of 1984(Public Law 98-502). Therefore, funding from this traffic safety grant must be included when a Single Audit is performed. It is the responsibility of the SUB-RECIPIENT agency to insure an accepted copy of this audit is submitted to the STATE. If the SUB-RECIPIENT agency expended < \$750,000 in federal funding for the fiscal year, a copy of their most recent financial statement will be forwarded to the STATE.

V. REPORTS

The APPLICANT shall submit required reports on the progress of the grant, and shall submit all financial, performance, and other reports required, as a condition of the grant, to the STATE within 30 days after the date of the completion of the agreement. The final report will include a narrative summary of the year including the successes and shortcomings, if any, of the project.

VI. PUBLIC INFORMATION MATERIALS

It is agreed by the SUB-RECIPIENT prior to production of public information materials through this grant project that proofs, scripts or concept will be submitted for STATE approval. Public information materials includes, but not limited to, TV and radio public service announcements, billboards, pamphlets/brochures and posters, and other promotional materials.

VII. COPYRIGHTS AND PATENTS

1. Any copyrightable materials produced in the course of a project may be the property of the STATE and SUB-RECIPIENT agency; however, provisions should be made to obtain for the United States Government, the State Government and its political subdivisions, a royalty-free, nonexclusive and irrevocable license to use in any manner such copyrightable material.
2. The ownership of all rights accruing from any patentable discoveries or inventions resulting from a project should be covered in the agreement. An irrevocable, non-exclusive, nontransferable, and royalty-free license to practice each discovery or invention in the manufacture, use, and disposition, according to law, of any article or material, and in the use of any method developed as a part of the work under the agreement should be obtained for the United States Government, the State Government and its political subdivisions.

VIII. MINORITY BUSINESS ENTERPRISE CERTIFICATION

1. The SUB-RECIPIENT agrees to ensure that the recipients or contractors shall take all necessary and reasonable steps in accordance with 49 CFR Part 23 to ensure that minority business enterprises have the maximum opportunity to compete for and perform contracts. Recipients and their contractors shall not discriminate on the basis of race, color, national origin, or sex in the award and performance of any subcontracts financed in whole or in part with Federal funds.
2. SUB-RECIPIENT will notify the Office of Traffic Safety prior to the announcement or award of any third-party contract.

IX. CERTIFICATION OF NON-DUPPLICATION OF GRANT AND MATCHING FUND EXPENDITURES

The SUB-RECIPIENT hereby certifies, as a condition of receiving Federal funds under the above-numbered traffic safety project, that:

1. There are no Federally funded projects currently active or anticipated that would duplicate expenditures for the work to be carried out and reimbursable under this agreement and that
2. The non-Federal funds used to match Federal funds obligated under this project are not being used to match any other Federal funds from any source, and that
3. Any such duplication of Federal fund expenditures subsequently determined by audit will be subject to recovery by the State of Nevada and the United States Government and that
4. Any such duplication of non-Federal matching fund expenditures subsequently determined by audit will subject the Federal funds obligated under this project subject to recovery by the State of Nevada and the United States Government.

X. FEDERAL FUNDING ACCOUNTABILITY AND TRANSPARENCY ACT (FFATA)

The STATE will comply with FFATA guidance, *OMB Guidance on FFATA Subward and Executive Compensation Reporting*, August 27, 2010, (https://www.fsrs.gov/documents/OMB_Guidance_on_FFATA_Subaward_and_Executive_Compensation_Reporting_08272010.pdf) by reporting to FSRS.gov for each sub-grant awarded:

- Name of the entity receiving the award;
- Amount of the award;
- Information on the award including transaction type, funding agency, the North American Industry Classification System code or Catalog of Federal Domestic Assistance number (where applicable), program source;
- Location of the entity receiving the award and the primary location of performance under the award, including the city, State, congressional district, and country; and an award title descriptive of the purpose of each funding action;
- A unique identifier (DUNS);
- The names and total compensation of the five most highly compensated officers of the entity if:
 - (i) The entity in the preceding fiscal year received-
 - (I) 80% or more of its annual gross revenues in Federal awards;
 - (II) \$25,000,000 or more in annual gross revenues from Federal awards; and
 - (ii) The public does not have access to information about the compensation of the senior executives of the entity through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934, or section 6104 of the Internal Revenue Code of 1986
- Other relevant information specified by OMB guidance.

XI. THE DRUG-FREE WORKPLACE ACT OF 1988 (41 U.S.C. 8103)

The STATE and each SUB-RECIPIENT will provide a drug-free workplace by:

- a. Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in the SUB-RECIPIENT's workplace and specifying the actions that will be taken against employees for violation of such prohibition;
- b. Establishing a drug-free awareness program to inform employees about:
 1. The dangers of drug abuse in the workplace.
 2. The SUB-RECIPIENT's policy of maintaining a drug-free workplace.
 3. Any available drug counseling, rehabilitation, and employee assistance programs.
 4. The penalties that may be imposed upon employees for drug violations occurring in the workplace.
 5. Making it a requirement that each employee engaged in the performance of the grant be given a copy of the statement required by paragraph (a).
- c. Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will -
 - o Abide by the terms of the statement.
 - o Notify the employer of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such conviction.
- d. Notifying the agency within ten days after receiving notice under subparagraph (c)(2) from an employee or otherwise receiving actual notice of such conviction.
- e. Taking one of the following actions, within 30 days of receiving notice under subparagraph (c)(2), with respect to any employee who is so convicted -
 - o Taking appropriate personnel action against such an employee, up to and including termination.
 - o Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by Federal, State, or local health, law enforcement, or other appropriate agency.
- f. Making a good faith effort to continue to maintain a drug-free workplace through implementation of all of the paragraphs above.

XII. LOBBYING

A. Certification Regarding Federal Lobbying (applies to SUB-RECIPIENT as well as STATE)

Certification for Contracts, Grants, Loans, and Cooperative Agreements

The undersigned certifies, to the best of his or her knowledge and belief, that:

1. No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying", in accordance with its instructions.
3. The undersigned shall require that the language of this certification be included in the award documents for all sub-award at all tiers (including sub-contracts, sub-grants, and contracts under grant, loans, and cooperative agreements) and that all SUB-RECIPIENTS shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

B. Restriction on State Lobbying (applies to SUB-RECIPIENT as well as STATE)

None of the funds under this program will be used for any activity specifically designed to urge or influence a State or local legislator to favor or oppose the adoption of any specific legislative proposal pending before any State or local legislative body. Such activities include both direct and indirect (e.g., “grassroots”) lobbying activities, with one exception. This does not preclude a State official whose salary is supported with NHTSA funds from engaging in direct communications with State or local legislative officials, in accordance with customary State practice, even if such communications urge legislative officials to favor or oppose the adoption of a specific pending legislative proposal.

XIII. CERTIFICATION REGARDING DEBARMENT AND SUSPENSION (applies to SUB-RECIPIENT as well as STATE)

(i) Instructions for Primary Tier Participant Certification

1. By signing and submitting this proposal, the prospective primary tier participant is providing the certification set out below and agrees to comply with the requirements of 2 CFR parts 180 and 1200.
2. The inability of a person to provide the certification required below will not necessarily result in denial of participation in this covered transaction. The prospective primary tier participant shall submit an explanation of why it cannot provide the certification set out below. The certification or explanation will be considered in connection with the department or agency’s determination whether to enter into this transaction. However, failure of the prospective primary tier participant to furnish a certification or an explanation shall disqualify such person from participation in this transaction.
3. The certification in this clause is a material representation of fact upon which reliance was placed when the department or agency determined to enter into this transaction. If it is later determined that the prospective primary tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default or may pursue suspension or debarment.
4. The prospective primary tier participant shall provide immediate written notice to the department or agency to which this proposal is submitted if at any time the prospective primary tier participant learns its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
5. The terms *covered transaction*, *civil judgment*, *debarment*, *suspension*, *ineligible*, *participant*, *person*, *principal*, and *voluntarily excluded*, as used in this clause, are defined in 2 CFR parts 180 and 1200. You may contact the department or agency to which this proposal is being submitted for assistance in obtaining a copy of those regulations.
6. The prospective primary tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR Part 9, subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency entering into this transaction.
7. The prospective primary tier participant further agrees by submitting this proposal that it will include the clause titled “Instructions for Lower Tier Participant Certification” including the “Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion-Lower Tier Covered Transaction”, provided by the department or agency entering into this covered transaction, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions and will require lower tier participants to comply with 2 CFR parts 180 and 1200.

8. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 CFR Part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant is responsible for ensuring that its principals are not suspended, debarred, or otherwise ineligible to participate in covered transactions. To verify the eligibility of its principals, as well as the eligibility of any prospective lower tier participants, each participant may, but is not required to, check the System for Award Management Exclusions website (<http://www.sam.gov/>)
9. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
10. Except for transactions authorized under paragraph 6 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR Part 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal government, the department or agency may terminate the transaction for cause or default.

(ii) *Certification Regarding Debarment, Suspension, and Other Responsibility Matters-Primary Tier Covered Transactions*

- (1) The prospective primary tier participant certifies to the best of its knowledge and belief, that it and its principals:
 - (a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participating in covered transactions by any Federal department or agency;
 - (b) Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
 - (c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or Local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and
 - (d) Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State, or local) terminated for cause or default.
- (2) Where the prospective primary tier participant is unable to certify to any of the Statements in this certification, such prospective participant shall attach an explanation to this proposal.

(iii) *Instructions for Lower Tier Participant Certification*

1. By signing and submitting this proposal, the prospective lower tier participant is providing the certification set out below and agrees to comply with the requirements of 2 CFR parts 180 and 1200.
2. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal government, the department or agency with which this transaction originated may pursue available remedies, including suspension or debarment.
3. The prospective lower tier participant shall provide immediate written notice to the person to which this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.

4. The terms *covered transaction*, *civil judgment*, *debarment*, *suspension*, *ineligible*, *participant*, *person*, *principal*, and *voluntarily excluded*, as used in this clause, are defined in 2 CFR parts 180 and 1200. You may contact the person to whom this proposal is submitted for assistance in obtaining a copy of those regulations.
5. The prospective lower tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR Part 9, subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.
6. The prospective lower tier participant further agrees by submitting this proposal that it will include the clause titled "Instructions for Lower Tier Participant Certification" including the "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion-Lower Tier Covered Transaction", without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions and will require lower tier participants to comply with 2 CFR parts 180 and 1200.
7. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 CFR Part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant is responsible for ensuring that its principals are not suspended, debarred, or otherwise ineligible to participate in covered transactions. To verify the eligibility of its principals, as well as the eligibility of any prospective lower tier participants, each participant may, but is not required to, check the System for Award Management Exclusions website (<http://www.sam.gov/>).
8. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
9. Except for transactions authorized under paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR Part 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal government, the department or agency with which this transaction originated may pursue available remedies, including suspension or debarment.

(iv) *Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion-Lower Tier Covered Transactions:*

1. The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participating in covered transactions by any Federal department or agency.
2. Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

XIV. BUY AMERICA ACT (applies to SUB-RECIPIENT as well as STATE)

The STATE and each SUB-RECIPIENT will comply with the Buy America Act requirement (23 U.S.C. 313) when purchasing items using Federal funds. Buy America requires a State, or SUB-RECIPIENT, to purchase with Federal funds only steel, iron and manufactured products produced in the United States, unless the Secretary of Transportation determines that such domestically produced items would be inconsistent with the public interest, that such materials are not reasonably available and of a satisfactory quality, or that inclusion of domestic materials will increase the cost of the overall project contract by more than 25%. In order to use Federal funds to purchase foreign produced items, the State must submit a waiver request that provides an adequate basis and justification for approval by the Secretary of Transportation.

XV. DOMESTIC PREFERENCES FOR PROCUREMENTS

As appropriate and to the extent consistent with law, the subrecipient should, to the greatest extent practicable under a Federal award, provide a preference for the purchase, acquisition, or use of goods, products, or materials produced in the United States (including but not limited to iron, aluminum, steel, cement, and other manufactured products). See 2 CFR 200.322 for additional details.

XVI. PROHIBITION ON USING GRANT FUNDS TO CHECK FOR HELMET USAGE (applies to SUB-RECIPIENT as well as STATE)

The STATE and each SUB-RECIPIENT will not use 23 U.S.C. Chapter 4 grant funds for programs to check helmet usage or to create checkpoints that specifically target motorcyclists.

XVII. POLITICAL ACTIVITY (HATCH ACT) (applies to SUB-RECIPIENT as well as STATE)

The STATE and each SUB-RECIPIENT will comply with provisions of the Hatch Act (5 U.S.C. 1501-1508) which limits the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.

XVIII. NONDISCRIMINATION AND EQUITABLE TREATMENT (applies to SUB-RECIPIENT as well as STATE)

The Nevada Office of Traffic Safety has established a goal of reaching Zero Fatalities on our roads as both an objective for the organization and as a framework for all grant activities. As such, the OTS commits to understanding the historic and current barriers to traffic safety as it relates to equity: the idea that, regardless of one's age, race, gender, ability, income, background, or other personal characteristics, all people can be represented in traffic safety initiatives so that achieving Zero Fatalities is possible.

Through this policy position the Office of Traffic Safety encourages all partners and stakeholders to promote safe, fair, and equitable practices with all community members - regardless of race, ethnicity, color, religion, sex, sexual orientation, gender identity, national origin, or other personal demographics.

The STATE highway safety agency and each SUB-RECIPIENT will comply with all Federal statutes and implementing regulations relating to nondiscrimination. ("Federal Non-discrimination Authorities"). These include but are not limited to:

- **Title VI of the Civil Rights Act of 1964** (42 U.S.C.2000d et seq., 78 stat. 252), (prohibits discrimination on the basis of race, color or national origin) and 49 CFR Part 21;
- **Title VII of the Civil Rights Act of 1964** (Prohibits employment discrimination based on race, color, religion, sex and national origin.);
- **The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970**, (42 U.S.C. 4601), (prohibits unfair treatment of persons displaced or whose property has been acquired because of Federal or Federal-aid programs and projects);
- **Federal-Aid Highway Act of 1973**, (23 U.S.C. 324 et seq.), and **Title IX of the Education Amendments of 1972**, as amended (20 U.S.C. 1681-1683 and 1685-1686) (prohibits discrimination on the basis of sex);
- **Section 504 of the Rehabilitation Act of 1973**, as amended (29 U.S.C. 794 et. seq.), as amended, (prohibits discrimination on the basis of disability) 49 CFR Part 27;
- **The Age Discrimination Act of 1975**, as amended (42 U.S.C. 6101 et seq.), (prohibits discrimination on the basis of age);
- **The Civil Rights Restoration Act of 1987**, (Pub. L. 100-209), (broadens scope, coverage and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms “programs or activities” to include all of the programs or activities of the Federal aid recipients, SUB-RECIPIENTS and contractors, whether such program or activities are Federally-funded or not);
- **Titles II and III of the Americans with Disabilities Act** (42 U.S.C. 12131-12189) (prohibits discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing) and 49 CFR parts 37 and 38;
- **Executive Order 12898, Federal Actions To Address Environmental Justice in Minority Population and Low-Income Populations** (prevents discrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations); and
- **Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency** (guards against Title VI national origin discrimination/discrimination because of limited English proficiency (LEP) by ensuring that funding recipients take reasonable steps to ensure that LEP persons have meaningful access to programs (70 FR 74087-74100).

XIX. POLICY ON SEAT BELT USE (applies to SUB-RECIPIENT as well as STATE)

The STATE and each SUB-RECIPIENT will comply with Executive Order 13043, Increasing Seat Belt Use in the United States, dated April 16, 1997, the recipient is encouraged to adopt and enforce on-the-job seat belt use policies and programs for its employees when operating company-owned, rented, or personally-owned vehicles. The National Highway Traffic Safety Administration (NHTSA) is responsible for providing leadership and guidance in support of this Presidential initiative. For information and resources on traffic safety programs and policies for employers, please contact the Network on Employers for Traffic Safety (NETS), a public-private partnership dedicated to improving the traffic safety practices of employers and employees. You can download information on seat belt programs, costs of motor vehicle crashes to employers, and other traffic safety initiatives at www.trafficsafety.org. The NHTSA website (www.nhtsa.gov) also provides information on statistics, campaigns, and program evaluations and references.

XX. POLICY ON BANNING TEXT MESSAGING WHILE DRIVING (applies to SUB-RECIPIENT as well as STATE)

The STATE and each SUB-RECIPIENT will comply with Executive Order 13513, Federal Leadership On Reducing Text Messaging While Driving, and DOT Order 3902.10, Text Messaging While Driving, sub-recipients are encouraged to adopt and enforce workplace safety policies to decrease crashes caused by distracted driving, including policies to ban text messaging while driving company-owned or rented vehicles, Government-owned, leased or rented vehicles, or privately-owned vehicles when on official Government business or when performing any work or on behalf of the Government. Recipients are also encouraged to conduct workplace safety initiatives in a manner commensurate with the size of the business, such as establishment of new rules and programs or re-evaluation of existing programs to prohibit text messaging while driving, and education, awareness, and other outreach to employees about the safety risks associated with texting while driving.

XXI. PARTICIPATION IN TRAFFIC SAFETY TASK FORCES

At least one SUB-RECIPIENT staff member will attend, in person or by teleconference, traffic safety task force meetings, related to their funded program area, during the year in an effort to gain knowledge and provide input regarding the traffic safety topic discussed. Participation will be recorded in the progress report submitted to the STATE. Teleconference participation is the preferred method of attendance if travel would require an increase usage of funds. Funding for travel to attend the meetings in person will be prior approved by the STATE program manager.

XXII. PARTICIPATION IN GRANT AND PROGRAM DEVELOPMENT

The SUB-RECIPIENT Project Director and Fiscal Officer will attend STATE designated training on grant and/or program development during the grant period.

XXIII. FAILURE TO COMPLY In addition, the SUB-RECIPIENT agrees that if it fails or refuses to comply with these undertakings, the STATE may take any or all of the following actions:

- a. Cancel, terminate, or suspend this agreement in whole or part
- b. Refrain from extending any further assistance to the SUB-RECIPIENT under the program, until satisfactory assurance of future compliance has been received
- c. Refer the case to the Attorney General for appropriate legal proceedings.

Federal awarding agencies, the State, and non-federal entity recipients may terminate awards or parts of an award for specific reasons, including noncompliance with the terms and conditions of a federal award and instances when the federal awarding agency determines that an award no longer effectuates the program goals or agency priorities. See 2 CFR 200.340 for additional information.

XXIV. During the performance of this agreement, the sub-recipient agrees-

- a. To comply with all Federal nondiscrimination laws and regulations, as may be amended from time to time;
- b. Not to participate directly or indirectly in the discrimination prohibited by any Federal non-discrimination law or regulation, as set forth in appendix B of 49 CFR part 21 and herein;
- c. To permit access to its books, records, accounts, other sources of information, and its facilities as required by the State highway safety office, US DOT or NHTSA;
- d. That, in the event a sub-recipient fails to comply with any nondiscrimination provisions in this agreement, the State highway safety agency will have the right to impose such agreement sanctions as it or NHTSA determine are appropriate, including but not limited to withholding payments to the sub-recipient under the agreement until the sub-recipient complies; and/or cancelling, terminating, or suspending an agreement, in whole or in part.

THIS ASSURANCE is given in consideration of and for the purpose of obtaining any and all Federal grants, loans, contracts, property, discounts, or other Federal financial assistance extended after the date hereof to the SUB-RECIPIENT by the Department of Public Safety under the U.S. Department of Transportation under the Highway Safety Programs and other participants in the Highway Safety Programs.

It is mutually agreed between the STATE and the SUB-RECIPIENT that this AGREEMENT OF UNDERSTANDING AND COMPLIANCE shall become effective upon the STATE'S AGREEMENT and issuance of Authorization to Proceed.

SEE ALSO SCHEDULE C - STATE SUPPLEMENT BELOW

Schedule C - State Supplement

Funds cannot be expended prior to receiving a written Authorization to Proceed from the Department of Public Safety -Office of Traffic Safety

1. IF THE SUB-RECIPIENT AGENCY NEEDS TO MAKE ANY REVISIONS TO THIS PROJECT AGREEMENT during the grant period, the SUB-RECIPIENT must notify OTS via a change order and obtain OTS approval. This includes changes in grant personnel, Project Director, or Fiscal Officer; address, email and phone numbers, scope of work of the project; budgetary changes, etc.
2. AS A SUB-RECIPIENT, YOUR AGENCY IS REQUIRED TO CONTRIBUTE MATCHING FUNDS TO THE APPROVED PROJECT. The SUB-RECIPIENT is required to report on or substantiate in-kind or matching contributions on each claim submitted. The Office of Traffic Safety grant program manager assigned to the project can help you with this. Documentation for the match must be available for review upon request. For more information please refer to our Grant Administration Manual located on the Nevada eGrants website: <http://egrants.nv.gov>; once logged in, click 'My Training Materials' tab.
3. WHEN PURCHASING EQUIPMENT (extrication, video cameras, radar units, etc.), agency should contact State Purchasing to determine the state's contracted price, if applicable: <http://purchasing.state.nv.us/>. For equipment purchases with a unit price of \$5,000 or higher, a Property Acquisition Report must be submitted before submitting a claim for reimbursement.
4. PUBLIC INFORMATION AND EDUCATIONAL (PI&E) MATERIALS/PROMOTIONAL ITEMS MUST BE APPROVED BY OTS PRIOR TO PURCHASE. All media activities require prior approval of DPS-OTS and educational material must include the phrase: "Funding provided (in whole or in part) by the Nevada Office of Traffic Safety." *This includes Public Service Announcements, any program artwork, etc.*
5. STATE AND LOCAL AGENCIES SELECTED FOR FEDERAL FUNDING ARE SUBJECT TO FEDERAL SINGLE LINE audit requirements and must submit their most recent audit report to OTS. Nonprofit organizations are required to provide OTS a copy of their most recent audited financial status report prior to issuance of an Authorization to Proceed.
6. SUB-RECIPIENTS THAT RECEIVE OTS GRANT FUNDING FOR PERSONNEL COSTS in their budgets are also required to substantiate the payroll time via an activity report, timesheet, or generally accepted payroll documentation. This is particularly applicable to SUB-RECIPIENT who receive federal funding from more than one source.
7. IN RESPONSE TO THE FEDERAL FUNDING ACCOUNTABILITY AND TRANSPARENCY ACT (FFATA), all recipients of Federal grant funding, where individual awards are \$25,000 or more, are required to provide OTS with their unique DUNS number, or Unique Entity Identifier (UEI), before an Authorization to Proceed can be issued. This information must be submitted to OTS via the Application Process in Nevada eGrants.

8. SUB-RECIPIENT IS AND SHALL BE INDEPENDENT and subject only to the terms of the Agreement. Nothing contained in this Agreement shall be deemed or construed to create a partnership or joint venture, to create relationships of an employer-employee or principal-agent, or to otherwise create any liability for the State whatsoever with respect to the indebtedness, liabilities, and obligations of the SUB-RECIPIENT or any other party. SUB-RECIPIENT shall be solely responsible for, and the State shall have no obligation with respect to: (1) withholding of income taxes, FICA or any other taxes or fees; (2) industrial insurance coverage; (3) participation in any group insurance plans available to employees of the State; (4) participation or contributions by either SUB-RECIPIENT or the State to the Public Employees Retirement system; (5) accumulation of vacation leave or sick leave; or (6) unemployment compensation coverage provided by the State.
9. INSPECTION & AUDIT
- a) Books and Records. Each party agrees to keep and maintain under general accepted accounting principles full, true and complete records, agreements, books, and documents as are necessary to fully disclose to the State or United States Government, or their authorized representatives, upon audits or reviews, sufficient information to determine compliance with all state and federal regulations and statutes.
 - b) Inspection & Audit. Each party agrees that the relevant books, records (written, electronic, computer related or otherwise), including but not limited to relevant accounting procedures and practices of the party, financial statements and supporting documentation, and documentation related to the work product shall be subject, at any reasonable time, to inspection, examination, review, audit, and copying at any office or location where such records may be found, with or without notice by the Office of Traffic Safety, the Division of Internal Audits, the Legislative Counsel Bureau, State Auditor, Employment Security, the Department of Administration, Budget Division, the Nevada State Attorney General's Office or its Fraud Control Units, the State Legislative Auditor, and with regard to any federal funding, the relevant federal agency, the Comptroller General, the General Accounting Office, the Office of the Inspector General, or any of their authorized representatives.
 - c) Period of Retention. All books, records, reports, and statements relevant to this Agreement must be retained a minimum three years as part of this Agreement. The retention period runs from the date of completion or termination of this Agreement. Retention time shall be extended when an audit is scheduled or in progress for a period reasonably necessary to complete an audit and/or to complete any administrative and judicial litigation which may ensue.
10. SUBRECIPIENT AGREES TO ALLOW AN OUTSIDE EVALUATOR of the Office of Traffic Safety's choosing to evaluate the funded project at OTS's expense if requested. The evaluation may be conducted in-person or conducted virtually. Subrecipient will put systems in place which allow tracking and reporting on activities and collection of required data. Subrecipient will provide access to data collected, implementation of project/program, and provide information on all functions and processes in order to have project evaluated for compliance and success. If the evaluation is conducted virtually the Subrecipient agrees to furnish digital copies of any requested records in advance of the scheduled evaluation. Future funding may depend upon the implementation of new tasks assigned to ensure efficient program operation.
11. INDEMNIFICATION Neither party waives any right or defense to indemnification that may exist in law or equity.
12. LIMITED LIABILITY The parties will not waive and intend to assert available NRS chapter 41 liability limitations in all cases. Liability of both parties shall not be subject to punitive damages.

13. INDEPENDENT PUBLIC AGENCIES The parties are associated with each other only for the purposes and to the extent set forth in this Agreement, and in respect to performance of services pursuant to this Agreement, each party is and shall be a public or non-profit agency separate and distinct from the other party and, subject only to the terms of this Agreement, shall have the sole right to supervise, manage, operate, control, and direct performance of the details incident to its duties under this Agreement. Nothing contained in this Agreement shall be deemed or construed to create a partnership or joint venture, to create relationships of an employer-employee or principal-agent, or to otherwise create any liability for one agency whatsoever with respect to the indebtedness, liabilities, and obligations of the other agency or any other party.
14. SEVERABILITY If any provision contained in this Agreement is held to be unenforceable by a court of law or equity, this Agreement shall be construed as if such provision did not exist and the non-enforceability of such provision shall not be held to render any other provision or provisions of this Agreement unenforceable.
15. ASSIGNMENT Neither party shall assign, transfer or delegate any rights, obligations or duties under this Agreement without the prior written consent of the other party.
16. OWNERSHIP OF PROPRIETARY INFORMATION Unless otherwise provided by law any reports, histories, studies, tests, manuals, instructions, photographs, negatives, blue prints, plans, maps, data, system designs, computer code (which is intended to be consideration under this Agreement), or any other documents or drawings, prepared or in the course of preparation by either party in performance of its obligations under this Agreement shall be the joint property of both parties.
17. PUBLIC RECORDS Pursuant to NRS 239.010, information or documents may be open to public inspection and copying. The parties will have the duty to disclose unless a particular record is made confidential by law or a common law balancing of interests.
18. CONFIDENTIALITY Each party shall keep confidential all information, in whatever form, produced, prepared, observed or received by that party to the extent that such information is confidential by law or otherwise required by this Agreement.
19. PROPER AUTHORITY The parties hereto represent and warrant that the person executing this Agreement on behalf of each party has full power and authority to enter into this Agreement and that the parties are authorized by law to perform duties and obligations specified in this Agreement.
20. COMPLIANCE WITH LAW SUB-RECIPIENT shall comply with all applicable Federal laws, State laws, local jurisdiction ordinances and executive branch directives in effect or hereafter established, including, without limitation, health and safety directives issued by the Governor of Nevada and local jurisdictions.
21. GOVERNING LAW; JURISDICTION This Agreement and the rights and obligations of the parties hereto shall be governed by, and construed according to, the laws of the State of Nevada. The parties consent to the jurisdiction of the Nevada district courts for enforcement of this Agreement.

22. This Agreement may be suspended or terminated in whole or in part in any of the following situations by:
- a) The STATE when the SUB-RECIPIENT has materially failed to comply with the terms and conditions of the grant or when the STATE determines that the performance of the project is not in the best interest of the STATE;
 - b) The STATE when there is reasonable cause, such as results from the Single Audit Report required by OMB (old A-133) that puts in question the SUB-RECIPIENT'S ability to administer the Agreement or pay Agreement costs before claiming reimbursement; failure to pay Agreement costs before claiming reimbursement, a criminal indictment or civil judgment; deliberate false statements in any communication to the STATE regarding the Agreement, and/or deliberate failure to follow Agreement objectives and activities without seeking a change in the AGREEMENT with the STATE.
 - c) The STATE and the SUB-RECIPIENT by mutual agreement (if the STATE and the SUB-RECIPIENT cannot reach an agreement, the STATE reserves the right to unilaterally terminate the grant); or
 - d) The SUB-RECIPIENT on written notice to the STATE setting forth the reasons for such action, the effective date, and, in the case of partial termination, the portion to be terminated or suspended. If the STATE determines that the remaining portion of the grant award will not accomplish the purposes of the grant, it may choose to suspend or terminate the entire grant project.
23. This Agreement may be terminated by either party prior to the date set for above, provided that termination shall not be effective until thirty (30) calendar days after the party has served written notice upon the other party. This Agreement may be terminated by mutual consent of both parties or unilaterally by either party without cause. The parties expressly agree that this Agreement shall be terminated immediately if for any reason federal, state and/or other funding ability to satisfy this Agreement is withdrawn, limited, or impaired.
24. The STATE may terminate this Agreement, and the SUB-RECIPIENT waives any and all claim(s) for damages, effective immediately upon receipt of written notice, or any date specified therein, if for any reason the STATE'S funding from federal, state and /or other sources is not appropriated or is withdrawn, limited, or impaired.
25. In accordance with 23 CFR Part 1300 Appendix C, the accepting agency, as a representative of its political subdivision, requests the benefit of the Nevada Department of Public Safety, Office of Traffic Safety coordination of paid media and marketing to capitalize on the high visibility enforcement and education model necessary to change driver behavior. High visibility enforcement activities will include local jurisdictions and will be coordinated statewide. The Nevada Department of Public Safety, Office of Traffic Safety will coordinate paid and earned media statewide to complement the enforcement initiative outlined in this project agreement. The outreach may include the following: TV spots, radio spots, online ads, billboards, print ads, press releases, posters, flyers, and/or outreach events. By signing this agreement, the project director signifies his/her understanding of the outreach and enforcement component of the mobilization and approves the use of these techniques within his/her
26. In accordance with 23 CFR Part 1300 Appendix C, the accepting agency, as a representative of its political subdivision, requests the benefit of the Nevada Department of Public Safety's Highway Patrol to aid in traffic and high visibility enforcement necessary to change driver behavior. These efforts will include local jurisdictions and will be coordinated statewide. By signing this agreement, the project director signifies his/her understanding that coordinating resources with the Nevada Highway Patrol benefits the political subdivision and approves the participation of the Nevada Highway Patrol within his/her jurisdiction.

It is mutually agreed between the STATE and the SUB-RECIPIENT agency that this SCHEDULE C - STATE SUPPLEMENT shall become effective upon the STATE'S AGREEMENT and issuance of Authorization to Proceed.

May 2020

B1905 Special Event Ordinance

SUBJECT:

For possible action: Consideration of Bill No. 1905, an ordinance of the City of Boulder City, Nevada amending the Boulder City Municipal Code Title 4, "Business Regulations," Chapter 1, "Business License," Section 22 "License Classifications and Fees" to repeal the establishment of the Special Events License Review Board by ordinance, and other matters properly related thereto

ADDITIONAL INFORMATION:

ATTACHMENTS:

Description	Type
▣ Staff Report	Cover Memo
▣ Bill 1905	Ordinance
▣ Bill 1905, Exhibit A	Exhibit



**BOULDER CITY
CITY COUNCIL**

MAYOR
KIERNAN McMANUS

COUNCIL MEMBERS:
JAMES HOWARD ADAMS
CLAUDIA M. BRIDGES
MATT FOX
SHERRI JORGENSEN



MEETING LOCATION:
CITY COUNCIL CHAMBER
401 CALIFORNIA AVENUE
BOULDER CITY, NV 89005

MAILING ADDRESS:
401 CALIFORNIA AVENUE
BOULDER CITY, NV 89005

WEBPAGE:
WWW.BCNV.ORG



CITY MANAGER:
TAYLOUR TEDDER, CECD

CITY ATTORNEY:
BRITTANY LEE WALKER, ESQ

CITY CLERK:
TAMI MCKAY, MMC, CPO

ADMINISTRATIVE SERVICES DIRECTOR:
BRYCE BOLDT

COMMUNITY DEVELOPMENT DIRECTOR:
MICHAEL MAYS, AICP

PUBLIC WORKS DIRECTOR:
KEEGAN LITTELL, P.E.

UTILITIES DIRECTOR:
VACANT

POLICE CHIEF:
TIM SHEA

FIRE CHIEF:
WILLIAM GRAY, CFO

FINANCE DIRECTOR:
DIANE PELLETIER, CPA

PARKS & RECREATION DIRECTOR
ROGER HALL

City Council Meeting August 24, 2021 Item No. 9 Staff Report

TO: Mayor and City Council

FROM: Brittany Walker, City Attorney

DATE: August 16, 2021

SUBJECT: Consideration of Bill No. 1905, an ordinance of the City of Boulder City amending the Boulder City Municipal Code Title 4, "Business Regulations," Chapter 1, "Business License," Section 22 "License Classifications and Fees" to repeal the establishment of the Special Events License Review Board by ordinance, and other matters properly related thereto

Business Impact Statement:

This action will not have a significant economic impact on business and will not directly restrict the formation, operation, or expansion of a business.

Action Requested:

That the City Council consider Bill No. 1905.

Overview:

- Boulder City Municipal Code (BCC) § 4-1-22 establishes by ordinance a Special Event License Review Board (Board) made up of the Police Chief, Fire Chief, Public Works Director, and Parks and Recreation Director to review all special event applications subjecting the Board to certain overburdensome legal requirements.
- BCC also requires a special event business license, and, if applicable, a special event liquor license subject to public review and approval by the Liquor License Board.
- Due to the volume of special event applications, it is impracticable for the Board to review every event application.
- Staff recommends repealing the establishment of the Special Events License Review Board by ordinance, and Staff will recreate a similar collective review structure by administrative directive that will vary based upon the particular event.

Boulder City Strategic Plan Goal: Goal A. Achieve Prudent Financial Stewardship; and Goal E. Sustain a High Level of Public Safety Services

Background: In 2007, the City of Boulder City Council enacted Ordinance 1332 which created a process for the review of Special Event License Applications, enacted certain requirements on Special Event hosts, created a Special Event Review Board (Board) made up of the Police Chief, Fire Chief, Public Works Director and Parks and Recreation director to review all special event applications, and provided a process for appeal of decisions on special event applications.

Following enactment of this ordinance, state law was changed and could be interpreted as subjecting the Board to certain notice and meeting requirements required by Open Meeting Law. Due to the volume of the applications for special events received such requirements would impose both a financial and administrative burden on the City to carry out.

Staff recommends repeal of the ordinance establishing the Board and replacing all references to the Board with “City” and Staff will recreate a similar collective review structure by administrative directive that will vary based upon the particular event. Bill No. 1905 proposes to make this change as well as a clarifying change to the exceptions to the subsection. The remainder of the subsection would remain unchanged, and the experience for an applicant for a special event permit would not change.

Department Recommendation: That the City Council consider Bill No. 1905.

Attachments:

- Bill No. 1905
- Exhibit A to Bill No. 1905

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF BOULDER CITY
AMENDING THE BOULDER CITY MUNICIPAL CODE TITLE 4,
“BUSINESS REGULATIONS,” CHAPTER 1, “BUSINESS
LICENSE,” SECTION 22 “LICENSE CLASSIFICATIONS AND
FEES” TO REPEAL THE ESTABLISHMENT OF THE SPECIAL
EVENTS LICENSE REVIEW BOARD BY ORDINANCE, AND
OTHER MATTERS PROPERLY RELATED THERETO

THE CITY COUNCIL OF BOULDER CITY DO ORDAIN:

Section 1. Boulder City, Nevada, does by this Ordinance hereby amend Boulder City Municipal Code, an ordinance of the City of Boulder City amending the Boulder City Municipal Code Title 4, “Business Regulations,” Chapter 1, “Business License,” Section 22 “License Classifications and Fees” to repeal the establishment of the Special Events License Review Board by ordinance, as shown on **Exhibit A**.

Section 2. VALIDITY. Each section and each provision or requirement of any section of this ordinance shall be considered separable and the invalidity of any portion shall not affect the validity or enforceability of any other portion.

Section 3. PUBLICATION. The City Clerk shall cause this Ordinance to be published in summary on _____ in the Las Vegas Review Journal, a daily newspaper published in Las Vegas, Nevada.

Section 4. EFFECTIVE. This Ordinance shall become effective the _____ day of _____, 2021

DATED and APPROVED this 24th day of August, 2021.

Kiernan McManus, Mayor

ATTEST:

Tami McKay, City Clerk

Bill No. 1905
Introduced by: Bridges

The foregoing Ordinance was first proposed and read by title to the City Council on the August 10, 2021, which was a regular meeting; thereafter, on the August 24, 2021, a regular meeting was held and the proposed Ordinance was adopted by the following vote:

VOTING AYE: _____

VOTING NAY: _____

ABSENT: _____

DATED and APPROVED this 24th day of August, 2021.

Kiernan McManus, Mayor

ATTEST:

Tami McKay, City Clerk

EXHIBIT A

EXPLANATION: **Bold underlined text** is new; bracketed and stricken [--] text is to be repealed.

4-1-22. LICENSE CLASSIFICATIONS AND FEES.

City business licenses shall be divided into the following classes, and the fees established by resolution of the city council for such classes shall be paid along with any other applicable license fees:

(Ord. 872 , 7-24-1990, eff. 8-15-1990)

- A. *Resident Business.* The fee for a business in residence within the city limits shall be based upon a computation of points as herein provided:

(Ord. 1493 , 3-26-2013, eff. 4-18-2013)

1. *Classification By Type of Business.* Every business shall be designated Class A, and one thousand (1,000) points shall be attributable thereto, except the following, which have special characteristics and are, therefore, classified and assigned points as follows:

- a. Class B, one thousand five hundred (1,500) points:

Accountant

Architect

Attorney

Barber

Chiropractor

Cosmetologist

Dental laboratory

Dentist

Doctor, MD

Engineer, professional

Healing arts and schools

Light and power company

Massage center

Massage technician

Medical laboratory

Optician, optometrist

Osteopath

Physical therapist

Real estate broker

Veterinarian

Any medical profession which requires a state license

b. Class C, two thousand (2,000) points:

Loan office and agency
 Motor vehicle body shop
 Pawnshop
 Pool hall
 Public dance establishment
 Secondhand store
 Taxicab and cars for hire
 Undertaker or funeral home
 Wholesale gas and oil

2. *Businesses Posing Additional Burdens.* The following businesses have special characteristics which pose additional burdens to the police, fire and other departments of the city, requiring the assessment of additional points as follows:

a.	100,000 points	Fortune teller, astrologer, clairvoyant, medium, palmist, phrenologist or similar profession, and adult oriented theater, adult oriented bookstore and businesses of a similar nature.
b.	50,000 points	Junk dealer, junkyard, auto salvage yard, refuse collection, recycling or similar business.
c.	10,000 points	Bank, bus line or railroad.
d.	2,000 points	Pawnshop, secondhand store, tavern or package liquor store (as defined by the liquor control act).
e.	1,000 points	Cocktail lounge, alcoholic liquor service bar or package limited liquor store (as defined by the liquor control act), or department store.
f.	50 points	Per vending or video game machine, excluding weighing and stamp machines.

;adv=6;(Ord. 872 , 7-24-1990, eff. 8-15-1990; amd. Ord. 931 , 11-23-1993, eff. 12-15-1993; Ord. 1493 , 3-26-2013, eff. 4-18-2013)

3. *Frontage of Premises of Business.* Additional points shall be assessed according to the frontage width of the premises in which the business is located as follows:

14 feet or less	100 points
15 to 24 feet	250 points
25 to 35 feet	400 points
36 to 49 feet	1,000 points
50 to 75 feet	1,500 points
76 to 100 feet	2,500 points
101 to 500 feet	3,500 points
Over 500 feet	3,500 points, plus 40 points per foot over 500 feet

All motels, hotels, trailer courts, rooming houses, rental houses, apartment buildings, and suites or units shall be deemed to have a frontage equal to one hundred (100) points.

(Ord. 1493 , 3-26-2013, eff. 4-18-2013)

For a business having frontage on two (2) streets, the primary street frontage shall be deemed primary frontage and assessed accordingly. The license officer shall make the determination as to which frontage is primary, taking into consideration which frontage is on the larger traffic artery, where the entrances and display windows are located, and any other factors he deems important.

A person operating a resident home business, subject to a license fee on the basis of the point system established in this section, shall be assessed points based on the frontage of the residence building only.

4. *Number Of Employees.* Additional points shall be assessed according to the average number of persons employed in the business and shall include the proprietor and each person working therein, for compensation or otherwise:

a.	200 points	Each full time employee, including the proprietor, and each part time employee working more than 4 hours per day
b.	50 points	Each part time employee working 4 hours or less per day

5. *Hours Of Operation Per Week.* Additional points shall be assessed according to the average number of hours per week of operation of the business, as follows:

54 hours or less	400 points
55 to 90 hours	600 points
91 to 125 hours	800 points
126 hours and over	1,000 points

6. *Combined Business.*

- a. If more than one business is conducted in the same building under the same business name and by the same person, the license fee for such business shall be the highest in the amount calculated for any one of such businesses, and shall be the only fee collected except as otherwise provided in this chapter.
- b. If more than one business is conducted in the same building, with different business names, the license fee shall be determined and assessed separately for each business at such location.

- B. *Resident Contractor.* A special contractor license shall be issued for any person conducting a business as a "contractor", as defined by Nevada Revised Statutes chapter 624. No license shall be issued until such applicant has first obtained a state contractor's license as required by said chapter 624 and shall not be combined with any other business.

(Ord. 1030 , 1-27-1998, eff. 2-18-1998)

- C. *Resident Home Business License.*

1. *Issuance.* A resident home business license may be issued upon approval of a home occupation permit by staff in accordance with the requirements of Title 11 of this code for home occupations. This requirement shall also apply to a tradesman.

(Ord. 1512 , 9-24-2013, eff. 10-17-2013)

2. *Fee.* The fee will be set by resolution of the city council based on the point system established in subsection A of this section.

D. *Residential or Commercial Rental Units.*

1. The persons owning apartment houses or any type of residential or commercial rental units with four (4) or more rental units shall pay a business license fee on the basis of the point system provided herein.
2. Fees based on the point system shall apply and be computed as follows:
 - a. Classification of business, one thousand (1,000) points.
 - b. Frontage and number of employees, points as provided by subsections A3 and A4 of this section.
 - c. Number of hours operated, four hundred (400) points.
 - d. Additional points, fifty (50) points per apartment, residential or commercial rental unit.

(Ord. 1030 , 1-27-1998, eff. 2-18-1998)

E. *Nonprofit Permits.*

1. Nonprofit permits may be issued to any person or organization operating without private profit primarily to further eleemosynary, public, charitable, educational, literary, fraternal or religious purpose.
2. An applicant for a nonprofit permit shall submit an application to the license officer and shall furnish such additional information and affidavits as the license officer shall reasonably require. Such documentation shall include, but not be limited to:
 - a. A list of all current officers and/or directors including name, address, phone number and title.
 - b. A copy of the secretary of state's acknowledgment that the organization is registered as a nonprofit entity with the state.
 - c. An application fee per ordinance.

(Ord. 1332 , 6-26-2007, eff. 7-3-2007)

3. Nonprofit permits are filed once a fiscal year, renewing on July 1, and a fee per ordinance shall be collected.

(Ord. 1493 , 3-26-2013, eff. 4-18-2013)

4. Should the license officer determine that the applicant does not have a principal purpose which is primarily charitable, nonprofit, fraternal or eleemosynary, the nonprofit permit shall not be granted and the regular business license fee shall be applicable as set forth in this chapter.

(Ord. 1332 , 6-26-2007, eff. 7-3-2007; amd. Ord. 1493 , 3-26-2013, eff. 4-18-2013)

F. *Nonresident Business Licenses.*

1. *Definitions.* For the purpose of this section, the following terms, phrases, words and their derivations shall have the meanings given herein unless the context clearly indicates a different meaning:

COMBINED BUSINESS: If more than one type of business is being conducted, such license fee shall be set at the highest fee stated.

RETAIL NATURE: The sale and delivery of goods, merchandise, articles or things for the benefit of the consumer residing in the city.

SERVICE NATURE: The performance of labor for the benefit of the consumer residing in the city and shall include installation, maintenance and repair of goods, merchandise, articles or things.

WHOLESALE NATURE: The sale of goods, merchandise, articles or things in quantity to persons who purchase for the purpose of resale, as distinguished from a retail dealer who sells direct to the consumer.

2. *Fees.* A fee shall be charged for a nonresident business license. Such fee to be set by resolution of the city council.

(Ord. 1030 , 1-27-1998, eff. 2-18-1998)

3. *One-time Permit.* Application may be made for a special permit to allow a nonresident business, including contractors to conduct business within the city for a single activity on a onetime basis. Such application and payment of fee shall be made prior to the delivery of the goods or performance of the services in the city. A "onetime basis" shall mean activities conducted any time within one 24-hour period.

(Ord. 1493 , 3-26-2013, eff. 4-18-2013)

4. *Coin-Operated Machines.* All coin-operated machines shall be licensed. Such license to be in addition to the regular business license.
5. *Nonresident Contractors.*
 - a. A license is required by a "nonresident contractor", as defined by the Nevada Revised Statutes chapter 624, and who conducts a business within the city.
 - b. No license shall be issued until such applicant has first obtained a state contractor's license.
 - c. If it is determined that a contractor is doing business in the city without a valid contractor's business license, a penalty shall be assessed in addition to the regular license fee.
- G. *Special Category License.* Certain businesses, as described below, have special characteristics which pose additional and special burdens to the police, fire and other departments of the city, and must obtain a special category license:
 1. *Auctioneers.*
 - a. Applications for auctioneers' licenses, or for a single auction, shall state thereon the place of business intended to be occupied, if any, or the place of such auction, and shall give the names of employees authorized to conduct auctions under the license.
 - b. This subsection is not applicable to a public auction or sale conducted by a public officer by virtue of any judicial order or process, or by virtue of any power or authority contained in a mortgage or trust deed if involving real property.
 2. *Peddler.* A "peddler" is defined to be a person who sells tangible or intangible things from house to house, store to store, or on the streets or in any public place and delivery of things is made at the time of the sale regardless of the time of collection for the price thereof.
 3. *Transient Vendor.* A "transient vendor" is one who sells tangible or intangible things from private premises or public places for temporary periods not to exceed six (6) weeks, excluding flea markets, swap meets and activities of a similar nature.
 4. *Garage Sale.*

- a. A "garage sale" is defined to mean and shall include all sales commonly referred to as "garage sale", "yard sale", "lawn sale", "attic sale", "patio sale" or for the casual irregular sale of personal property or donated personal property within a residential zone which is advertised by any means whereby the public at large is or can be made aware of said sale but does not include a "flea market sale", "swap meet" or similar offerings of goods, merchandise or property.
 - b. Personal property donated by persons other than the person residing on the residential premises where such sale is to take place may be included in such sale; provided, that the donated property is by a tax exempt religious or charitable organization, and the entire proceeds from such sale being donated to, or retained by, the sponsoring tax exempt religious or charitable organization.
 - c. The term "personal property" shall mean property owned, used and maintained for personal use only by the seller, and not for resale to the public.
 - d. A "garage sale" shall be restricted to two (2) per year per residence, each lasting no longer than three (3) consecutive days.
 - e. One single faced sign containing not more than four (4) square feet in total area may be placed upon a residential premises where the sale of personal property has been permitted for the duration of the sale only.
5. *Flea Market Sale or Swap Meet.*
- a. For the purpose of this chapter, a "flea market sale" or "swap meet" shall mean and include all offerings or sales of goods, merchandise or property by a group of individual vendors or dealers at one specified location at a specified time.
 - b. The application shall specify the place in or on which such sale or meet is to be conducted. The applicant shall submit a written statement from the property owner of the place giving permission for the conduct of such sale or, if the place is City-owned, the approval of the city manager shall be required.
 - c. No license shall be issued until the chief of police and fire chief have inspected the premises to be used for such sale or meet.
 - d. If the applicant intends to conduct such "flea market sales" or "swap meets" on a regular basis, a conditional use permit shall be required in accordance with Title 11 of this code.
6. *Real Estate Brokers And Salesmen.*
- a. Licenses provided for by this subsection shall be issued only to persons holding a license required by the Nevada state real estate board in accordance with the provisions of the Nevada Revised Statutes.
 - b. A "real estate broker" is any person:
 - (1) Who for another and for a compensation, or who with the intention or expectation of receiving a compensation, sells, exchanges, options, purchases, rents or leases or negotiates or offers, attempts or agrees to negotiate the sale, exchange, option, purchase, rental or lease of, or lists or solicits prospective purchasers, lessees or renters of, or collects or offers, attempts or agrees to collect rental for the use of, any real estate or the improvements thereon, or any modular homes or other housing, including used mobile homes, offered or conveyed with any interest in real estate; or
 - (2) Who engages in or offers to engage in the business of claiming, demanding, charging, receiving, collecting or contracting for the collection of an advance fee in connection with any employment undertaken to promote the sale or

lease of business opportunities or real estate by advance fee listing, advertising or other offerings to sell, lease, exchange or rent property.

(3) Who, for another and for a compensation, aids, assists, solicits or negotiates the procurement, sale, purchase, rental or lease of public lands.

(4) The license fee for a "real estate broker" shall be computed and assessed in accordance with the provisions of subsection A1a of this section.

- c. A "real estate salesman" is any person who holds a real estate salesman's license, or who has passed the real estate salesman's examination pursuant to the provisions of the Nevada Revised Statutes but who, as an employee or as an independent contractor, for compensation or otherwise, is associated with a licensed real estate broker in the capacity of a salesman, to do or to deal in any act, acts or transactions included within the definition of a "real estate salesman" in the Nevada Revised Statutes.
- d. The license fee for a "real estate salesman" who is associated with a licensed real estate broker in the city in the capacity of a salesman shall be computed and assessed in accordance with subsection A1 of this section.

7. *Mobile Food Vendors.*

- a. *Defined.* A "mobile food vendor" is any person carrying on or conducting the business of selling ice cream, candy, confectioneries and other food from a vehicle or conveyance that is nonfixed and readily movable.
- b. *Health Requirements.* Every mobile food vendor must show satisfactory medical evidence of being free from any communicable illness or disease; and further, that the vehicle or conveyance from which the food is sold meets all statutory and regulatory health requirements of the city, the county and the state.
- c. *School Property.* Any mobile food vendor is prohibited from selling, soliciting or parking a vehicle or conveyance within one thousand feet (1,000') in any direction from the extreme outside perimeter of school property during the hours that schools are in session or one hour after the close of such sessions.
- d. *Parking.* Vehicles and conveyances used by mobile food vendors shall not park for a period of more than forty five (45) minutes in any one block for the purpose of vending.
- e. *Hours.* A mobile food vendor may not operate within the city between the times of one hour after sunset and three (3) hours after sunrise, except for mobile food vendors serving a bona fide construction project or a commercial place of business.
- f. *Trash.* Every mobile food vendor's vehicle or conveyance must be equipped with a trash receptacle, and the mobile food vendor shall be responsible for litter in the vicinity of his vehicle or conveyance.
- g. *Music; Parking Method.*
 - (1) No music to be played while vehicle is stopped.
 - (2) Every mobile food vendor's vehicle or conveyance stopped or parked upon a roadway for the purpose of selling goods must have the right wheels of such vehicle or conveyance parallel to and within eighteen inches (18") of the right hand curb or right hand edge of the roadway and no music, jingles or similar musical or rhythmical tunes shall be played while stopped or parked.

(Ord. 1030 , 1-27-1998, eff. 2-18-1998)

8. *Special Events.*

- a. *Defined.* "Special events" include art festivals, running races or athletic events or contests using city property or streets, vehicle or motocross races, circuses, carnivals, festivals, bazaars, similar celebrations, exhibitions, competitions, performances, any music festival, dance or "rock" festival or musical activity held on city property, and to which the public is invited or admitted with or without a charge. Special events may be conducted by profit or nonprofit entities.
- [b. ~~*Review Board Established.* A special events review board, hereinafter referred to as "the board", is empowered to review all applications for special events and recommend approval or denial to the license officer. The board will consist of the police chief, fire chief, public works director and parks and recreation director.~~]
- b[e]. *Designated Officer.* Every special event shall have a designated officer, coordinator or special event manager hereinafter referred to as special event coordinator who is responsible for seeing that all city, federal, state and southern Nevada health department conditions and/or requirements have been met.
- c[d]. *License Required.* No person shall operate, maintain, conduct, advertise, sell or furnish tickets for a special event in the incorporated areas of the city unless that person shall first obtain approval from the ~~[special events review board]~~ city and a special event business license from the city or a nonprofit permit to operate, produce, put in effect, carry on or conduct such special event. A special event business license may be granted for a specific number of consecutive days not to exceed seven (7) days, permitting "for profit" individuals, partnerships, corporations, organizations and associations to conduct authorized special events within the city.
- d[e]. *Application; Information Required.* Application for use of City property shall be made in writing to the parks and recreation director at least sixty (60) days prior to the time indicated for the commencement of the special event, unless a shorter time period is approved by the parks and recreation director. The application shall be accompanied by a nonrefundable application fee as established by resolution of the city council and shall include:
 - (1) The name, age, ~~[social security number]~~, residence and mailing address of the person making said application, and such information shall be furnished for all partners, directors and officers when the applicant is a partnership, corporation or other entity.
 - (2) The kind, character or type of special event proposed or planned by the applicant shall be specified in a statement, including, but not limited to, the following items as applicable:
 - (A) Type of event, location or route, and entrance fee or admission charge.
 - (B) The number of tickets, passes and/or admissions that will be printed and/or distributed to the public.
 - (C) The type and extent of the promotional advertising specifying the type of media, the geographical area covered by said media and other information communicated to the public.
 - (D) A financial statement demonstrating the ability of the applicant to carry out the special event and meet all conditions required by the City.
 - (E) Whether the special event is intended for profit or for a nonprofit or charitable purpose. If the special event is conducted by a nonprofit entity, a nonprofit permit must be obtained from the business licensing department.

- (3) The date or dates and the hours during which the special event is to be conducted.
- (4) A reliable estimate of the number of customers, spectators, admittees, participants and other persons expected to attend the special event for each day it is conducted.
- (5) A description of the applicant's plans to provide, as needed, fire protection, water, food, sanitation, medical facilities and services, vehicle parking space, vehicle access and on-site traffic control, plans for cleanup of the premises and removal of rubbish after the special event has concluded, electrical requirements and source of power, stage construction and seating plans, as applicable.

e[f]. *Consideration.* Upon receipt of a completed application and the application fee, the parks and recreation director shall ~~[schedule]~~ **forward the application to appropriate City officials for review** ~~[the application for special events review board consideration]~~ **as set forth by written administrative policy.**

f[g]. *Recommendation [By Board].* Based upon the facts presented, the ~~[board]~~ **City** shall recommend that the special event be approved, denied or require conditions which must be complied with before the event may be approved. If conditions are required ~~[by the board]~~, the applicant must demonstrate to the ~~[special events review board]~~ **City** that all conditions have been complied with.

The conditions, which may be required by the ~~[board]~~ **City**, as applicable, pursuant to the City's general police power for the protection of health, safety, welfare and property of local residents and persons attending special events in the city, are as follows:

- (1) Every special event coordinator shall employ, at his own expense, police protection. The number and type of security personnel shall be determined and specified by the chief of police as required to provide for the preservation of order and protection of property in and around the special event. Where the chief of police specifies the employment of off duty police officers to meet the requirements of this chapter, said police officers shall be under the exclusive direction and control of the chief of police. Off duty police officers may be employed by the special event coordinator at an hourly rate established by the chief of police.
- (2) Water and sanitation facilities shall be adequate for the number of participants, customers or admittees expected.
- (3) Provisions for the daily pick up and removal of refuse, trash, garbage and the like.
- (4) If the special event takes place on public or City property, an amount of money to be determined by the ~~[board]~~ **City** shall be deposited with the parks and recreation department as a cleanup deposit.
- (5) If city recreational facilities are used, a separate fee may be charged for the use of the facility. Such fee will be set by resolution of the city council and paid to the parks and recreation department.
- (6) Every special event coordinator shall provide adequate parking space for persons attending the special event by motor vehicle.
- (7) The ~~[board]~~ **City** may restrict the hours of the special event.

- (8) Adequate electrical illumination must be provided for any special event held after dark.
- (9) No person, except those persons providing security, shall remain at the special event overnight, and overnight camping by persons attending the special event is prohibited unless otherwise approved by the parks and recreation director.
- (10) Any special event coordinator may be called upon to submit liability insurance coverage in favor of the city in connection with the operation of a special event. The exact amount of insurance to be set by resolution of the city council, if applicable. Special event coordinator shall further execute an indemnity agreement holding the city harmless from any and all claims for damages to property or person. A certificate of insurance must be presented to the parks and recreation department prior to the event being held.
- (11) Adequate fire protection and emergency medical facilities must be available at the special event. First aid and fire extinguishment equipment shall be provided as directed by the fire chief.
- (12) A fee shall be paid to the City for use of City facilities the amount of which shall be determined by resolution of the city council.
- (13) Each special event coordinator shall demonstrate that the organization has the funds available to meet the conditions or requirements as specified in the facility use permit issued under this subsection and adequately conduct the special event in a safe and prudent manner.
- (14) Any applicant may be required to meet any other condition prior to receiving approval to conduct a special event, which is reasonably necessary to protect the health, welfare, safety and property of local residents and persons attending a special event.

g[h]. *Grounds For Denial.* The ~~[board]~~ City may recommend denial of an application for a special event on any of the following grounds:

- (1) Failure to meet the conditions necessary for the protection of the health, welfare, safety and property of local residents, participants or attendees of the special event or other conditions required by this subsection.
- (2) That the applicant, his employee, agent, or any person connected or associated with the applicant as partner, director, officer, stockholder, associate or manager, has previously conducted a special event, which resulted in the creation of a public or private nuisance or in a violation of city, state or federal law.
- (3) That the applicant, his employee, agent, or any person connected or associated with the applicant as partner, director, officer, stockholder, associate or manager, has been convicted in a court of competent jurisdiction by final judgment of an offense involving the presentation, exhibition or performance of an obscene production, motion picture, presentation, or selling obscene matter, a crime involving lewd conduct or use of force and/or violence or other crimes, including misdemeanors, involving moral turpitude.

h[i]. *Appeal.*

- (1) An applicant who has been denied may appeal such denial to the city manager by filing a notice of appeal with the city manager within ten (10) days after receiving such notice of denial. Notification of such denial will be sent to the

applicant by certified letter. The date of receipt of such certified letter is the date the appeal period begins.

- (2) The city manager will make a determination to uphold or deny the appeal within ten (10) days after receipt of such appeal from the applicant.
- (3) Should the city manager deny the appeal, the applicant may, upon filing notice with the city clerk appeal the decision of the city manager to the city council. The city clerk will place the appeal on the next available council agenda. The decision of the city council will be final.

~~j~~. *Emergency; Closing of Event.* The chief of police, upon the approval of the city manager, shall have the authority, as an emergency exercise of the police power, to close any special event if the same is being conducted in a manner which does, in the opinion of the chief of police, adversely affect the public peace, safety or welfare of the city, or violates this code. ~~[Such revocation may be appealed to the board].~~

~~k~~. *Civil Remedies.* The city reserves any and all civil remedies and rights available to it, including the right to seek an injunction or restraining order for the prevention of any threatened violation and for the recovery of any damages suffered.

~~k~~. *Exception.* This subsection shall not be applicable to any special event, which is ~~[sanctioned alone or with others]~~ **sponsored or co-sponsored**, by the City.

~~m~~. *Issuance; Transferability.* When the ~~[board]~~ **city** certifies that conditions have been met, the ~~[special event board]~~ **City** shall, upon payment of a facility use fee as established by resolution of the city council, issue a letter of approval, specifying the name and address of the special event coordinator, the kind of special event approved and number of days the operation is authorized. No approval issued pursuant to this subsection shall be transferable to another person.

~~n~~. *Compliance.* After approval, the special events coordinator shall contact the business license department. It is the responsibility of the special events coordinator to ensure that all vendors and/or concessionaires have complied with all city, state, federal and county requirements.

(Ord. 1332 , 6-26-2007, eff. 7-3-2007)

9. *Child Caregiver.*

- a. A "child caregiver" is one who furnishes care on a temporary basis in their home, to one, but not more than six (6), children under eighteen (18) years of age if compensation is received or expected to be received for the care of any of those children.
- b. All child caregivers as a business within the home must also be licensed by the state.
- c. The city does not permit the care of more than a total of six (6) children in the home, including the caregiver's children who are six (6) years of age or younger.
- d. The care of four (4) or fewer children is considered a "permitted use" which does not require a public hearing before the planning commission. The care of five (5) to six (6) children is considered a "conditional use" and requires a public hearing before the planning commission.
- e. Childcare as a business is not permitted in multiple-family or mobile home park zones.

(Ord. 1030 , 1-27-1998, eff. 2-18-1998)

B 1906 Secondhand Dealers License Ordinance

SUBJECT:

For possible action: Matters related to Bill No. 1906

A. Public hearing on Bill No. 1906

B. Consideration of Bill No. 1906, an ordinance of the City of Boulder City, Nevada amending the Boulder City Municipal Code Title 4, "Business Regulations," Chapter 7, "Secondhand and Junk Dealers," to clarify the types of conduct and persons exempted from the provisions of the Chapter, and other matters properly related thereto

ADDITIONAL INFORMATION:

ATTACHMENTS:

Description	Type
<input type="checkbox"/> Staff Report	Cover Memo
<input type="checkbox"/> Bill 1906	Ordinance
<input type="checkbox"/> Bill 1906, Exhibit A	Exhibit
<input type="checkbox"/> City of Henderson	Backup Material
<input type="checkbox"/> Nye County	Backup Material
<input type="checkbox"/> City of Las Vegas	Backup Material



**BOULDER CITY
CITY COUNCIL**

MAYOR
KIERNAN McMANUS

COUNCIL MEMBERS:
JAMES HOWARD ADAMS
CLAUDIA M. BRIDGES
MATT FOX
SHERRI JORGENSEN



MEETING LOCATION:
CITY COUNCIL CHAMBER
401 CALIFORNIA AVENUE
BOULDER CITY, NV 89005

MAILING ADDRESS:
401 CALIFORNIA AVENUE
BOULDER CITY, NV 89005

WEBPAGE:
WWW.BCNV.ORG



CITY MANAGER:
TAYLOUR TEDDER, CECD

CITY ATTORNEY:
BRITTANY LEE WALKER, ESQ

ACTING CITY CLERK:
TAMI MCKAY, MMC, CPO

ADMINISTRATIVE SERVICES DIRECTOR:
BRYCE BOLDT

COMMUNITY DEVELOPMENT DIRECTOR:
MICHAEL MAYS, AICP

PUBLIC WORKS DIRECTOR:
KEEGAN LITTELL, P.E.

UTILITIES DIRECTOR:
VACANT

POLICE CHIEF:
TIM SHEA

FIRE CHIEF:
WILLIAM GRAY, CFO

FINANCE DIRECTOR:
DIANE PELLETIER, CPA

PARKS & RECREATION DIRECTOR
ROGER HALL

City Council Meeting August 24, 2021 Item No. 11 Staff Report

TO: Mayor and City Council

FROM: Brittany Walker, City Attorney

DATE: August 17, 2021

SUBJECT: Consideration of Bill No. 1906, an ordinance of the City of Boulder City amending the Boulder City Municipal Code Title 4, "Business Regulations," Chapter 7, "Secondhand and Junk Dealers," to clarify the types of conduct and persons exempted from the provisions of the Chapter, and other matters properly related thereto

Business Impact Statement:

This action will not have a significant economic impact on business and will not directly restrict the formation, operation, or expansion of a business.

Action Requested:

That the City Council consider Bill No. 1906.

Overview:

- Boulder City Municipal Code (BCC) Chapter 7 regulates second hand and junk dealers within Boulder City limits.
- The current chapter is not consistent with state law or other municipal jurisdictions and wholly exempts antique dealers from the requirement to keep certain records and report certain sales regardless of the classification of the items being bought or sold contrary to state law requirements.
- Staff recommends updating the ordinance so it is consistent with state law and other jurisdictions.

Boulder City Strategic Plan Goal: Goal A. Achieve Prudent Financial Stewardship; and Goal E. Sustain a High Level of Public Safety Services

Background: Since secondhand and junk dealers have special characteristics which specially burden the Police Department, regulations are put in place to help deter and track the sale of stolen property.

The current Boulder City Municipal Code (BCC) wholly exempts antique dealers from record keeping and reporting requirements required of other businesses engaging in the sale of secondhand personal property or junk. This is inconsistent with state law (NRS Chapter 647) which requires any person engaging the business of buying or selling secondhand personal property or junk to keep certain records regarding the property and report certain information to law enforcement regardless of the classification of their business. Such a blanket exemption leaves Boulder City businesses vulnerable to abuse by bad actors.

Staff recommends updating the ordinance so that it is consistent with state law and other jurisdictions.

On June 28, 2021, Staff notified businesses that could be subject to the new requirements and held a workshop with these business owners. The goal of the workshop was to educate business owners about the requirements of dealing in secondhand and junk materials per Nevada State law. Additionally, Staff advised business owners about the recordkeeping and reporting requirements for secondhand and junk dealers. The types of businesses notified included secondhand jewelers, pawn shops, antique dealers, used merchandise stores, secondhand firearm dealers, junk haulers, and vintage or collectable retailers.

After receiving feedback from the business community, staff added additional exemptions from the Chapter modelled from the City of Las Vegas Municipal Code.

Under the latest bill draft, the following conduct is exempt from the requirement to obtain a secondhand or junk dealers license:

- Licensed antique dealers that do not sell secondhand personal property and only sell antiques and collectibles.
- Dealers of used vehicles as to those activities for which a license issued by the State Department of Motor Vehicles is required pursuant to NRS 482.322.
- The buying, selling or trading by a licensed business of used portable electronic devices or major home appliances, but only to the extent acquired by the business as a trade-in or credit upon a buyer's purchase of a new portable electronic device or major home appliance on a one for one basis.
- The taking in pawn or selling of unredeemed personal property by a licensed pawnbroker.
- The buying, selling or trading of used newspapers and periodicals.
- A person who engages in the business of buying or selling secondhand firearms or any antique parts, accessories or other equipment relating to those firearms to the extent that the person has been issued a license as a manufacturer, importer, dealer or collector pursuant to the provisions of 18 U.S.C. § 923.
- The buying, selling or trading by a licensed business of used video games, videotapes, cassettes, digital video discs, compact discs or sound recordings which have been purchased (or received as trade-ins) from its retail customers, provided that credit only has been given as consideration for the purchase or

trade-ins, which credit then can only be used by its retail customers for the rental or purchase of new or used items referenced in this Subsection at any of its licensed business premises.

- A convention or trade show not exceeding fourteen days in length, provided that convention or trade show exhibitors do not purchase secondhand or used personal property at the convention or trade show.
- The buying, selling or trading of wearing apparel, general household furnishings, infant/child items, sporting equipment, musical instruments, or specified liquid waste.
- Individuals selling consignment at a properly licensed retail business with all sales being run through the licensed business and no items being purchased on the premises.

Department Recommendation: That the City Council consider Bill No. 1906.

Attachments:

- Bill No. 1906
- Exhibit A to Bill No. 1906

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF BOULDER CITY
AMENDING THE BOULDER CITY MUNICIPAL CODE TITLE 4,
“BUSINESS REGULATIONS,” CHAPTER 7, “SECONDHAND
AND JUNK DEALERS,” TO CLARIFY THE TYPES OF
CONDUCT AND PERSONS EXEMPTED FROM THE
PROVISIONS OF THE CHAPTER, AND OTHER MATTERS
PROPERLY RELATED THERETO

THE CITY COUNCIL OF BOULDER CITY DO ORDAIN:

Section 1. Boulder City, Nevada, does by this Ordinance hereby amend Boulder City Municipal Code, an ordinance of the City of Boulder City amending the Boulder City Municipal Code Title 4, “Business Regulations,” Chapter 1, “Business License,” Chapter 7, “Secondhand and Junk Dealers,” to clarify the types of conduct and persons exempted from the provisions of the Chapter, and other matters properly related thereto, as shown on **Exhibit A**.

Section 2. VALIDITY. Each section and each provision or requirement of any section of this ordinance shall be considered separable and the invalidity of any portion shall not affect the validity or enforceability of any other portion.

Section 3. PUBLICATION. The City Clerk shall cause this Ordinance to be published in summary on _____ in the Las Vegas Review Journal, a daily newspaper published in Las Vegas, Nevada.

Section 4. EFFECTIVE. This Ordinance shall become effective the _____ day of _____, 2021

DATED and APPROVED this 24th day of August, 2021.

Kiernan McManus, Mayor

ATTEST:

Tami McKay, City Clerk

Bill No. 1906
Introduced by: Bridges

The foregoing Ordinance was first proposed and read by title to the City Council on the August 10, 2021, which was a regular meeting; thereafter, on August 24, 2021, a regular meeting was held and the proposed Ordinance was adopted by the following vote:

VOTING AYE: _____

VOTING NAY: _____

ABSENT: _____

DATED and APPROVED this 24th day of August, 2021.

Kiernan McManus, Mayor

ATTEST:

Tami McKay, City Clerk

Exhibit A

4-7-1. PURPOSE.

Since secondhand and junk dealers, including auto salvage yards, have special characteristics which specially burden the Police Department, regulations in addition to the business license procedures stipulated in Chapter 1 of this Title are needed, and the stipulations hereinafter provided shall apply to all secondhand dealers, junk dealers and auto salvage yards.

(Ord. 576 , 5-11-1976, eff. 6-14-1976)

4-7-2. DEFINITIONS

- A. **Antique means a unique object of personal property that is not less than sixty years old and has special value primarily because of its age.**
- B. **Collectible means an object of personal property that has special value primarily because of its unique characteristics and the high level of demand for the object.**
- C. **Deal in junk or Junk Dealer means any person engaged in the business of purchasing, selling or trading hides, salvage or junk other than used books.**
- D. **Deal in secondhand goods or Secondhand Dealer means any person engaged in whole or in part in the business of buying, selling or trading metal junk, melted metal or secondhand personal property, other than antiques, used books, coins, and collectibles.**
- E. **Identifiable means secondhand personal property which bears a serial number or personalized initials or an inscription and includes secondhand personal property which, at the time it is acquired by the secondhand dealer, bears evidence of having had a serial number or personalized initials or an inscription.**
- F. **Junk means old iron, copper, brass, lead, zinc, tin, steel, and other metals, metallic cables, wires, ropes cordage, bottles, bagging, rubber, paper, and all other secondhand, used or castoff articles or material of any kind, but does not include scrap metal.**
- G. **Precious metal means gold, platinum, silver and their alloys.**

[4-7-2] 4-7-3. LICENSE REQUIRED.

It shall be unlawful for any person to buy or sell or deal in secondhand goods or junk of any kind in the City without first obtaining a license so to do, under the terms and conditions hereinafter provided, and the carrying on of the aforesaid business, together with any other business for which a license is paid, or required to be paid, shall not exempt such person from paying a license fee as set by resolution of the City Council.

- A. *Antique Dealer Personally Exempted..* The provisions of this Chapter shall not apply to any antique dealer~~[-An]~~ **whom exclusively deals with antiques and collectibles.** An antique dealer ~~[is hereby defined to mean any person, firm or corporation other than a licensed pawnbroker or licensed]~~ engaging in the selling of secondhand ~~[dealer having a place in the City for purchasing, trading or dealing predominantly]~~ **property or metal junk must acquire** in ~~[antiques. "Antiques" are hereby defined generally as very old and authentic objects of enhanced value owing their increased worth and~~

unique appeal mainly] **addition** to the [fortuity sale of] **antique dealers license, a second hand dealers license, and the licensee must comply with the record keeping, resale time lapse, and reporting requirements set forth herein.** [survival] [B. ——— *Zoning Regulations.* All secondhand dealers who handle or deal in secondhand motor vehicles or trailers for the purpose of dismantling, wrecking, disassembling and selling the dismantled, wrecked or disassembled parts or accessories shall be limited to an area which is zoned CM Commercial Manufacturing. Secondhand dealers who handle or deal in secondhand motor vehicles or trailers or parts or accessories thereof, and who do not dismantle, wreck or disassemble motor vehicles, or trailers, may be licensed in a C2 General Commercial or CM Commercial Manufacturing Zone.]

(Ord. 576 , 5-11-1976, eff. 6-14-1976)

[4-7-3] 4-7-4. EXEMPTIONS.

This Chapter does not apply to:

- A. Dealers of used vehicles as to those activities for which a license issued by the State Department of Motor Vehicles is required pursuant to NRS 482.322;
- B. The buying, selling or trading by a licensed business of used portable electronic devices or major home appliances, but only to the extent acquired by the business as a trade-in or credit upon a buyer's purchase of a new portable electronic device or major home appliance on a one for one basis;
- C. The taking in pawn or selling of unredeemed personal property by a licensed pawnbroker;
- D. The buying, selling or trading of used newspapers and periodicals;
- E. A person who engages in the business of buying or selling secondhand firearms or any antique parts, accessories or other equipment relating to those firearms to the extent that the person has been issued a license as a manufacturer, importer, dealer or collector pursuant to the provisions of 18 U.S.C. § 923;
- F. The buying, selling or trading by a licensed business of used video games, videotapes, cassettes, digital video discs, compact discs or sound recordings which have been purchased (or received as trade-ins) from its retail customers, provided that credit only has been given as consideration for the purchase or trade-ins, which credit then can only be used by its retail customers for the rental or purchase of new or used items referenced in this Subsection at any of its licensed business premises;
- G. A convention or trade show not exceeding fourteen days in length, provided that convention or trade show exhibitors do not purchase secondhand or used personal property at the convention or trade show; or
- H. The buying, selling or trading of wearing apparel, general household furnishings, infant/child items, sporting equipment, musical instruments, or specified liquid waste.
- I. **Individuals selling consignment at a properly licensed retail business with all sales being run through the licensed business and no items being purchased on the premises. For purposes of this section, "consignment" means any transaction whereby the individual owner of personal property authorizes a licensed retail business to sell the interests of the individual owner in the personal property.**

[4-7-3] 4-7-5. APPLICATION AND FEE.

Application for a license under this Chapter shall be made to the License Officer in accordance with the license procedure provided in Section 4-1-9 of this Title.

(Ord. 576 , 5-11-1976, eff. 6-14-1976)

~~[4-7-4]~~ **4-7-6. APPROVAL BY CHIEF OF POLICE.**

All applications for license under this Chapter shall be immediately referred to the Chief of Police, or acting Chief of Police, for his approval thereof, and in no case shall a license be issued where his disapproval thereof is endorsed thereon. The Chief, or acting Chief of Police, shall return all such petitions with his approval or rejection endorsed thereon to the License Officer for final action.

(Ord. 576 , 5-11-1976, eff. 6-14-1976)

~~[4-7-5]~~ **4-7-7. PROHIBITED PURCHASES.**

- A. *Minors.* It shall be unlawful for any person whether acting for himself or as agent, servant or employee of any other person to purchase any of the goods, wares, merchandise or junk aforesaid from any minor, except with the written consent or direction of the parent or guardian of such minor.
- B. *Vehicles Without Manufacturer's Number.* No secondhand dealers shall deal in any motor vehicle, trailer, tire, motor vehicle accessory or part from or on which any of the manufacturer's numbers have been removed, obliterated, defaced or changed, and shall not himself remove any of such numbers.

(Ord. 576 , 5-11-1976, eff. 6-14-1976)

~~[4-7-6]~~ **4-7-8. RECORD BOOK.**

It shall be unlawful for any such secondhand or junk dealer to fail to keep a substantial and well-bound book in which he shall enter in ink at the time of purchase or receipt, legibly in the English language:

- A. *Description.* A true and accurate description of every article or thing purchased or received by him (except **secondhand personal property exempt from the provisions of this Chapter pursuant to Section 4-7-4** [paper or rags]).

In the case of watches, the description must contain the name of the maker and the number of the works or the case. In the case of jewelry, all letters and marks inscribed on the jewelry must be included in the description.

- B. *Vendor Information.* The name, age, sex and residence of the vendor.

C. Employee Information. The name or other identification of the person or employee conducting the transaction.

~~[C]~~**D.** *Amount Paid; Value.* The amount paid therefor, and estimated value thereof.

~~[D]~~**E.** *Date, Hour Of Purchase.* The date and hour of purchase or receipt.

1. No entry made in such book shall be erased, obliterated or defaced.
2. The record and all goods received shall at all times during the ordinary hours of business be open to the inspection of the City Attorney, the Chief of Police or any officer directed by the Chief.

(Ord. 576 , 5-11-1976, eff. 6-14-1976)

~~[4-7-7]~~ **4-7-9. DAILY REPORT.**

Every dealer in secondhand goods or junk in the City, including automobile wreckers buying or dealing in or selling secondhand automobile accessories such as old tires, batteries, fenders, radiators, engines or any other secondhand automobile parts, shall before the hour of ten o'clock (10:00) A.M. of each and every day, except

Sunday, make and deliver to the Chief of Police a full, true and detailed report in writing, via a City approved electronic system, or on blank forms to be prepared and furnished by the Chief of Police, setting forth an exact description of each and every article, except secondhand personal property exempt from the provisions of this Chapter pursuant to Section 4-7-4 ~~[paper and rags]~~, purchased or received by such dealer during the twenty four (24) hours immediately preceding such report, and also the name, residence and full description of the vendor thereof, the amount of money paid therefor, together with the date and hour of the receipt of such article or thing. The report so made on each Monday shall include all purchases made from and after the report made and delivered on the Saturday preceding; provided, however, that if no purchase or receipt has been made, the report must nevertheless be made to that effect.

(Ord. 576 , 5-11-1976, eff. 6-14-1976)

~~[4-7-8]~~ **4-7-10.** RESALE TIME LAPSE.

Every dealer in secondhand goods or junk ~~[, except furniture and carpets,]~~ must keep without concealment for a period of fifteen (15) days, subject to inspection by any police officer, all second hand personal property or junk except secondhand personal property exempt from the provisions of this Chapter pursuant to Section 4-7-4 ~~[goods, wares and merchandise, except furniture and carpets, paper and rags,]~~ purchased or received from any person, before selling, shipping or otherwise disposing of the same.

- A. **Individually Identifiable Second Hand Personal Property. Must be retained by secondhand dealers for thirty (30) days after the receipt thereof is reported or a record of the receipt of the property is furnished or mailed to the chief of police.**

~~[A — Furniture, Carpets. Furniture and carpets shall be kept for a period of three (3) days only.~~

~~B Paper, Rags. Paper and rags may be disposed of immediately.]~~

(Ord. 576 , 5-11-1976, eff. 6-14-1976)

~~[4-7-9]~~ **4-7-11.** REFUSAL, SUSPENSION OR REVOCATION OF LICENSE.

The License Officer, in the exercise of his discretion, may refuse to grant any license to any person, and may suspend any license granted hereunder, if in his judgment or discretion, it should appear that the applicant or licensee is not a proper person to operate said business or that the licensee has not properly and fairly conducted such business or has violated any of the provisions of the State or City law in such a way to be detrimental to the business in the City and prejudicial to the public welfare.

- A. Any suspension or revocation of a secondhand or junk dealer's license shall be made in accordance with the provisions of Section 4-1-23 of this Title.

(Ord. 576 , 5-11-1976, eff. 6-14-1976)

~~[4-7-10]~~ **4-7-12.** PENALTIES.

The penalties stipulated in Section 4-6-34 of this Title shall also apply to every secondhand and junk dealer, and every clerk, agent or employee and shall be cause for suspension or revocation of said secondhand and junk dealer's license.

(Ord. 576 , 5-11-1976, eff. 6-14-1976)

Chapter 4.68 SECONDHAND DEALERS

Sections:

4.68.010 Definitions.

As used in the secondhand dealer regulations herein contained, the words and terms defined in this section have the meanings ascribed to them unless a different meaning clearly appears in the context. Any word or term not defined in this section, and which appears in the regulation, shall have the definition ascribed in chapter 4.04 of this title, unless a different meaning clearly appears in the context.

Collectible means an object of personal property that has special value primarily because of its unique characteristics and the high level of demand for the object.

Drop-off center means a collection site where recyclable materials may be taken by persons and deposited into designated containers.

Jewelry means merchandise customarily kept in retail (including estates) jewelry stores for sale, including, but not limited to, precious and semiprecious stones; watches; clocks; rings; bracelets; articles made in whole or in part of gold, silver, platinum or other precious or semiprecious metal and, in addition thereto, shall also include collectibles and art objects.

Net assets means the book value of current assets less applicable liabilities, represented by a capital investment unencumbered by a lien or other encumbrance, and subject to a claim by a general creditor. Such capital investment must be represented by common or preferred shares and capital or earned surplus, if the business is a corporation; or a substantial equivalent of items, as determined by generally accepted accounting principles, if the business is not a corporation.

New merchandise means all commodities which merchants normally sell, whether at wholesale or retail, and which have never entered to common market place for sale or distribution to a consumer.

Recyclable materials or *recyclables* has the same meaning as that term is defined in the Southern Nevada Health District's regulations governing recycling centers, as amended.

Recycling center has the same meaning as that term is defined in the Southern Nevada Health District's regulations governing recycling centers, as amended.

Secondhand dealer means any person having a place of business in the city for purchasing, trading or dealing in any secondhand personal property. Establishments conducting the business of recyclables, or of a drop-off center, are included in this definition.

Note(s)—This section specifically exempts a licensed pawnbroker or a dealer of used books, clothing musical instruments, sporting goods, or prerecorded media, and the taking in of used items in on trade for store credit or the purchase of store merchandise from the requirement to obtain a secondhand dealers license.

Secondhand dealer, Category A, means:

1. A person whose principal business practices and transactions are primarily in new merchandise, with used, or secondhand, merchandise constituting a maximum of 30 percent of the business activities.
2. This category of secondhand dealer license includes license classifications I or II.

Secondhand dealer, Category B, means:

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1. A person whose principal business practices and transactions are primarily in used, or secondhand merchandise.
 2. This category of secondhand dealer license includes license classifications I or II.

Secondhand dealer, Category C, means a person whose business practices and transactions are in:

1. Furs;
2. Coins, currency, or stamps; or
3. Collectibles.

Secondhand dealer, Category D, means:

1. A person whose business practices and transactions are limited to those set forth in Category C and jewelry; and maintaining net assets of at least \$250,000.00 that are used or readily available for use in the business of the licensed location.
2. If the director cannot verify that an applicant meets the net assets requirement of this section, the director may require the applicant to submit a finding, including a current balance sheet, by an independent certified public accountant that the accountant has reviewed the applicant's books and records, and the applicant meets the net assets requirement.
3. This category of secondhand dealer license includes license classification II.

Secondhand dealer, Category E, means a recycling center permitted to operate by the Southern Nevada Health District.

Secondhand dealer, Class I, includes all secondhand dealers who handle, or deal in secondhand motor vehicles or trailers for sale or for the purpose of dismantling, wrecking, disassembling and selling the dismantled, wrecked or disassembled parts or accessories; and, secondhand motor vehicles or trailers, or parts and accessories thereof; and, secondhand dealers who dismantle, wreck, or disassemble motor vehicles or trailers, and who possess the appropriate State of Nevada, Department of Motor Vehicles dealers license.

Secondhand dealer, Class II, includes all secondhand dealers who handle, or deal in one or more of, but not limited to, the following: metals, scrap metals, rags, paper, furs, furniture, fixtures, household goods, radios, televisions, office supplies and equipment, pictures, paintings, watches, gold, silver and other precious metals, diamonds and other precious stones, recyclables, and dealers who smelt gold or wrought gold, or other wrought metals.

(Ord. No. 2910 , § 1, 3-15-2011; Ord. 2370, § 111, 2005; Ord. 1907, § 1 (part), 1999; Ord. 1303, § 1 (part), 1992)

4.68.020 Statement of legislative intent—Regulation.

It is found and declared that the public health, safety, morals and welfare of the inhabitants of the City of Henderson require the regulation and control of persons engaged in the secondhand dealer business, or in the operation of secondhand shops. All secondhand dealers, as defined in this chapter, shall be licensed and regulated so as to protect the public health, safety, morals, good order and general welfare of the inhabitants of the City of Henderson and to safeguard the public. It is further found and declared that the right to obtain such license is a privilege and that the operation of a secondhand dealers business, when authorized by such license, is a privileged business subject to regulations, and that the license may be revoked for violation of the conditions of this chapter. In conformity with the policy of this chapter, the following persons are declared not qualified to hold a license under the provisions of this chapter.

- A. A person who has been convicted of a crime involving theft, fraud, dishonesty, receiving or possessing stolen property, any controlled substance violation whatsoever, or any sex offense;

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- B. A person whose license, issued pursuant to the provisions of this chapter, or those ordinances or statutes of any other agency lawfully engaged in the licensing or regulation of secondhand dealer businesses, has been revoked for cause;
 - C. A person who, at the time of renewal of any license issued under this chapter, would not be eligible for such license upon a first application;
 - D. A partnership, limited partnership or association, unless all of the members of such partnership, limited partnership or association are qualified to obtain a license;
 - E. A corporation, unless it is incorporated in the State of Nevada, or unless it is a foreign corporation which is qualified under Nevada law to transact business in Nevada;
 - F. A corporation or limited liability corporation, if an officer or director thereof would not be eligible to receive a license for any reason which would disqualify an individual applicant.

(Ord. 1907, § 1 (part), 1999; Ord. 1303, § 1 (part), 1992)

4.68.030 Unlawful to operate without license.

It is unlawful for any person to conduct any secondhand dealer business as described in this chapter without first having obtained a license therefor.

(Ord. 1303, § 1 (part), 1992)

4.68.040 Limit on number of secondhand dealer licenses—Exclusions.

Excluding Class I secondhand dealers, there shall be no more than ten Category B licenses in the city.

(Ord. No. 2910 , § 2, 3-15-2011; Ord. 1907, § 1 (part), 1999; Ord. 1303, § 1 (part), 1992)

4.68.050 License—Location subject to use permit application review.

All applicants for a secondhand dealer's license shall submit to the community development department an application in the manner specified by said department if a use permit is required in accordance with HMC title 19.

(Ord. 1907, § 1 (part), 1999; Ord. 1303, § 1 (part), 1992)

4.68.060 License—To whom issued.

No secondhand dealer's license shall be issued to any person other than the real and actual proprietor of the business.

(Ord. 1303, § 1 (part), 1992)

4.68.070 License—Application—Contents—General.

Whenever a person desires to conduct any secondhand dealer business in the city, or engage in the business thereof, such person shall make application in writing to the division to obtain a license therefor and such application shall contain and set forth the following:

- A. The name and residence address of the applicant; and

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- B. The kind of license desired, the particular place for which the license is desired; and
 - C. The names and residential addresses of all persons owning an interest in the business, including the name and residential addresses of the general managers of the business, and where there is more than one owner of such an establishment, the names and residential addresses of all such persons owning an interest in the business shall be listed on the application, together with a statement as to the percentage of the business owned by each individual; and
 - D. A consent to police department and business license division investigation of the applicant's background, including, but not limited to, financial background, employment history and criminal record.

(Ord. 1907, § 1 (part), 1999; Ord. 1303, § 1 (part), 1992)

4.68.080 Special provisions of secondhand dealer license.

- A. All applicants for a secondhand dealer, Category A, license shall, in addition to the application for a secondhand dealer license, make application, be issued, and shall maintain, a gross revenue business license for new merchandise as defined in HMC [section] 4.05.010, during all times the Category A license is to remain valid; and
- B. In all cases, to obtain, and maintain, a secondhand dealer, Category A, license, the business so licensed shall derive a minimum of 70 percent of its gross revenues from the sale of new merchandise during any six-month period of time.
- C. No secondhand dealer, Category B, shall conduct, carry on, or maintain any other type of business activity on the premises of the licensed business.
- D. To obtain, and maintain, a secondhand dealer, Category D, license, the business location so licensed must have a minimum of 1,800 square feet of indoor space; at least 1,000 square feet of such indoor space must be maintained as a merchandise display area.
- E. To obtain and maintain a secondhand dealer, Category E, license, the business so licensed shall maintain a valid permit to operate a recycling center issued by the Southern Nevada Health District.

(Ord. No. 2910 , § 3, 3-15-2011; Ord. 1907, § 1 (part), 1999; Ord. 1303, § 1 (part), 1992)

4.68.090 License—Applicant—Provisions for corporation.

In all cases where the applicant for a secondhand dealer's license is a corporation, the names and residential addresses of the officers or directors of the corporation shall be listed on the application. In all such cases, the director and/or the chief of police shall determine who of the principal officers and directors of such corporation shall require background investigations.

(Ord. 1303, § 1 (part), 1992)

4.68.100 License—Application—Contents—Additional.

All applications shall contain such information as the council or its authorized officers by rule or regulation not inconsistent with law prescribe. Each licensee shall designate on the application form the name of an agent residing within the county who is responsible for the conduct of the business and authorized to immediately answer to the council or its agents should inquiry or action be deemed necessary.

(Ord. 1303, § 1 (part), 1992)

4.68.110 License—Applicant—Personal information required.

All applicants for a secondhand dealer's license shall state for each person interested in the business, his name and place of residence, whether or not he is a legal resident of the United States, whether or not he has been charged or convicted of a crime which would be considered a felony under the laws of the State of Nevada, or any misdemeanor crime, other than minor traffic offenses, and any other information the division may require, all to be set forth in the application.

(Ord. 1303, § 1 (part), 1992)

4.68.120 Application fee required.

No investigation shall be made of any applicant for a secondhand dealer's license prior to the payment by the applicant, and receipt of such fee, by the division, and no license shall be issued until all appropriate fees are paid.

(Ord. 1303, § 1 (part), 1992)

4.68.130 Investigation fees—Required—Fees charged.

Any person applying for a secondhand dealer's license is required to deposit with the division an investigation fee as determined by the police department fee schedule, chapter 4.03, for each person required to be licensed (see also section 4.04.060(b)).

(Ord. 1303, § 1 (part), 1992)

4.68.140 No refund on investigation fee.

Even though an applicant is denied a license after investigation, no part of the investigation fees deposited shall be returned to the applicant.

(Ord. 1303, § 1 (part), 1992)

4.68.150 Withdrawal of application—Refund.

If any applicant withdraws his application prior to the beginning of an investigation, all fees deposited under section 4.68.130 shall be returned to the applicant.

(Ord. 1907, § 1 (part), 1999; Ord. 1303, § 1 (part), 1992)

4.68.160 License—Corporation—Partnerships—Associations—Changes in membership.

In the case of a corporate licensee, any and all changes in the officers and directors of such corporation shall be reported to the division within 30 days of the appointment or election of such officers and directors. Such officers or directors shall be required to qualify for a license as required in this chapter.

(Ord. 1303, § 1 (part), 1992)

4.68.170 License issuance—Assignment—City council approval required—License nontransferable.

- A. Upon receipt of the results of the background investigation from the police department, the director will submit the application to the city council for consideration. If approved by the council, the division may be directed to issue the license; provided, however, that all other conditions, restrictions, payment of fees, and compliance with all applicable state statutes and city ordinances have been met.
- B. A secondhand dealer's license shall be nontransferable and nonassignable to any other person, or place of business, without council approval.
- C. Any assignee, or transferee, of a valid secondhand dealer's license shall be required to obtain a separate license prior to engaging in the business of a secondhand dealer.
- D. It is unlawful for any licensee to permit the licensed premises to be managed or utilized by a lessee, or other transferee, who has not first obtained a separate secondhand dealer's license.

(Ord. 1907, § 1 (part), 1999; Ord. 1303, § 1 (part), 1992)

4.68.180 License fees.

The license fee for a secondhand dealer shall be \$125.00 semiannually, payable in advance, and which shall be renewed every six months thereafter.

(Ord. 1907, § 1 (part), 1999; Ord. 1303, § 1 (part), 1992)

4.68.200 Display of sign.

Every secondhand dealer, except Class I secondhand dealers, shall maintain and display at all times during the period of his license, in a conspicuous place at the public entrance to the licensed premises, a sign in letters not less than six inches in height, bearing the name of such licensee and the words "Secondhand Dealer."

(Ord. 1303, § 1 (part), 1992)

4.68.210 Purchase from minors and juveniles—Prohibitions—Exceptions—Conditions.

- A. It is unlawful for any Class II secondhand dealer, whether acting for himself as licensee, or whether by an employee or agent of the licensee, to purchase any secondhand merchandise as defined herein, from any minor, except with the written consent or direction of the parent or guardian of such minor. Said written permission shall be maintained as part of the records as specified in section 4.68.220.
- B. It is unlawful for any Class I secondhand dealer, whether acting for himself as licensee, or whether by an employee or agent of the licensee, to purchase any secondhand merchandise as defined herein from any person under 18 years of age, unless the person has title, free and clear, for the motor vehicle, or parts, to be purchased, except with the written consent or direction of the parent or guardian of such person.

(Ord. 1907, § 1 (part), 1999; Ord. 1303, § 1 (part), 1992)

4.68.220 Resale time lapse.

Except for Class I secondhand dealers, every dealer in secondhand merchandise as defined herein must keep, without concealment, for a period of 30 days, subject to inspection by any police officer or license agent, all merchandise purchased or received from any person, before selling, shipping, or otherwise disposing of the same.

(Ord. 1907, § 1 (part), 1999; Ord. 1303, § 1 (part), 1992)

4.68.230 Recordkeeping—Reporting—Reporting exception—Record retention.

- A. It is unlawful for any secondhand dealer to fail to keep a substantial and well-bound book, or other appropriate recordation as approved by the chief of police, in which he shall enter in ink, or otherwise typed, at the time of purchase or receipt, legibly, and in the English language and shall be kept in accordance with the provisions of Nevada Revised Statute chapter 647.
- B. Each secondhand dealer shall make the necessary reports to the police department in accordance with the provisions of Nevada Revised Statute chapter 647 and shall be in a form acceptable to the chief of police or his designee.
- C. The provisions of subsection B of this section do not apply to any transaction which involves buying, selling or trading used books, periodicals, sound recordings, clothing or coins which are not a part of any jewelry.
- D. The records required to be kept per subsection A of this section are required to be kept and maintained on the premises for a minimum of three years from the date of original transaction.

(Ord. 1907, § 1 (part), 1999; Ord. 1303, § 1 (part), 1992)

4.68.240 Licensee responsible for the acts of employees.

Every licensee shall be responsible for the acts of his employees committed during the course and scope of employment. In any license suspension, limitation or revocation proceedings, the fact that the licensee did not have actual knowledge of the events complained of shall be no defense, and every licensee hereunder accepts his license subject to said condition.

(Ord. 1303, § 1 (part), 1992)

4.68.250 Licensee's agreement to conform to law.

Acceptance of a city secondhand dealer license by a licensee constitutes an agreement on the part of such licensee to be bound by all of the regulations of the city as the same are now, or may hereafter be amended or promulgated. It is the sole responsibility of the licensee to keep himself informed of the content of all such rules and regulations, and ignorance therefore shall not excuse violations.

(Ord. 1303, § 1 (part), 1992)

4.68.260 License—Suspension—Revocation—Limitation.

The council may deem that any activity on the part of the licensee or employees, or a person previously found suitable, which is contrary to the public health, safety, morals, good order, or general welfare of the residents of the city or the State of Nevada is grounds for disciplinary action which may result in a suspension,

limitation or revocation of the secondhand dealer's license. Without limiting the generality of the foregoing, each of the following reasons are declared to be a basis for disciplinary action:

- A. Conviction of the licensee of any crime involving theft, fraud, dishonesty, receiving or possessing stolen property, any narcotics violation or any sex offense; or
- B. Conducting a secondhand dealer business in an unlawful manner or in a manner detrimental to the public health, safety or welfare; or
- C. Each licensee who violates any provision of title 4 of the Henderson Municipal Code; or
- D. Each licensee who knowingly fails to report or conceals from the council a full disclosure of the names of all persons having an interest in the ownership of or having an equitable or beneficial right to the profits under a license in which he has an interest; or
- E. Each licensee who knowingly fails to report or conceals from proper authority any information which it is his duty to supply under any statute, ordinance or regulation of the state or the city; or
- F. Each licensee who, for conduct subsequent to the issuance of a license, becomes ineligible to hold a secondhand dealer's license as set out in the statutes, ordinances and regulations of the state or city; or
- G. Each licensee who made a misrepresentation of a material fact in his application to obtain a license; or
- H. Each licensee whose secondhand dealer's license in any place in the State of Nevada, or in any state or municipality which is empowered to issue a license or permit for the business of secondhand dealer, has been revoked for cause; or
- I. Each licensee who employs a person without a registration card as required by this chapter; or
- J. In the case of a category D secondhand dealer, failure to maintain the minimum net assets requirement.

(Ord. No. 2910 , § 4, 3-15-2011; Ord. 1907, § 1 (part), 1999; Ord. 1303, § 1 (part), 1992)

4.68.270 Application of other ordinances—Nevada Revised Statutes.

- A. The terms, conditions and policies of other applicable ordinances are intended to be applied in conjunction with the enforcement of all other ordinances of the city designed for the protection of the public health, safety, morals and welfare. The fact that such ordinances are not specifically referred to in this chapter shall in no manner preclude their application to secondhand dealer licensees.
- B. The terms, conditions and requirements of this chapter are in addition to those imposed under Nevada Revised Statute [chapter] 647.

(Ord. 1907, § 1 (part), 1999; Ord. 1303, § 1 (part), 1992)

4.68.280 Aggrieved parties.

Any person aggrieved by this chapter shall, by filing written notice to the city clerk, appeal for relief to the council in accordance with HMC [section] 4.04.210.

(Ord. 1303, § 1 (part), 1992)

4.68.290 Violation—Penalty.

Any person violating any of the terms and provisions of this chapter shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine, not to exceed the maximum allowable fine under NRS, or by imprisonment in the city jail for a term not to exceed six months, or by both such fine and imprisonment; and shall subject the licensee to suspension, limitation or revocation of his license. Any person being adjudged guilty of a violation of this chapter, or any of the provisions or prohibitions thereof, may, in the discretion of the council, be denied a license thereafter.

(Ord. 1303, § 1 (part), 1992)

CHAPTER 5.28 PAWNBROKER, SCRAP METAL PROCESSOR, SECONDHAND AND JUNK DEALER REGULATIONS

[5.28.010: Short Title](#)

[5.28.020: Intent](#)

[5.28.030: Definitions](#)

[5.28.040: Online Registration Of Purchases](#)

5.28.010: Short Title

This chapter shall be known as the *PAWNBROKER, SCRAP METAL PROCESSOR, SECONDHAND AND JUNK DEALER REGULATIONS ORDINANCE*. (Ord. 423, 2012)

5.28.020: Intent

This chapter is regulatory in nature, relating to the purpose of promoting, protecting and improving the health, safety and welfare of all the citizens of Nye County. Specifically, this chapter is intended to protect the citizens of Nye County and other potential victims from victimization by individuals participating in the theft and illegal sale of pawned goods, junk, scrap metal, and to aid in the investigation and prosecution thereof. (Ord. 423, 2012)

5.28.030: Definitions

JUNK: Includes old iron, copper, brass, lead, zinc, tin, steel and other metals, metallic cables, wires, ropes, cordage, bottles, bagging, rags, rubber, paper, and all other secondhand, used or castoff articles or material of any kind, but does not include scrap metal.

JUNK DEALER: Every person, firm or corporation engaged in the business of purchasing or selling hides or junk, other than used books.

PAWNBROKER: Every person engaged, in whole or in part, in the business of loaning money on the security of pledges, deposits or other secured transactions in personal property.

PRECIOUS METALS: Includes gold, silver and platinum and any material or items of personal property which consists in whole or in part of such metals, including, without limitation, coins and jewelry.

SCRAP METAL: Nonferrous metals, scrap iron, stainless steel or other material or equipment which consists in whole or in part of metal and which is used in construction, agricultural operations, electrical power generation, transmission or distribution, cable, broadband or telecommunications transmission, railroad equipment, oil well rigs or any lights maintained by the state or a local government, including, without limitation, streetlights, traffic control devices, park lights or ballpark lights and catalytic converters.

The term does not include waste generated by a household, aluminum beverage containers, used construction scrap iron or materials consisting of a metal product in its original manufactured form which contains not more than twenty percent (20%) by weight nonferrous metal.

SCRAP METAL PROCESSOR: Any person who engages in the business of purchasing, trading, bartering or otherwise receiving scrap metal; or uses machinery and equipment for processing and manufacturing iron, steel or nonferrous scrap into prepared grades, and whose principal product is scrap iron, scrap steel or nonferrous metallic scrap, not including precious metals, for sale for remelting purposes.

SECONDHAND DEALER: Any person engaged in whole or in part in the business of buying and selling metal junk, melted metals, precious metals or secondhand personal property, other than antiques, used books and collectibles.

The term does not include a person who engages in the business of buying or selling secondhand firearms or any antique parts, accessories or other equipment relating to those firearms if:

- A. The person engages in that business at a show that:
 - 1. Is held at:
 - a. A convention facility which is owned or operated by and located on the premises of a resort hotel; or
 - b. A recreational facility which is owned or operated by a county fair and recreation board; and
 - 2. Is conducted for not more than seven (7) days during any six (6) month period; and
- B. The person has been issued a license as a manufacturer, importer, dealer or collector pursuant to the provisions of 18 USC section 923. (Ord. 423, 2012)

5.28.040: Online Registration Of Purchases

- A. Every junk dealer shall:
 - 1. Comply with the provisions of Nevada Revised Statutes 647.020 through 647.070; and
 - 2. Electronically transfer in a secure manner the records required by Nevada Revised Statutes 647.030 in text file or other mutually agreeable format to a website designated or approved by the Nye County sheriff's office by eleven fifty nine o'clock (11:59) P.M. of each day.
- B. Every scrap metal processor shall:
 - 1. Comply with the provisions of Nevada Revised Statutes 647.092 through 647.098; and
 - 2. Electronically transfer in a secure manner the records required by Nevada Revised Statutes 647.094 in text file or other mutually agreeable format to a website designated or approved by the Nye County sheriff's office by eleven fifty nine o'clock (11:59) P.M. of each day.
- C. Every secondhand dealer shall:
 - 1. Comply with the provisions of Nevada Revised Statutes 647.105 through 647.132; and
 - 2. Post the transaction records required by Nevada Revised Statutes 647.110 to a website designated or approved by the Nye County sheriff's office by eleven fifty nine o'clock (11:59) P.M. of each day.
- D. Every pawnbroker shall:
 - 1. Comply with the provisions of Nevada Revised Statutes chapter 646; and
 - 2. Electronically transfer in a secure manner the records required by Nevada Revised Statutes 646.020 in text file or other mutually agreeable format to a website designated or approved by the Nye County sheriff's office by eleven fifty nine o'clock (11:59) P.M. of each day.

- E. Except as provided in subsection F of this section, junk dealers, scrap metal processors, secondhand dealers and pawnbrokers shall not be required to provide originals or copies of the records electronically transferred in accordance with this section.
- F. A law enforcement officer may, for purposes of conducting a criminal investigation, request the production of originals or copies of any record electronically transferred in accordance with this section. (Ord. 423, 2012)

6.74.010 - Privileged business finding.

The City Council finds that the business of secondhand dealers seriously affects the well-being of the City and its residents; that it is necessary to regulate such activities carefully to ensure that persons of honesty and integrity are operating such businesses; and that they are operated in a manner which is responsible to the public. Therefore, secondhand dealers must comply with Chapter 6.06.

(Ord. No. 6227, § 1, 12-5-12; Ord. 5060 § 1, 1998: Ord. 3612 § 1, 1991: Ord. 2196 § 2 (part), 1981: prior code § 5-8-1)

6.74.020 - Definitions.

As used in this Chapter, unless the context otherwise requires, the following words shall have the meanings ascribed to them as follows:

"Advertise" means the use of any newspaper, magazine or other publication, letter, sign, card or other printed matter, radio or television transmission or any other method (including by means of the internet) to bring to the attention of the public that a person is engaged in business as a secondhand dealer.

"Antique" means a unique object of personal property that is not less than sixty years old and has special value primarily because of its age.

"Collectible" means an object of personal property that has special value primarily because of its unique characteristics and the high level of demand for the object.

"General household furnishings," except as limited in this definition, means furnishings and personal effects that are typically found in a home, such as lamps, cloth items, and kitchen and bathroom items for personal use. The term does not include appliances, furniture, electronics, fine art, musical instruments, or any item of personal property that has a specific mark for identification or is otherwise individually identifiable.

"Infant/child items" means furnishings, furniture and personal effects that are typically found in a home and used by or for children under the age of ten. Such personal effects include products, bedding, toys, safety items, strollers, car seats and other sundry articles.

"Junk" means old iron, copper, brass, lead, zinc, tin, steel and other metals, metallic cables, wires, ropes, cordage, bottles, bagging, rags, rubber, paper, and all other secondhand, used or castoff articles or material of any kind, but does not include scrap metal.

"Major home appliance" means a washing machine, clothes dryer, dishwasher, refrigerator or freezer.

"Portable electronic device" means a laptop or tablet computing device, electronic reading device (e-reader), cellular phone, smartphone, MP3 player, or any other similar lightweight, electronically operated consumer device.

"Precious metals" means gold, platinum, silver and their alloys.

"Scrap metal" means nonferrous metals, scrap iron, stainless steel or other material or equipment which consists in whole or in part of metal and which is used in construction, agricultural operations, electrical power generation, transmission or distribution, cable, broadband or telecommunications transmission, railroad equipment, oil well rigs or any lights maintained by the State or a local government, including, without limitation, street lights, traffic-control devices, park lights or ballpark lights. The term also includes catalytic converters, but does not include waste generated by a household, aluminum beverage containers, used construction scrap iron or materials consisting of a metal product in its original manufactured form which contains not more than twenty percent by weight nonferrous metal.

"Secondhand dealer" means any person engaged in whole or in part in the business of buying, selling (including by consignment), or trading metal junk, melted metal or secondhand personal property, other than antiques, used books, coins and collectibles.

"Specified liquid waste" means non-hazardous organic liquid waste from agricultural or commercial restaurant operations, such as cooking oil. The term does not include sewage, wastewater or any waste from industrial or residential sources.

"Sporting equipment" means goods or equipment used for sport or exercise, but excluding firearms.

"Wearing apparel" means any garment, article of clothing, covering or related accessory, other than a fur product, that is designed and customarily used to cover or protect any part of the body.

(Ord. No. 6547, § 1, 8-17-16; Ord. No. 6227, § 2, 12-5-12; Ord. 5998 § 133, 2008: Ord. 5060 § 2, 1998: Ord. 3612 § 2, 1991: Ord. 3020 § 2, 1982: Ord. 2196 § 2 (part), 1981: prior code § 5-8-2)

6.74.030 - License required.

No person shall:

- (A) Engage in the business of a secondhand dealer without first obtaining and thereafter maintaining a valid unexpired license pursuant to this Code; or
- (B) Advertise as a secondhand dealer unless the person holds a valid license to engage in such business. The number of the dealer's business license shall be included in all of his advertising material.

(Ord. 3612 § 3, 1991: Ord. 2196 § 2 (part), 1981: prior code § 5-8-3)

6.74.040 - Exemptions.

This Chapter does not apply to:

- (A) Dealers of used vehicles as to those activities for which a license issued by the State Department of Motor Vehicles is required pursuant to NRS 482.322;
- (B) The buying, selling or trading by a licensed business of used portable electronic devices or major home appliances, but only to the extent acquired by the business as a trade-in or credit upon a buyer's purchase of a new portable electronic device or major home appliance on a one for one basis;
- (C) The taking in pawn or the selling of unredeemed personal property by a licensed pawnbroker pursuant to Chapter 6.60;
- (D) The buying, selling or trading of used newspapers and periodicals;
- (E) A person who engages in the business of buying or selling secondhand firearms or any antique parts, accessories or other equipment relating to those firearms to the extent that the person:
 - (1) Engages in that business at a show that:
 - (a) Is held at:
 - (I) A convention facility which is owned or operated by and located on the premises of a resort hotel; or
 - (II) A recreational facility which is owned or operated by a county fair and recreation board; and
 - (b) Is conducted for not more than seven days during any six-month period; and

- (2) The person has been issued a license as a manufacturer, importer, dealer or collector pursuant to the provisions of 18 U.S.C. § 923;
- (F) The buying, selling or trading by a licensed retail business of used video games, videotapes, cassettes, digital video discs, compact discs or sound recordings which have been purchased (or received as trade-ins) from its retail customers, provided that credit only has been given as consideration for the purchases or trade-ins, which credit then can only be used by its retail customers for the rental or purchase of new or used items referenced in this Subsection at any of its licensed business premises;
- (G) A convention or trade show not exceeding fourteen days in length, provided that convention or trade show exhibitors do not purchase secondhand or used personal property at the convention or trade show; or
- (H) The buying, selling or trading of wearing apparel, general household furnishings, infant/child items, sporting equipment, musical instruments, or specified liquid waste.

(Ord. No. 6547, § 2, 8-17-16; Ord. No. 6227, § 3, 12-5-12; Ord. 5823 § 1, 2006: Ord. 5060 § 3, 1998: Ord. 3020 § 3, 1982: Ord. 2196 § 2 (part), 1981: prior code § 5-8-4)

6.74.050 - Prohibited location.

A secondhand dealer's license must not be issued to a location unless the location conforms to the requirements of LVMC Title 19.

(Ord. No. 6740, § 1, 6-3-20; Ord. No. 6227, § 4, 12-5-12; Ord. 3816 § 1, 1994: Ord. 2196 § 2 (part), 1981: prior code § 5-8-5)

6.74.060 - Class I licenses.

Class I is divided into the following subclasses:

- (A) Class I-A permits secondhand dealers who dismantle, scrap, process, wreck or disassemble used vehicles and sell the dismantled, wrecked or disassembled parts and accessories, and all secondhand dealers who handle or deal in the salvaging of all other articles, including metals (except precious metals and scrap metal), lumber and junk;
- (B) Class I-B permits secondhand dealers of the parts and accessories of used vehicles who do not dismantle, scrap, process, wreck or disassemble said vehicles; and
- (C) Class I-C permits secondhand dealers who deal in scrap metal, either exclusively or in combination with other materials that would qualify under Class I-A or Class I-B.

(Ord. No. 6227, § 5, 12-5-12; Ord. 2196 § 2 (part), 1981: prior code § 5-8-6)

6.74.070 - Class II licenses.

Class II licenses permit secondhand dealers of any of the following used articles: furniture, fixtures, appliances, tableware, office supplies, pictures, paintings, jewelry, cutlery, guns or other secondhand articles except those which fall within Class I.

(Ord. No. 6227, § 6, 12-5-12; Ord. 2196 § 2 (part), 1981: prior code § 5-8-7)

6.74.080 - Class III licenses.

Class III licenses permit secondhand dealers who deal exclusively in any one or more of the following kinds of secondhand articles: precious metals, precious or semiprecious gem stones, or articles made wholly or in part of precious metals and/or precious or semiprecious gem stones, including but not limited to jewelry, cutlery, tablewares, housewares, ornaments and decorations.

(Ord. No. 6227, § 7, 12-5-12; Ord. 3020 § 4, 1982; Ord. 2196 § 2 (part), 1981: prior code § 5-8-8)

6.74.085 - Reserved.

Editor's note— Ord. No. 6227, § 12, adopted December 5, 2012, repealed § 6.74.085, which pertained to Class IV licenses and derived from Ord. 5060, 1998.

6.74.090 - Bond.

Each applicant for a secondhand dealer's license must file and each such licensee must maintain a surety bond with the Department in an amount determined by the Director, with surety acceptable to and approved by the City Attorney. Such bond must be conditioned to be paid to the City or to any person suffering injury by reason of any violation of the provisions of this Code by the principal, the principal's agents or employees, and that the principal therein named will faithfully conform to any conditions or restrictions that may be placed upon the principal's license.

(Ord. No. 6227, § 8, 12-5-12; Ord. 3612 § 4, 1991; Ord. 2196 § 2 (part), 1981: prior code § 5-18-16)

6.74.100 - Fee for license.

Each secondhand dealer must pay to the Department in advance, semiannually, a license fee based on the dealer's gross sales pursuant to LVMC 6.04.005.

(Ord. 5060 § 5, 1998; Ord. 3612 § 5, 1991; Ord. 2196 § 2 (part), 1981: prior code § 5-8-17)

6.74.110 - Transaction records—Books—Access.

Every secondhand dealer shall comply with all applicable requirements of NRS Chapter 647 in addition to the requirements of this Chapter.

(Ord. No. 6227, § 9, 12-5-12; Ord. 5998 § 134, 2008; Ord. 3612 § 6, 1991; Ord. 3070 § 1, 1983; Ord. 2196 § 2 (part), 1981: prior code § 5-8-9)

6.74.120 - Reserved.

Editor's note— Ord. No. 6227, § 12, adopted December 5, 2012, repealed § 6.74.120, which pertained to transaction records—daily police report and derived from prior code § 5-8-10; Ord. No. 2196, 1981; Ord. No. 3070, 1983; Ord. No. 3612, 1991 and Ord. 5998, 2008.

6.74.130 - Reserved.

Editor's note— Ord. No. 6227, § 12, adopted December 5, 2012, repealed § 6.74.130, which pertained to keeping and inspection of goods and derived from prior code § 5-8-11; Ord. No. 2196, 1981; Ord. No. 3070, 1983; Ord. No. 3612, 1991; Ord. No. 3769, 1994 and Ord. 5998, 2008.

6.74.140 - Fence or wall required when.

Each premises or enclosure, except a completely enclosed building, used in the conduct of a Class I secondhand dealer's business, must be enclosed by a fence or wall at least eight feet high erected in such a manner as to obscure the premises from public view. Such fence or wall shall be maintained, at all times, in good condition by the licensee.

(Ord. 2196 § 2 (part), 1981: prior code § 5-8-12(A))

6.74.150 - Storage of dismantled parts.

It is unlawful for any licensee to pile or store any dismantled motor vehicle or trailer parts in piles exceeding eight feet in height or nearer than two feet from any fence or wall.

(Ord. 2196 § 2 (part), 1981: prior code § 5-8-12(B))

6.74.160 - Vehicle and trailer license plates.

Each holder of a Class I-A or Class I-B secondhand dealer's license shall promptly deliver to Metro or the Department of Motor Vehicles all motor vehicle and trailer State license plates attached to any motor vehicle or trailer received by him for resale, exchange, wrecking or dismantling.

(Ord. No. 6227, § 10, 12-5-12; Ord. 5998 § 137, 2008: Ord. 3612 § 9, 1991: Ord. 2196 § 2 (part), 1981: prior code § 5-8-13)

6.74.180 - Reserved.

Editor's note— Ord. No. 6227, § 12, adopted December 5, 2012, repealed § 6.74.180, which pertained to clothing preparation and derived from prior code § 5-8-15 and Ord. No. 2196, 1981.

6.74.190 - Unlawful acts.

It is unlawful for any secondhand dealer or any clerk, agent or employee of a secondhand dealer to violate any provision of this Chapter or of NRS Chapter 647.

(Ord. No. 6227, § 11, 12-5-12; Ord. 5998 § 138, 2008: Ord. 3612 § 10, 1991: Ord. 3070 § 4, 1983)

6.74.200 - Electronic communication services—Compliance with Federal law.

Nothing in this Chapter is intended or shall be deemed to supersede or conflict with Federal law regarding electronic communication services.

(Ord. No. 6547, § 3, 8-17-16)

CHAPTER 6.75 - SHORT-TERM RESIDENTIAL RENTALS

R7325 - Matters pertaining to the Boulder City Rifle & Pistol Club

SUBJECT:

For possible action: Matters Pertaining to the Boulder City Rifle & Pistol Club Lease Agreement:

A. Resolution No. 7325, a resolution of the City Council of Boulder City, Nevada consenting to renew Agreement No. 00-618A for an additional ten (10) years until August 26, 2031 pursuant to Section 2 of Agreement 00-618A between the City and the Boulder City Rifle and Pistol Club

B. Discussion of potential future amendments to the lease agreement to be considered at a later date

ADDITIONAL INFORMATION:

ATTACHMENTS:

Description	Type
<input type="checkbox"/> Staff Report	Cover Memo
<input type="checkbox"/> Resolution No 7325	Resolution Letter
<input type="checkbox"/> Background info - Agreement 00-618A	Backup Material
<input type="checkbox"/> Letter from tenant requesting extension	Backup Material
<input type="checkbox"/> Location Map of Leasehold	Backup Material



**BOULDER CITY
CITY COUNCIL**

MAYOR
KIERNAN McMANUS

COUNCIL MEMBERS:
JAMES HOWARD ADAMS
CLAUDIA M. BRIDGES
MATT FOX
SHERRI JORGENSEN



MEETING LOCATION:
CITY COUNCIL CHAMBER
401 CALIFORNIA AVENUE
BOULDER CITY, NV 89005

MAILING ADDRESS:
401 CALIFORNIA AVENUE
BOULDER CITY, NV 89005

WEBPAGE:
WWW.BCNV.ORG



CITY MANAGER:
TAYLOUR TEDDER, CECD

CITY ATTORNEY:
BRITTANY LEE WALKER, ESQ

CITY CLERK:
TAMI MCKAY, MMC, CPO

ADMINISTRATIVE SERVICES DIRECTOR:
BRYCE BOLDT

COMMUNITY DEVELOPMENT DIRECTOR:
MICHAEL MAYS, AICP

PUBLIC WORKS DIRECTOR:
KEEGAN LITTELL, P.E.

UTILITIES DIRECTOR:
DENNIS PORTER, P.E.

POLICE CHIEF:
TIM SHEA

FIRE CHIEF:
WILLIAM GRAY, CFO

FINANCE DIRECTOR:
DIANE PELLETIER, CPA

PARKS & RECREATION DIRECTOR
ROGER HALL

City Council Meeting

August 24, 2021

Item No. 11

Staff Report

TO: Taylour Tedder, City Manager

FROM: Diane Pelletier, Finance Director

DATE: July 14, 2021

SUBJECT:

For Possible Action: Matters Pertaining to the Boulder City Rifle & Pistol Club Lease Agreement:

A. Resolution No. 7325, a resolution of the City Council of Boulder City consenting to renew Agreement No. 00-618A for an additional ten (10) years until August 26, 2031 pursuant to Section 2 of Agreement 00-618A between the City and the Boulder City Rifle and Pistol Club

B. Discussion of potential future amendments to the lease agreement to be considered at a later date

Business Impact Statement: This action will not have a significant economic impact on business and will not directly restrict the formation, operation, or expansion of a business.

Action Requested: It is requested that the City Council consider Resolution No. 7325 to consent to renew Agreement No. 00-618A until August 26, 2031, and if approved discuss and provide direction on whether to enter into discussions with the tenant regarding a lease amendment.

Overview:

- The Boulder City Rifle and Pistol Club ("Club") has had a lease with the City to operate the gun range since 1961
- The lease was renewed in 1981, 1991, and most recently in 2001
- The current lease term will end on August 26, 2021
- Existing Agreement provides for one ten (10) year extension upon mutual consent of both parties

- The Club has requested that the agreement be extended for ten (10) years (request attached)

Background Information: The Boulder City Rifle and Pistol Club (“Club”) has had a lease with Boulder City since 1961. The History of the leases is as follows:

1961 – Original Lease with the City (20-year term)
1976 – Legal Description was amended and corrected
1981 – Lease was extended for an additional ten (10) year period
1991 – New lease (Agreement No. 91-174) was approved for a ten (10) year period
2001 – New lease (Agreement No. 00-618) was approved for a ten (10) year period
2011 – Lease was amended to provide for boundary changes in the event Interstate 11 was constructed and approved for a ten (10) year period. Option to extend for an additional ten (10) year period upon mutual consent was added to lease as part of amendment.

The current lease term is set to expire on August 26, 2021. As per Section 2 of the Lease, the president of the Boulder City Rifle and Pistol Club has requested that the city grant their mutual consent to extend the lease an additional ten (10) years. Resolution 7325, if approved, provides the required mutual consent.

For Discussion – Potential Future Amendments

The tenant initially requested an amendment to the lease to permit the Club to set the fees independent of city review and approval (section 23 of the lease sets the current fee structure for BC residents). After discussion with the Club President, the Club indicated that they would not seek the amendment at this time, but would like such an amendment to be considered at a later date.

The City believes there is opportunity to improve the lease document based on more recent templates the City is using. For example, real property leases typically have provisions regarding the responsibility for prevention and removal of hazardous waste, indemnification, and certain reporting requirements to ensure that the tenant is fulfilling existing obligations.

Financial: The lease requires an annual payment of one dollar (\$1) throughout the lease term. Historically the Club has made a lump sum payment at the beginning of the lease term to cover the ten year period.

Boulder City Strategic Plan Goal: Goal C, “Manage Growth & Development.”

Department Recommendation: The Finance Department requests that the City Council consider the request by the Boulder City Rifle and Pistol Club and approve Resolution No. 7325 to renew the agreement term for an additional ten (10) year period pursuant to its terms until August 26, 2031.

Attachments:

Resolution No. 7325

Agreement No. 00-618A

Letter from the Boulder City Rifle and Pistol Club requesting the Term extension

City Prepared Map showing location of Leasehold

RESOLUTION NO. 7325

RESOLUTION OF THE CITY COUNCIL OF BOULDER CITY, NEVADA, CONSENTING TO RENEW AGREEMENT NO. 00-618A FOR AN ADDITIONAL TEN (10) YEARS UNTIL AUGUST 26, 2031 PURSUANT TO SECTION 2 OF AGREEMENT 00-618A BETWEEN THE CITY AND THE BOULDER CITY RIFLE AND PISTOL CLUB

WHEREAS, the Boulder City Rifle and Pistol Club ("Club") has had a lease with Boulder City since 1961 to operate a shooting sports facility on City-owned land; and

WHEREAS, the City has renewed the lease with the Club in 1981, 1991, 2001, and 2011 so that the Club can continue to operate the shooting sports facility; and

WHEREAS, Section 2 of the current lease provides for one term extension for a ten (10) year period upon mutual consent of both parties; and

WHEREAS, the Club has made a written request to extend the Term to August 26, 2031; and

WHEREAS, the City desires to grant their consent to the term extension.

NOW, THEREFORE, BE IT RESOLVED that City Council consents to renew Agreement 00-618A for an additional ten (10) year period until August 26, 2031.

DATED and APPROVED this 24th day of August 2021.

Kiernan McManus, Mayor

ATTEST:

Tami McKay, City Clerk
(Seal)

C
12

APN# 186-14-101-001

11-digit Assessor's Parcel Number may be obtained at:
<http://redrock.co.clark.nv.us/assrrealprop/ownr.aspx>

Ordinance No. 1472, a lease amendment between the City of

Boulder City and Boulder Rifle and Pistol Club, Inc.

Type of Document

(Example: Declaration of Homestead, Quit Claim Deed, etc.)

Recording Requested By:

Lorene Krumm, City Clerk of Boulder City

Return Documents To:

Name Lorene Krumm

Address PO Box 61350

City/State/Zip Boulder City NV 89006

This page added to provide additional information required by NRS 111.312 Section 1-2

(An additional recording fee of \$1.00 will apply)

This cover page must be typed or printed clearly in black ink only.

Inst #: 2012020600000001

Fees: \$28.00

N/C Fee: \$25.00

02/06/2012 08:00:48 AM

Receipt #: 1056963

Requestor:

BOULDER CITY CITY

Recorded By: MSH Pgs: 12

DEBBIE CONWAY

CLARK COUNTY RECORDER

LEASE

THIS LEASE made and entered into this 13th day of Dec., 2011, by and between BOULDER CITY, NEVADA, a municipal corporate organized under the laws of the State of Nevada, hereinafter referred to as "CITY", and THE BOULDER RIFLE AND PISTOL CLUB, INC., a Nevada Non-Profit Cooperative Corporation without Stock, hereinafter referred to as "LESSEE."

WITNESSETH:

WHEREAS, Lessee has operated a rifle range on certain property located on CITY owned land for over 60-years; and

WHEREAS, the Lessee operates the rifle range for the use of its members and the general public without discrimination; and

WHEREAS, the CITY is desirous to continue to provide this recreational opportunity, with due regard to the convenience, health, welfare and safety of all persons; and

WHEREAS, it is the desire of CITY and Lessee to continue the formal lease agreement covering the property on which Lessee operates;

NOW, THEREFORE, in consideration of the covenants and agreements set forth below, the parties hereto hereby agree as follows:

1. Demised Premises: that property located in Boulder City, Nevada, a municipal corporation, described on the Legal Description as Lease Area "A" being 473.23 acres and Lease Area "B" being 81.28 acres attached hereto as Exhibit 1. The Lease areas are depicted on the Record of Survey attached hereto as Exhibits 2.

2. Term and Termination: Lessee shall have a lease on Area "A" for a period of ten (10) years beginning August 27, 2011. Lessee shall have a lease on Area "B" beginning August 27, 2011 until such times the City serves the Lessee with written notice of termination or for a period of ten (10) years, whichever comes first. After 10-years from the date stipulated in this paragraph, the agreement may be extended an additional 10-years with the written consent of both the City and the LESSEE.

3. Earlier Termination. The CITY or Lessee may terminate this agreement upon six (6) month written notice to the other party. In the event of any early termination, all conditions spelled out herein shall apply. In the event that CITY terminates this lease, Lessee agrees to hold CITY harmless and free of liability for the

cost of any improvements made to the premises, or any other costs incurred by Lessee in its use or development of the premises.

In the event of any early termination of this lease, all other conditions set forth in the lease shall apply. In addition, the Lessee shall remove itself, its agents and its property from the premises leased hereunder forthwith. Unless the Lessee has removed its property from the premises hereunder leased within one year of such termination, then said property shall become the property of the CITY.

4. In the event Lessee shall become inactive and shall cease to operate as a club for the promotion of the use of the rifle range and marksmanship in connection therewith, this lease shall become null and void.

5. It is hereby covenanted and agreed that this lease is non-assignable and no part or portion thereof may be subleased without the specific written consent of CITY, which consent may be withheld for whatever reason is considered justifiable by CITY.

6. Lessee shall pay to CITY for rent of the premises leased hereunder the sum of ONE DOLLAR (\$1.00) per year, due on or before the first Thursday of October each year.

7. CITY hereby reserves the right to run drainage facilities, sewer or water lines under the surface of the property leased hereunder and to erect electric lines over and across the premises leased hereunder, including the right to install poles to support the same. In the latter event, CITY agrees to first consult with Lessee so as to minimize any interference with the operation by Lessee of the premises leased hereunder.

8. The use of the range, or ranges, maintained by Lessee on the property leased hereunder shall be open to use by law enforcement employees of the CITY at no cost, providing they obey the reasonable and uniform rules and regulations laid down by Lessee for the use of such range or ranges.

9. The parties hereto agree that the Lessee shall regularly hold events, either organized or without specific organization, that shall be open to participation by residents of Boulder City who are not members of the Lessee. Such non-member participants shall only be charged nominal fees directly related to the activity in which they are participating.

10. It is specifically understood and agreed by Lessee that they shall maintain the property leased hereunder in such a manner that their use thereof will not be unsightly or dangerous to surrounding property owners.

11. Lessee specifically covenants and agrees to assume any and all liability in connection with the payment of any and all charges for taxes, utilities or rent in

connection with the use of the property leased hereunder and, further, Lessee agrees to pay the same when due.

12. Lessee covenants and agrees to maintain a liability policy in the amount of \$1,000,000 on which the City shall be named insured so as to protect the City from claims of a third person or persons who may be injured in the use of the premises hereunder. Lessee further covenants to forward a copy of the policy to the Boulder City Finance Department thirty (30) days after each renewal and receipt of the policy document. Said policy shall provide for thirty (30) days prior written notice to CITY of any cancellation of said policy. CITY requires that each participant in Lessee's shooting activities must sign a release of liability releasing the Boulder Rifle & Pistol Club and the City of Boulder City from any liability for injury or death arising from incidents during participation in scheduled club activities.

13. During the term of this agreement and any extensions thereof, Lessee shall adhere to all applicable laws, ordinances and regulations in its use of the property and shall use the property as a rifle and pistol range and for no other purpose without the prior written consent of the CITY. Compliance to applicable laws shall include, but not be limited to, the following specific elements:

13.1 The municipal code of the CITY. This shall include Lessee submitting plans and obtaining permits from the CITY prior to any improvements being constructed on the leased property. The LESEE shall be responsible for all costs associated with preparation of plans and normal permit fees stipulated in the CITY Code.

13.2 Statutes and regulations of the State of Nevada, and all applicable Federal laws, statutes, or regulations.

14. In case of a breach of any condition of this lease, provided said breach can be cured, the Lessee shall be entitled to ten (10) day's notice to correct the condition. If the breach of condition has not been corrected within the ten (10) day period, or if the breach is one that cannot be cured, then the CITY shall be entitled to give notice of cancellation of said lease and Lessee shall remove itself, its agents and its property from the premises leased hereunder forthwith. Unless the Lessee has removed its property from the premises hereunder leased within one year of such cancellation, then said property shall become the property of the CITY. Lessee agrees to keep CITY notified at all times of the name and address of the Secretary of the Lessee corporation and it is agreed by Lessee that notice to the Secretary shall constitute notice to the Lessee.

15. The Lessee shall have the right to fence the premises leased hereunder for the protection of all concerned. However, this right of fencing shall in no way interfere with CITY's rights under Paragraph 5 above. Should any fence so interfere with CITY's rights as aforesaid, the same shall be removed by Lessee demand of CITY.

16. In the event the Lessee elects to erect a fence, the Lessee agrees to post signs at intervals no less than 100 yards designating the area "Rifle Range, No Trespassing," or any other language desired by CITY.

17. The City reserves the right to access the site at anytime to conduct inspections and insure compliance with this agreement. Reasonable advance notice shall be given to Lessee prior to any such inspection.

18. Lessee shall follow the United States Environmental Protection Agency's Best Management Practices for Lead at Outdoor Shooting Ranges as specifically described below:

18.1 Control and contain lead bullets and bullet fragments with the use of earthen backstops and restrict shooting to areas where bullets will be contained. This effort shall also include reducing the shotfall zones for shotgun areas. All backstops and shotfall zones shall be documented on maps.

18.2 Prevent the migration of lead from the containment areas by controlling runoff with the use of dams, dikes, or ground contouring.

19. Lessee agrees to fence the perimeter of the actively used area by October 7, 2013. The fencing shall not obstruct the present dirt access road traversing the southwest corner of the property.

20. Lessee shall not allow public agency use of the facility without the express written consent of Boulder City.

21. Lessee shall only allow limited commercial use of the facility so as not to interfere with the use and enjoyment of club members. All commercial businesses operating at the site must have a Boulder City business license. In addition, all commercial operations must execute the insurance/waiver of liability agreement provided by the LESSEE.

22. The City is aware of unpermitted structures located on the property that were constructed or installed prior to December 13, 2011. These structures do not meet City Code and therefore the City is unable to provide Certificates of Occupancy for these structures. Per this agreement, the LESSEE relieves the City of any and all liability regarding these structures. The City encourages LESSEE to implement as many public safety measures as economically practical for these structures, e.g. providing emergency egress.

For any and all structures constructed or installed following the effective date of this agreement, the LESSEE must apply for permits and follow the City Codes as stipulated above.

23. The fee structure for Boulder City residents shall be as follows:

23.1 \$125 to join and \$75 annual renewal; or

23.2 \$10 for 2 hours; and

Fees for Boulder City residents shall not increase without prior approval of the CITY.

[The remainder of this page intentionally left blank]

IN WITNESS WHEREOF, the parties hereto have executed this Amendment No. 00-618A as of the date first set forth above.

DATE OF CITY COUNCIL ACTION:

December 13, 2011

CITY OF BOULDER CITY

Boulder Rifle and Pistol Club:

Harry Helfrich
Harry Helfrich, President

City:
City of Boulder City
Wicki G. Mayes
WICKI G. MAYES
City Manager

ATTEST:

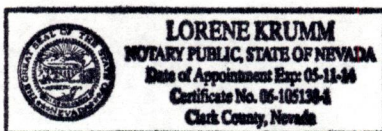
Lorene Krumm
Lorene Krumm
City Clerk

APPROVED AS TO FORM:

Dave Olsen
DAVE OLSEN
City Attorney

STATE OF NEVADA)
) SS.
COUNTY OF CLARK)

On this 20th day of Dec., 2011, personally appeared before me, the undersigned, a Notary Public, Harry Helfrich, personally known (or proved) to me to be the person whose name is subscribed to the above instrument who acknowledged that he executed the instrument.



Lorene Krumm
NOTARY PUBLIC

**THE BOULDER RIFLE AND PISTOL CLUB, INC.
LEASE AREA "A"
LEGAL DESCRIPTION**

A LEASE FOR THE PURPOSE OF CONSTRUCTING AND MAINTAINING A RIFLE AND PISTOL RANGE IN, OVER, UNDER AND UPON THAT PORTION OF SECTION 14, TOWNSHIP 23 SOUTH, RANGE 64 EAST, M.D.M., IN THE CITY OF BOULDER CITY, COUNTY OF CLARK, STATE OF NEVADA DESCRIBED AS FOLLOWS:

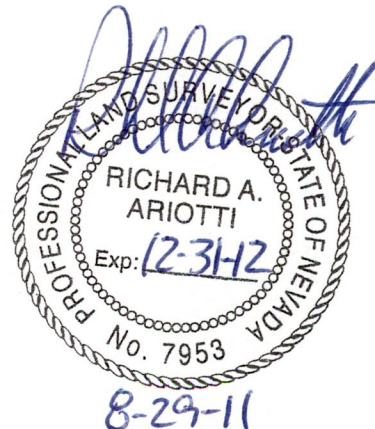
BEGINNING AT THE SOUTHEAST (SE) CORNER OF SAID SECTION 14 A GOVERNMENT LAND OFFICE (GLO) BRASS CAP DATED 1931, SAID POINT BEING ON THE BOUNDARY OF THE LAKE MEAD NATIONAL RECREATION AREA; THENCE NORTH $0^{\circ}29'15''$ WEST 2639.34 FEET ALONG THE WEST LINE OF THE LAKE MEAD NATIONAL RECREATION AREA TO THE EAST QUARTER (E1/4) CORNER OF SAID SECTION 14, A GLO BRASS CAP DATED 1931; THENCE NORTH $0^{\circ}29'12''$ WEST 2641.38 FEET ALONG THE WEST LINE OF THE LAKE MEAD NATIONAL RECREATION AREA TO THE NORTHEAST (NE) CORNER OF SAID SECTION 14, A GLO BRASS CAP DATED 1931; THENCE SOUTH $89^{\circ}33'06''$ WEST 2639.70 FEET TO THE NORTH QUARTER (N1/4) CORNER OF SAID SECTION 14, A GLO BRASS CAP DATED 1931; THENCE SOUTH $89^{\circ}30'59''$ WEST 152.75 FEET ALONG THE NORTH LINE OF THE NORTHWEST QUARTER (NW1/4) OF SAID SECTION 14 TO A POINT ON THE SOUTHEASTERLY RIGHT-OF-WAY FOR THE PROPOSED BOULDER CITY BYPASS PHASE 2, NEVADA DEPARTMENT OF TRANSPORTATION PROJECT NO. EA 73320, SAID POINT BEING 300.00 FEET PERPENDICULAR TO THE CENTERLINE OF SAID PROPOSED BOULDER CITY BYPASS; THENCE SOUTH $22^{\circ}20'45''$ WEST 5727.64 FEET ALONG SAID RIGHT-OF-WAY TO A POINT ON THE SOUTH LINE OF THE SOUTHWEST QUARTER (SW1/4) OF SAID SECTION 14; THENCE NORTH $89^{\circ}33'19''$ EAST 2372.09 FEET TO THE SOUTH QUARTER (S1/4) OF SAID SECTION 14, A GLO BRASS CAP DATED 1931; THENCE NORTH $89^{\circ}33'17''$ EAST 2642.95 FEET TO THE POINT OF BEGINNING.

CONTAINS 473.23 ACRES.

THE BASIS OF BEARING FOR THIS DESCRIPTION IS GRID NORTH, AS DEFINED BY THE NEVADA STATE PLANE COORDINATE SYSTEM, EAST ZONE (2701).

Prepared by:
Richard A. Ariotti, Nevada P.L.S. No. 7953
Acting as Agent for:

E.G. Radig, Inc.
1577 Foothill Drive #1
Boulder City, NV 89005
Phone: (702) 293-3330
Fax: (702) 293-6153



**THE BOULDER RIFLE AND PISTOL CLUB, INC.
LEASE AREA "B"
LEGAL DESCRIPTION**

A LEASE FOR THE PURPOSE OF CONSTRUCTING AND MAINTAINING A RIFLE AND PISTOL RANGE IN, OVER, UNDER AND UPON THAT PORTION OF SECTION 14, TOWNSHIP 23 SOUTH, RANGE 64 EAST, M.D.M., IN THE CITY OF BOULDER CITY, COUNTY OF CLARK, STATE OF NEVADA DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST (SW) CORNER OF SAID SECTION 14 A GOVERNMENT LAND OFFICE (GLO) BRASS CAP DATED 1931; THENCE NORTH $0^{\circ}28'24''$ WEST 990.53 FEET ALONG THE WEST LINE OF THE SOUTHWEST QUARTER (SW1/4) OF SAID SECTION 14 TO POINT ON THE SOUTHEASTERLY LINE OF A 100-FOOT WIDE RIGHT-OF-WAY A BUREAU OF LAND MANAGEMENT POWER LINE EASEMENT SERIAL NUMBER NVCC-020736; THENCE NORTH $21^{\circ}37'44''$ EAST 4628.70 FEET ALONG SAID SOUTHEASTERLY LINE TO A POINT ON THE NORTH LINE OF THE NORTHWEST QUARTER (NW1/4) OF SAID SECTION 14; THENCE NORTH $89^{\circ}30'59''$ EAST 747.15 FEET ALONG SAID NORTH LINE TO A POINT ON THE SOUTHEASTERLY RIGHT-OF-WAY FOR THE PROPOSED BOULDER CITY BYPASS PHASE 2, NEVADA DEPARTMENT OF TRANSPORTATION PROJECT NO. EA 73320, SAID POINT BEING 300.00 FEET PERPENDICULAR TO THE CENTERLINE OF SAID PROPOSED BOULDER CITY BYPASS; THENCE SOUTH $22^{\circ}20'45''$ WEST 5727.64 FEET ALONG SAID RIGHT-OF-WAY TO A POINT ON THE SOUTH LINE OF THE SOUTHWEST QUARTER (SW1/4) OF SAID SECTION 14; THENCE SOUTH $89^{\circ}33'19''$ WEST 267.44 FEET ALONG SAID SOUTH LINE TO THE POINT OF BEGINNING.

CONTAINS 81.28 ACRES.

THE BASIS OF BEARING FOR THIS DESCRIPTION IS GRID NORTH, AS DEFINED BY THE NEVADA STATE PLANE COORDINATE SYSTEM, EAST ZONE (2701).

Prepared by:
Richard A. Ariotti, Nevada P.L.S. No. 7953
Acting as Agent for:

E.G. Radig, Inc.
1577 Foothill Drive #1
Boulder City, NV 89005
Phone: (702) 293-3330
Fax: (702) 293-6153

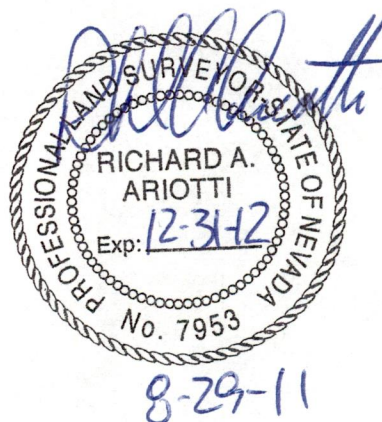


EXHIBIT B

RECORD OF SURVEY recorded 12/22/2011.

Please see the following:

File No. 185, page 51 of surveys

Recorded 12/22/2011

Official Records Book No. 20111222, December 22, 2011

Doc. No. 01779

RECORD OF SURVEY COUNTY OF CLARK ----- STATE OF NEVADA CITY OF BOULDER CITY SECTION 14 TOWNSHIP 23 SOUTH, RANGE 64 EAST, M.D.M.

SURVEYOR'S CERTIFICATE

1. I, RICHARD A. ARDOTT, A PROFESSIONAL LAND SURVEYOR IN THE STATE OF NEVADA, CERTIFY THAT:
2. THIS IS A TRUE AND ACCURATE REPRESENTATION OF THE LAND SURVEYED UNDER MY SUPERVISION AT THE INSTANCE OF CITY OF BOULDER CITY, NEVADA.
3. THE LAND SURVEYED LIES WITHIN SECTION 14, TOWNSHIP 23 SOUTH, RANGE 64 EAST, M.D.M. AND THE SURVEY WAS COMPLETED ON AUGUST 22, 2011.
4. THIS PLAN COMPLIES WITH APPLICABLE STATE STATUTES AND ANY LOCAL ORDINANCES.
5. THE MONUMENTS ARE OF THE CHARACTER SHOWN AND OCCUPY THE POSITIONS INDICATED.

RICHARD A. ARDOTT
PROFESSIONAL LAND SURVEYOR
NEVADA LICENSE NO. 1953

SCALE 1" = 300'

REFERENCES

- R.1 - FILE 76 PAGE 68 OF SURVEYS
- R.2 - BUREAU OF LAND MANAGEMENT (BLM) MASTER TITLE PLAT FOR TOWNSHIP 23 SOUTH, RANGE 64 EAST, M.D.M.
- R.3 - BUREAU OF LAND MANAGEMENT, INDEPENDENT RESURVEY FOR TOWNSHIP 23 SOUTH, RANGE 64 EAST, M.D.M., DATED APRIL 13, 1933
- R.4 - FILE 146 PAGE 81 OF SURVEYS
- R.5 - NEVADA DEPARTMENT OF TRANSPORTATION, BOULDER CITY BYPASS PHASE 2 US-95 TO HOOVER DAM, PROJECT NO. BA 73300
- R.6 - B.C. PROJECT NUMBER 05.0057.BC

LEGEND

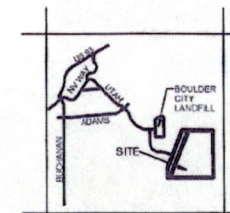
- FOUND GLO BRASS CAP DATED 1931
- ORIGINAL GLO BRASS CAP DESTROYED
- LEASE BOUNDARY CORNER NOTHING SET
- CENTERLINE
- LEASE AREA BOUNDARY
- - - EASEMENT / RIGHT-OF-WAY (ROW) LINE

LINE TABLE

LINE	BEARING	DISTANCE
1	N 89°30'59"E	267.44'
2	N 89°30'59"E	102.70'

BASIS OF BEARING

NEVADA STATE PLANE COORDINATE NAD 83/NA DATUM EAST ZONE AS PER NEVADA DEPARTMENT OF TRANSPORTATION PROJECT NO. BA 73300.



VICINITY MAP
NOT TO SCALE

ANY SUBSEQUENT CHANGES TO THIS MAP SHOULD BE EXAMINED AND MAY BE DETERMINED BY REFERENCE TO THE COUNTY RECORDS'S CUMULATIVE MAP INDEX.
N.R.S. 238.5605

RECORD OF SURVEY COUNTY OF CLARK ----- STATE OF NEVADA CITY OF BOULDER CITY SECTION 14 TOWNSHIP 23 SOUTH, RANGE 64 EAST, M.D.M.		NO. _____ FILED AT THE REQUEST OF E.G. RADIG, INC. DATE _____ AT _____ M. FILE _____ PAGE _____ OF SURVEYS OFFICIAL RECORD BOOK NO. _____ CLARK COUNTY RECORDER DEBBIE CONWAY
SCALE 1"=300' DATE AUGUST 22, 2011 DRAWN BY: RAA	FOR CITY OF BOULDER CITY E.G. RADIG, INC. 1577 FOOTHILL DR. #1 BOULDER CITY, NEVADA (702) 293-3330 88005 FAX: (702) 293-6153 DWG# 180211R8	
JOB NO. 189.011		FILE _____ DEPUTY _____

EXHIBIT 2



Boulder Rifle & Pistol Club

Dear Mr. Armantrout:

25 June 2021

On behalf of the Boulder Rifle & Pistol Club ("BRPC"), I express our desire and consent to extend the Lease an additional ten (10) years pursuant to paragraph 2 of the Lease. Proof of Insurance pursuant to paragraph 12 is attached hereto, and BRPC is in compliance with paragraphs 13 and 18 of the Lease, as requested in your correspondence. Furthermore, BRPC is in compliance with all of its obligations under the Lease, but would like to amend paragraph 23 to allow for the fee structure to be changed at the discretion of the Board of Directors of BRPC.

We appreciate your assistance and look forward to continuing our longstanding relationship with the City of Boulder City.

Sincerely,

A handwritten signature in black ink, appearing to read "Robert Brown", written over a horizontal line.

Robert "Bob" Brown
BRPC President

Attachment:
Current liability insurance policy



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
08/12/2020

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an **ADDITIONAL INSURED**, the policy(ies) must be endorsed. If **SUBROGATION IS WAIVED**, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Lockton Affinity, LLC P.O. Box 874952 Kansas City, MO 64187-4952	CONTACT NAME Lockton Affinity, LLC PHONE (A/C, No, Ext) 844-401-9444 FAX (A/C, No) 913-652-7599 E-MAIL ADDRESS: INSURER(S) AFFORDING COVERAGE INSURER A: Certain Underwriter's at Lloyd's, London INSURER B: INSURER C: INSURER D: INSURER E: INSURER F:
INSURED Boulder Rifle & Pistol Club, Inc. P. O. Box 60534 Boulder City, NV 89006-0534	NAIC # AA1122000

COVERAGES

CERTIFICATE NUMBER:

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PROJECT <input type="checkbox"/> LOC <input type="checkbox"/> OTHER	Y		L202028877	09/19/2020	09/19/2021	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 300,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS						COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
	UMBRELLA LIAB <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> DED <input type="checkbox"/> RETENTION \$						EACH OCCURRENCE \$ AGGREGATE \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N	N/A				PER STATUTE OTH-ER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Certificate Holder is listed as an additional insured, as required by written contract, for liability arising out of premises owned, rented, leased, or occupied by the named insured or arising out of the named insured's ongoing operations.

The NAIC number shown above is the Alien Insurer Identification Number (AIIN) assigned by the National Association of Insurance Commissioners (NAIC)

CERTIFICATE HOLDER

CANCELLATION


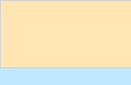

110477 City of Boulder City 401 California Avenue Boulder City, NV 89005	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE
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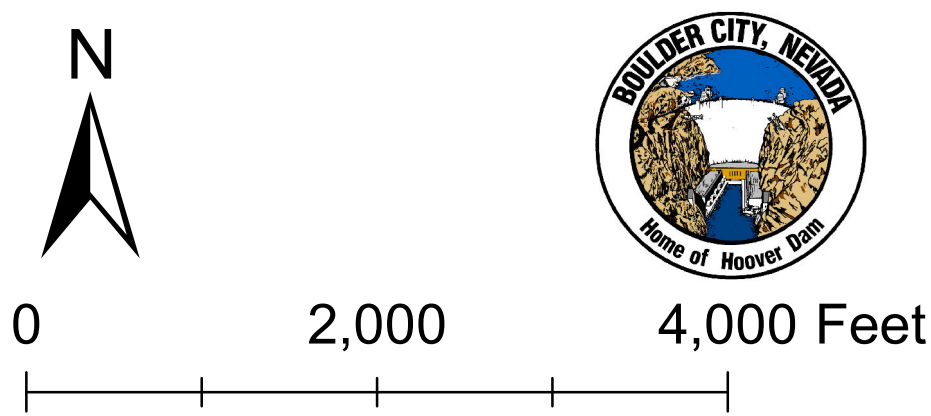
Boulder City Rifle & Pistol Club Environs



Legend

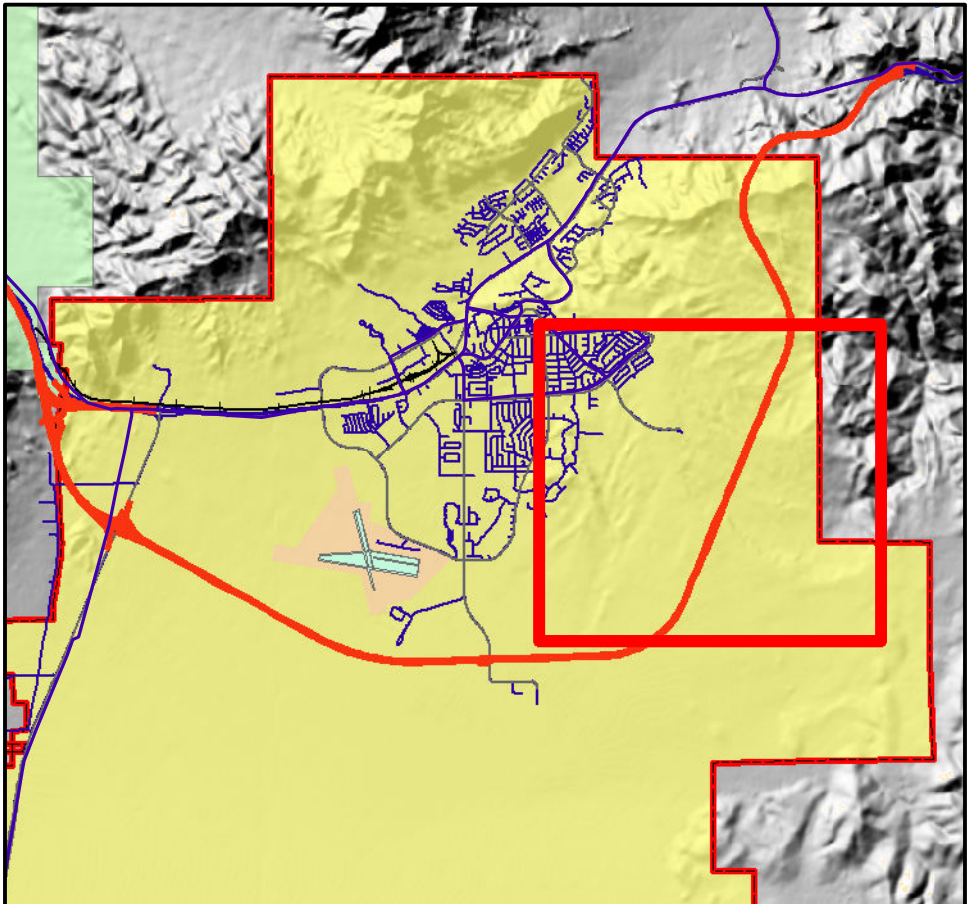
-  BC Rifle and Pistol Club
-  Landfill
-  Transmission Lines

CITY Property Ownership



Map prepared by:
Brok Armantrout
Contracts/Real Estate Manager
City of Boulder City, Nevada

Version: 1.0
Reprint Date: 8/1/2021



Noise ordinance discussion

SUBJECT:

For possible action: Discussion and direction regarding a potential revision of the Boulder City noise ordinance

ADDITIONAL INFORMATION:

ATTACHMENTS:

Description		Type
	Staff Report	Cover Memo
	Draft noise ordinance	Backup Material
	Decibel levels	Backup Material



**BOULDER CITY
CITY COUNCIL**

MAYOR
KIERNAN McMANUS

COUNCIL MEMBERS:
JAMES HOWARD ADAMS
CLAUDIA M. BRIDGES
MATT FOX
SHERRI JORGENSEN



MEETING LOCATION:
CITY COUNCIL CHAMBER
401 CALIFORNIA AVENUE
BOULDER CITY, NV 89005

MAILING ADDRESS:
401 CALIFORNIA AVENUE
BOULDER CITY, NV 89005

WEBPAGE:
WWW.BCNV.ORG



CITY MANAGER:
TAYLOUR TEDDER, CECD

CITY ATTORNEY:
BRITTANY LEE WALKER, ESQ

CITY CLERK:
TAMI MCKAY, MMC, CPO

ADMINISTRATIVE SERVICES DIRECTOR:
BRYCE BOLDT

COMMUNITY DEVELOPMENT DIRECTOR:
MICHAEL MAYS, AICP

PUBLIC WORKS DIRECTOR:
KEEGAN LITTRELL, P.E.

UTILITIES DIRECTOR:
VACANT

POLICE CHIEF:
TIM SHEA

FIRE CHIEF:
WILLIAM GRAY, CFO

FINANCE DIRECTOR:
DIANE PELLETIER, CPA

PARKS & RECREATION DIRECTOR
ROGER HALL

City Council Meeting August 24, 2021 Item No. 12 Staff Report

TO: Mayor and City Council

FROM: Brittany Walker, City Attorney

DATE: August 17, 2021

SUBJECT: For possible action: Discussion and direction regarding a potential revision of the Boulder City noise ordinance

Business Impact Statement:

This action will not have a significant economic impact on business and will not directly restrict the formation, operation, or expansion of a business.

Action Requested:

That the City Council discuss and provide direction regarding the potential revision of the Boulder City noise ordinance

Overview:

- NRS 268.412 provides for the prevention of excessive noise by granting to the City Council the power to enact an ordinance to regulate, control, and prohibit, as a public nuisance, excessive noise which is injurious to health or which interferes unreasonably with the comfortable enjoyment of life or property within the boundaries of Boulder City.
- Title 7, Chapter 1, Section 11 of the Boulder City Code makes it unlawful for any person to make or cause to be made any loud, disturbing, or unnecessary sounds or noises such as may tend to annoy or disturb another in or about any public street, alley, or park or any private residence.
- The current Code is susceptible to constitutional challenges for being overbroad and ambiguous.
- The new amendment proposes to overcome these challenges.

Background: Our current ordinance reads:

"No person shall make or cause to be made any loud, disturbing or unnecessary sounds or noises such as may tend to annoy or disturb another in or about any public street, alley or park or any private residence." Boulder City Code 7-1-11.

It has been the opinion of multiple City of Boulder City Attorneys, including the current City Attorney, that this ordinance could be subject to constitutional challenges for being vague and overbroad.

The proposed draft ordinance seeks to define certain terms and to identify specific prohibited acts in order to be less vague and ambiguous. Additionally, this draft seeks to more narrowly describe what behaviors are permissible and what are not with respect to noise regulation. It also proposes to identify certain hours of the day and days of the week in which some noises will be tolerated. Lastly, it sets maximum decibel levels that can be enforced through the use of a sound level meter.

The City Attorney believes this ordinance provides Boulder City with sufficient language to enforce against noise disturbances within the City without the use of a sound level meter through the use of objective criteria to evaluate the disturbance. Additionally this ordinance will allow for the policing of noise with a sound level meter when we have an appropriately trained person and proper equipment.

Here is a section-by-section breakdown of the draft ordinance.

7-6-1 Short title

7-6-2 Definitions – these detailed definitions help aid interpretation of the statute for enforcement. The definitions of “Daytime” and “Nighttime” reflect summer and winter daylight changes.

7-6-3 General prohibition – this generally prohibits noise disturbances and also makes it clear that a person that has an agreement with another person to create noise that results in a noise disturbance can be held responsible under the statute (i.e., a restaurant owner that hires a band).

7-6-4 Defines certain noise disturbances specifically including without limitation:

- Loud TVs or music played at night
- Using loudspeakers or megaphones at night
- Yelling/shouting at night
- Intentional use of horns or alarms
- Construction in or adjacent to residential areas. Permitted, City contracted work, and the operation of domestic power tools are specifically exempt from the provisions of the Chapter in Section 7-6-7.

7-6-5 Sets maximum permissible sound levels. This section is essentially another means of enforcement setting maximum decibel levels for different areas at different times. Any noise that exceeds these levels would be prohibited in addition to the specific types of noises enumerated in Section 7-6-4. Use of a sound level meter would not be required for enforcement of this ordinance.

7-6-6 Further prohibits noise disturbances that disturbs, annoys, or otherwise adversely

effects the public, and lists objective factors to consider whether the noise qualifies as a noise disturbance.

7-6-7 Exempts certain types of noises including emergency noises, civic functions, and construction noise if it is daytime permitted work with earlier work hours in the summer months versus the winter months.

7-6-8 Sets forth how the Chapter may be enforced empowering the Boulder City Police Department and any other City official charged with enforcing the provisions of the Chapter such as the Code Enforcement Officer to investigate the noise. If a sound meter is used, this section also explains how the sound must be measured (i.e., from the property line of the complainant's property). A sound meter is not required to be used. The police or Code Enforcement Officer, as an authorized official, can act as the complainant that can experience the noise and enforce the ordinance. It does not require a third party to complain.

7-6-9 Provides that violations of the Chapter are a misdemeanor.

Boulder City Strategic Plan Goal: Goal E. Sustain a High Level of Public Safety Services

Department Recommendation: That the City Council discuss and provide direction regarding the potential revision of the Boulder City noise ordinance.

Attachments:

- Draft noise ordinance
- Decibel level chart

EXHIBIT A

EXPLANATION: Bold underlined text is new; bracketed and stricken [--] text is to be repealed.

7-6-1 – Short Title. This Chapter shall be known and may be cited as the Boulder City Noise Ordinance

7-6-2 – Definitions.

For purposes of this Chapter, unless the context otherwise indicates, the following terms shall have the meanings that are ascribed to them as follows:

“Ambient sound level” means the composite sound level associated with a given environment, being usually a composite of sound from many sources and generally excluding the specific sound under investigation.

“Authorized official” means an officer of the Boulder City Police Department or an officer or employee of the City assigned to administer or enforce this Chapter.

“Commercial use” means the use of real property predominantly for purposes of commerce, except for uses qualifying as residential uses or industrial uses.

“Continuous sound” means any sound which does not vary in sound level more than 5 dB(A) during a measurement period that lasts at least sixty continuous minutes.

“Cyclically varying sound” means any sound which varies in sound level more than 5 dB(A) during a measurement period such that the same level is obtained repetitively at reasonably uniform intervals of time less than ten minutes.

“Daytime” means the following periods

Months	Time
April through October	The period between 7:00 a.m. and 10:00 p.m
November through March	The period between 7:00 a.m. and 9:00 p.m.

“Emergency” means an occurrence or set of circumstances that involves actual or imminent threat of injury, damage or other loss and which requires immediate action.

“Impulsive sound” means any sound or vibration of short duration that has an abrupt increase and abrupt decay.

“Industrial use” means the use of real property predominantly for purposes of manufacturing, processing or assembling goods or products.

“Motor vehicle” means any motorized vehicle, other than a farm tractor, that is propelled or drawn on land by a motor, whether tracked or wheeled, such as, but not limited to, passenger cars, trucks, truck-trailers, semi-trailers, campers, off-road vehicles, motorcycles or racing vehicles.

“Nighttime” means the following:

Months	Time
April through October	The period between 10:00 p.m. and 7:00 a.m.
November through March	The period between 9:00 p.m. and 7:00 a.m.

“Noise” means a sound that does not occur in the natural environment and is unwanted or tends to be disruptive or unpleasant.

“Noise disturbance” means any sound identified as a noise disturbance in sections 7-6-X to 7-6-X of this Chapter.

“Noise sensitive use” means a use of real property that is exceptionally sensitive to noise disturbance, including places of worship, libraries, educational facilities, hospitals, residences or uses containing sleeping quarters.

“Octave band sound pressure level” means the sound pressure level detected in any band of frequencies one octave wide.

“Plainly audible” means any sound for which the information content is unambiguously communicated to the listener, such as, but not limited to, understandable speech, comprehension of whether a voice is raised or normal, repetitive bass sounds, or comprehension of musical rhythms, without the aid of any listening device.

“Public right-of-way” means any street, avenue, boulevard, highway, sidewalk, alley or similar place which is owned or controlled by the City of Boulder City.

“Public property” or “public space” means any real property, or structures thereon, which are owned or controlled by the City of Boulder City.

“Pure tone” means any sound that can be heard as a single pitch or combination of pitches. For purposes of this Chapter, a pure tone exists if the one-third octave band sound pressure level in the band with the tone exceeds the level in the two contiguous one-third octave bands by 5 dB in bands 500 Hz and above, by 8 dB for bands between 160 and 400 Hz, and by 15 dB for bands below 125 Hz.

“Real property boundary” means an imaginary line along the ground surface (and its vertical extension) which separates adjoining parcels of real property, but not including intra-building real property divisions.

“Real time analyzer” means a sound level meter that also measures and displays the frequency spectrum of an audio signal.

“Receiving land use” means the category of use of real property at a particular location where a measurement of sound level takes place.

“Residential use” means the use of property predominantly for residential dwelling units.

“RMS sound pressure” means the square root of the time averaged square of the sound pressure.

“Sound level” means the conversion of sound pressure to a logarithmic measure called the decibel.

“Sound level meter” means an instrument, including a microphone, amplifier, RMS sound pressure detector, integrator or time average device, output meter and weighting networks, all of which are sensitive to minute pressure fluctuations. When properly calibrated, the output meter reads sound pressure level. Such a meter shall be Type 1 or Type 2 as defined by appropriate American National Standards Institute standards.

“Sound pressure level” means twenty times the logarithm to the base ten of the ratio of the RMS sound pressure to the reference sound pressure, which shall be 20 micropascals.

7-6-3 General Prohibition. It is unlawful to create or cause to be created a noise disturbance. For the avoidance of doubt, a person that has an agreement with another person to create noise that results in a noise disturbance pursuant to this Chapter has caused to be created a noise disturbance pursuant to this section 7-6-3.

7-6-4 Noise Disturbances. The following are declared to be noise disturbances under this Chapter:

- A. Operating, playing or permitting the operation or playing of any radio, television, phonograph, drum, musical instrument, sound amplifier, or similar device which produces, reproduces, or intensifies sound during nighttime hours in such a manner as to be plainly audible at a distance of one hundred feet on a public right-of-way or on public property, except as otherwise allowed pursuant to a permit or agreement approved by the City.
- B. The unreasonably loud and raucous use or operation of a loudspeaker, amplifier, public address system, or other device for producing or reproducing sound during nighttime hours within or adjacent to a residential or noise sensitive area, or within any real property or structures on real property, owned or operated by a government entity and normally accessible to the public if the sound is plainly audible across the real property line of the public space from which the sound emanates, and is unreasonably loud or raucous.
- C. Yelling, shouting, hooting, whistling or singing on the public streets during nighttime hours so as to unreasonably annoy or disturb the quiet, comfort or repose of any persons of ordinary sensibilities.
- D. The intentional sounding of horns or other audio signaling devices on or in any motor vehicle on any public right-of-way or public property, except as a means of warning as authorized by motor vehicle laws.
- E. Creating noise on any street that is adjacent to any property with a noise sensitive use and which unreasonably interferes with the operation thereof.
- F. Except as otherwise provided in Section 7-6-7, the construction, erection (including excavation), demolition, alteration or repair of any building in or adjacent to any new or existing residential district or section, the excavation of streets and highways in or adjacent to any new or existing residential district or section, including without limitation work

conducted pursuant to section 9-1-24, except in case of urgent necessity in the interest of public health and safety.

G. Causing or permitting the sounding of any exterior burglar alarm or any motor vehicle burglar alarm unless the alarm is terminated within fifteen minutes after its activation.

7-6-5 Maximum Permissible Sound Level.

A noise disturbance also includes any noise that exceeds the maximum permissible sound levels set forth in Maximum Permissible Sound Level Table 2 at the end of this section 7-6-5. Sound levels may be measured at or within the real property boundary of the receiving land use. The noise measurement shall be an A-weighted averaged (L_{eq}) for a minimum duration of fifteen minutes.

If the existing ambient noise level not including the source of the noise complained of exceeds the applicable sound level in Maximum Permissible Sound Level Table 2, the maximum permissible noise level shall be deemed to be 3 dB above the existing ambient noise level.

For any source of sound emitting a continuous or pure tone, or cyclically varying sound, or repetitive impulsive sound, the maximum sound pressure level set forth in Maximum Permissible Sound Level Table 2 shall be reduced by 5 dB. Noise measured using a real time analyzer will be considered tonal if the one-third octave band sound pressure level in the band with the tone exceeds the level in the two contiguous one-third octave bands by 5 dB in bands 500 Hz and above, by 8 dB for bands 160 and 400 Hz, and by 15 dB for bands below 160 Hz.

MAXIMUM PERMISSIBLE SOUND LEVEL TABLE

Receiving Land Use	Time of Day	Maximum Permissible Sound Level (L_{eq})
Residential Use, Noise Sensitive Use	All times	60
Commercial or Industrial Use	Daytime	120
Commercial or Industrial Use	Nighttime	120

7-6-6 Other Noise Disturbances.

A. In addition to the noise disturbances described in Section 7-6-X through 7-6-X, inclusive, a noise disturbance also includes any other sound which:

1. Disturbs or annoys reasonable persons of normal sensitivities;
2. Causes or tends to cause an adverse effect on the public health and welfare;
3. Endangers or injures people; or
4. Endangers or injures personal or real property.

B. In determining whether a sound constitutes a noise disturbance under Subsection (A), all of the following factors shall be taken into account:

1. The sound level of the objectionable noise.
2. The sound level of the ambient noise.
3. The proximity of the noise to residential areas or transient lodging facilities.
4. The nature and land use of the area within which the noise emanates.
5. The density of the inhabitation of the area within which the noise emanates.
6. The nature and land use of the area within which the noise complaint originates.
7. The density of the inhabitation of the area within which the noise complaint originates.
8. The time of day or night the noise occurs.
9. The duration of the noise and its tonal, informational or musical content.
10. Whether the noise is continuous, recurrent, or intermittent.
11. Whether the noise is produced by a commercial or noncommercial activity.

7-6-7 Exemptions.

The following types of emissions of sound are not subject to the noise disturbance restrictions of this Chapter:

A. *Emergency Noises.*

1. Nighttime construction or repair of streets, highways or bridges that is performed by or on behalf of the City, Clark County or the State, if the public welfare and convenience renders it impracticable to perform such work during the day.
2. The emission of sound to alert persons to the existence of an emergency.

B. *Civic Functions.* Civic events including without limitation parades, concerts, athletic events, group use of public facilities and other public gatherings for which a license, permit or contract has been issued by the City for that activity.

C. *Construction.*

1. Construction or demolition work specifically approved by the City pursuant to permit or contract during the hours of 5:00 a.m. and 8:00p.m. during the months of May through September, and during the hours of 6:00a.m. and 7:00p.m. during the months of October through April.
2. The operation of any domestic power tool on single-family residential property.

7-6-8 Enforcement.

A. Investigation. Upon receipt of a noise-related complaint, an authorized official may investigate the noise complained of. Such investigation may include the use of a sound level meter and the gathering of related data appropriate to ascertain compliance or noncompliance with this Chapter as set forth in subsection B of this Section 7-6-8. Such investigation may also include without limitation the consideration and evaluation of the following:

1. Source of the noise complained of and type of source;
2. Location of the source of the noise relative to a complainant's location or property;
3. Time period during the noise is considered by the complainant to be intrusive or objectionable;
4. Total duration of noise produced by noise source;
5. Date and time of noise measurement survey.

B. Noise Measurement.

1. If the investigation of a noise complaint includes the use of a sound level meter, the noise level shall be measured at a position or positions along the complainant's property line closest to the noise source, at a location along the real property boundary, or within the boundaries of the receiving land use, as appropriate. The noise measurement shall be averaged (Leq) for a minimum duration of fifteen minutes. In general, the microphone shall be located five feet above the ground and ten feet or more from the nearest reflective surface, where possible. Where another elevation or location is deemed appropriate, such elevation or location may be used. Calibration of the sound level meter shall be performed immediately prior to and following the recording of any noise data utilizing the acoustic calibrator.
2. Where possible, ambient sound levels should also be measured at the receiving land use while the source of noise under investigation is not operating. Where such measurement is not possible, the ambient sound level should be measured at a representative location where the noise environment is similar and there is little or no influence from the source of the noise under investigation. Ambient sound level measurements shall utilize the A weighting scale of the sound level meter and the slow meter response for a minimum period of twenty-four hours. Ambient sound levels shall be calculated as daytime and nighttime logarithmic averages.

C. Authorized Official as Complainant. Nothing in this Section shall be deemed to preclude an authorized official from investigating and enforcing the provision of this Chapter relative to a noise observed or experienced by the officer initially or directly rather than in response to a complaint. In such a case the provisions of this Section shall apply as if the authorized official is the complainant.

7-6-9 Penalty. A violation of any provision of this Chapter is a misdemeanor.

Sections 7-1-11 and 7-1-19 of the Boulder City Code are hereby repealed:

~~[7-1-11. -- NOISE, LOUD AND UNNECESSARY.~~

~~No person shall make or cause to be made any loud, disturbing or unnecessary sounds or noises such as may tend to annoy or disturb another in or about any public street, alley or park or any private residence.]~~

~~[7-1-19. -- PUBLIC NOISE FROM PORTABLE, MOTOR VEHICLE OR ANY OTHER AUDIO EQUIPMENT.~~

~~No person shall, within the City:~~

~~A. Prohibited. In any public or private place, cause, make or allow to be made from any portable, motor vehicle or any other audio equipment under such person's control or ownership sound at such a level that it can be clearly heard by a person of normal hearing at a distance of seventy five feet (75') or more from the sound source. B. Content Not Considered. The content of the sound will not be considered in determining a violation of this Section. C. Exception. This Section shall not apply to persons operating such equipment within a public park pursuant to special event permits issued by the City.]~~

Decibel Levels

What is a Decibel?

A decibel (dB) is a unit of measurement for sound. A-weighted decibels, abbreviated dBA, are an expression of the relative loudness of sounds in air as perceived by our ears.

Safe & Unsafe Decibels

The National Institute of Occupational Safety (NIOSH) states that for a 115 decibel (dB) sound, the exposure limit is just 28 seconds.

Exposure to noise louder than the Environmental Protection Agency (EPA) safe noise level of 70 dB over 24 hours will damage hearing.

Hearing Health Foundation is a leader in funding groundbreaking research for hearing loss and tinnitus, and seeks to prevent these conditions before they begin.

How Loud Is Too Loud?

The guide below shows the decibel (dB) level of noises we encounter in our daily lives. Exposure to noise at or above 85 dB can cause hearing loss.

140-165 Firecracker, shotgun firing

140 Jet taking off

120 Ambulance siren, thunderclap

110 Jackhammer, rock concert, symphony orchestra

105 Personal listening devices at maximum volume

95 Subway platform

85 Heavy city traffic, school cafeteria

75 Dishwasher

70 Hair dryer, vacuum

60 Normal conversation

40 Refrigerator

30 Whisper

0 Smallest sound a person with typical hearing can detect



R7317 Opioid litigation

SUBJECT:

For possible action: Matters related to opioid litigation

A. Discussion and direction regarding the selection of outside local counsel for opioid-related litigation

B. Resolution No. 7317, a resolution of the City Council of Boulder City, Nevada approving Keller Lenkner letter of retention and contingent fee agreement

ADDITIONAL INFORMATION:

ATTACHMENTS:

Description	Type
<input type="checkbox"/> Staff Report	Cover Memo
<input type="checkbox"/> Role of Local Counsel	Backup Material
<input type="checkbox"/> Letter from Jolley Urga	Backup Material
<input type="checkbox"/> Letter from Keller Lenkner	Backup Material
<input type="checkbox"/> Ryan Andersen Resume	Backup Material
<input type="checkbox"/> Albright Stoddard Qualifications	Backup Material
<input type="checkbox"/> Resolution 7317	Resolution Letter
<input type="checkbox"/> Resolution 7317, Exhibit A	Exhibit
<input type="checkbox"/> Resolution 7317, Alternate Exhibit A	Exhibit



**BOULDER CITY
CITY COUNCIL**

MAYOR
KIERNAN McMANUS

COUNCIL MEMBERS:
JAMES HOWARD ADAMS
CLAUDIA M. BRIDGES
MATT FOX
SHERRI JORGENSEN



MEETING LOCATION:
CITY COUNCIL CHAMBER
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BOULDER CITY, NV 89005

MAILING ADDRESS:
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CITY MANAGER:
TAYLOUR TEDDER, CECD

CITY ATTORNEY:
BRITTANY LEE WALKER, ESQ

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UTILITIES DIRECTOR:
VACANT

POLICE CHIEF:
TIM SHEA

FIRE CHIEF:
WILLIAM GRAY, CFO

FINANCE DIRECTOR:
DIANE PELLETIER, CPA

PARKS & RECREATION DIRECTOR
ROGER HALL

City Council Meeting August 24, 2021 Item No. 13 A,B Staff Report

TO: Mayor and City Council

FROM: Brittany Walker, City Attorney

DATE: August 17, 2021

SUBJECT: For possible action: Matters related to opioid litigation

A. Discussion and direction regarding the selection of outside local counsel for opioid-related litigation

B. Resolution No. 7317, a resolution of the City Council of Boulder City approving Keller Lenkner letter of retention and contingent fee agreement

Business Impact Statement:

This action will not have a significant economic impact on business and will not directly restrict the formation, operation, or expansion of a business.

Action Requested:

That the City Council discuss and provide direction on the selection of outside legal counsel for opioid-related litigation, and if so directed consider Resolution 7317 approving Keller Lenkner letter of retention and contingent fee agreement with appropriately named local counsel.

Overview:

- The City is one of hundreds of other jurisdictions bringing action against various opioid manufacturers and distributors for damages the City incurred responding to the opioid epidemic.
- On February 25, 2019, the former City Manager Al Noyola retained the law firm of Keller Lenkner to represent the City in the opioid litigation with local counsel provided by the law firm of Jolley Urga Woodbury & Holthus.
- The selection of the law firm to represent the City in the opioid litigation was not brought before City Council before August 10, 2021.
- On August 10, 2021 the City Council approved a motion to continue the retention of Keller Lenkner as lead counsel in the opioid litigation, but directed staff to explore the possibility of using different local counsel.

- City Staff has now provided three (3) options for local counsel, including Jolley Urga Woodbury & Holthus, Albright, Stoddard, Warnick & Albright, and Anderson Law Firm, LTD.

Background: Overuse of painkillers known as opioids have become a public health crisis throughout the nation. Drug manufacturers, distributors, and medical experts are accused of minimizing the risks and knowingly ignoring the overuse of painkillers in the United States. As of February 25, 2019, the law firm of Keller Lenkner, an experienced firm based out of Chicago, has represented the City in multijurisdictional litigation against various opioid manufacturers and distributors for damages the city incurred addressing the opioid epidemic. All of the federal cases have been assigned to one federal judge in the Northern District of Ohio.

On August 10, 2021, the City Council approved a motion to continue the retention of Keller Lenkner as lead counsel in the opioid litigation, but directed staff to explore the possibility of using different local counsel. City staff reached out to four (4) law firms with reputable reputations in the community for service as local counsel in complex commercial litigation, including existing counsel Jolley Urga Woodbury & Holthus; Albright, Stoddard, Warnick & Albright; Anderson Law Firm, LTD; and Eglet Adams.

Of those, existing local counsel Jolley Urga Woodbury & Holthus expressed interest in continuing to represent the City of Boulder City, and the law firms of Albright, Stoddard, Warnick & Albright; and Anderson Law Firm, LTD also expressed interest in serving as local counsel. Information on these firms and their qualifications is attached hereto.

The City Council should discuss and provide direction on whether the City should continue to utilize the services of existing local counsel, choose one of the other options for alternate counsel, direct staff to keep looking for alternate local counsel, or allow Keller Lenkner to choose alternate counsel.

Explanation of the contingent fee arrangement

Under the current draft of the contingent fee agreement, our attorneys are paid upon resolution of the litigation should the City be entitled to funds as a result of settlement or litigation award using what is known as the “lodestar multiplier method.” Each firm would be paid based on a breakdown of the hours the firm spent on the matter at a reasonably hourly rate. This figure can then be adjusted upward or downward for certain factors known as multipliers, such as contingency, to arrive at a final fee. The maximum contingent fee is 25% under the proposed agreement. However, many of the settlements being approved further cap the contingent fee, or otherwise set aside funds for all attorneys to seek compensation, allowing the jurisdiction to keep all of the funds awarded. For example, this is how the One Nevada Allocation Agreement recently approved of would work. Accordingly, it is not possible at this time to determine how much monies either local counsel or lead counsel would be paid for the representation until the City is entitled to monies.

Should the City Council choose a new firm to represent the City in providing local counsel, the City would terminate its existing retention agreement with local counsel. After termination, the current local counsel would still be entitled to receive compensation from the services provided out of any funds awarded as a result of the litigation, including damages awards, settlements, and bankruptcy.

Boulder City Strategic Plan Goal: Goal A. Achieve Prudent Financial Stewardship; and Goal E. Sustain a High Level of Public Safety Services

Department Recommendation: That the City Council discuss and provide direction on the selection of outside local counsel for opioid-related litigation, and consider Resolution 7317 approving Keller Lenkner letter of retention and contingent fee agreement.

Attachments:

- February 25, 2019 letter of retention
- Article on the role of local counsel
- Supporting documentation from law firms interested in providing local counsel in the opioid litigation
- Resolution 7317 approving Keller Lenkner letter of retention and contingent fee agreement
- Exhibit A to Resolution 7317, updated Keller Lenkner letter of retention and contingent fee agreement (unnamed local counsel)
- Alternative Exhibit A to Resolution 7317, updated Keller Lenkner letter of retention and contingent fee agreement (without local counsel)



Local Counsel – Duties and Responsibilities

In Legal Brief (<https://www.gw-law.com/blog/category/legal-brief>), by Francis J. Gorman / April 11, 2000

Serving as local counsel during litigation is a very common practice. Local counsel usually has lesser contact with the client. Most attorneys interpret “local counsel” to mean having only a supporting or behind the scenes role. Being only “local counsel” might lull an attorney into a false sense of diminished responsibility.

Thinking and acting that way could produce serious consequences. The Model Rules of Professional Conduct and the latest drafts of the Restatement, The Law Governing Lawyers do not use the term “local counsel” and make no distinctions based on local counsel status. Even as local counsel, an attorney has significant obligations to the client, to the court, and to lead counsel.

In Bill Bogaert’s article entitled “Out Of State/Out Of Pocket” in a previous Risk Management Memo, he recommended that out-of-state attorneys retain a lawyer admitted in the local jurisdiction. Bill discussed two court decisions highlighting the importance for lead counsel to avoid the unauthorized practice of law and to protect the right to payment for legal services in a jurisdiction where lead counsel is not a member of the bar. Bill wrote from the perspective of lead counsel; this article addresses the situation from the perspective of local counsel.

How Local Counsel Is Engaged

There are basically two ways an attorney is retained to act as local counsel. First, lead counsel brings the client and local counsel together, and local counsel is engaged directly by the client. Second, with the consent of the client lead counsel engages local counsel, and it can sometimes be unclear whether lead counsel is responsible for local counsel's fees.

Once an attorney undertakes to act as local counsel, certain duties and potential liabilities arise. Local counsel (1) must exercise reasonable care and diligence in the representation of the client and in the assistance to lead counsel, and (2) owes fiduciary duties to the client imposed by the Rules of Professional Responsibility. Local counsel, who usually sponsors the special or pro hoc vice admission of lead counsel, must also supervise lead counsel with respect to the representation before the court.

Local Counsel And The Client

That local counsel owes a duty to the client and can be liable to the client for negligence is clear. Ortiz v. Barrett, 278 S.E.2d 833, 838 (Va. 1981); Ingemi v. Pelino & Lentz, 866 F. Supp. 156 (D.N.J. 1994); Gould, Inc. v. Mitsui Mining & Smelting Co., 738 F. Supp. 1121 (N.D. Ohio 1990); Neel v. Magana, Olney et al., 98 Cal. Rptr. 837, 491 P.2d 421 (1971); Wildermann v. Wachtell, 267 N.Y.S. 840, 841 (1933), affirmed, 271 N.Y.S. 954 (1934).

Negligence or breach by any specific act or omission depends on the assignments from lead counsel and on the relationship with the client. Local counsel can limit the scope of representation under Rule 1.2 of the Rules of Professional Conduct and should always make clear who is responsible for any particular aspect of the representation.

Whether a client can hold an attorney acting as local counsel liable for malpractice or for breach of a fiduciary duty will depend on the evidence of the circumstances in each situation. Ortiz v. Barrett, *supra*, is the leading case delineating the particular responsibilities of lead and local counsel and exonerating local counsel for the negligence of lead counsel. In Ortiz, a lawyer who acted as local counsel in Virginia for a District of Columbia attorney was held not liable for lead counsel's: (1) negligent pleadings filed with local counsel's name but without his authorization, (2) forgiveness of a default by a defendant, (3) decision not to appeal an erroneous dismissal, and (4) decision to pursue one client's claim at the expense of the other three clients. Any comfort for local counsel in this decision, however, is tempered because lead counsel was deceased (never testified) and there was a strong dissent. In Gould, *supra*, the court held that a client's consent to a law firm acting as local counsel constituted valid consent to that same firm acting as lead counsel:

Although the term "local counsel" at one time may have meant less responsibility on the part of attorneys so designated, it is clear to the court, and should be to every lawyer who litigates in this country, that in the last ten years developments in the law have invalidated this prior meaning. The trend is, properly, away from the view that some counsel have only limited responsibility and represent a client in court in a limited

capacity, or that the local counsel is somewhat less the attorney for the client than is lead counsel. 738 F. Supp. at 1125.

Local Counsel And The Court

While the extent of the obligation to the client depends on the circumstances, courts have been strict in holding local counsel fully responsible to the court for the actions of lead counsel. Local counsel has a duty to supervise lead counsel. In Ingemi, supra, local counsel contended that the firm should not be a defendant in a malpractice suit because of its limited role in the case. The court rejected the narrow view of local counsel's role:

Defendants further suggest that Pelino & Lentz is not a proper defendant because any potential liability of Pelino & Lentz is narrowly circumscribed and would relate solely to its alleged limited engagement as local counsel. This court concludes that defendants underestimate the role of local counsel. Local counsel must also supervise the conduct of pro hoc vice attorneys and must appear before the court in all proceedings. Even if pro hoc vice attorneys attempt to delegate solely routine or ministerial tasks to local counsel, local counsel remains counsel of record and wittingly or unwittingly exposes itself to liability for penalties such as sanctions. 866 F. Supp. At 161, 162 (citations omitted).

In Colburn Optical Industries v. Cilco, Inc., 610 F. Supp. 656 (M.D.N.C. 1985), the court assessed attorneys fees as a Rule 11 sanction against local counsel for filing a motion to dismiss without making a reasonable inquiry of the facts and for continuing to press the motion after discovering facts which rendered the motion untenable:

Local counsel seemed blindly to follow the commands of its out-of-state associates who in all probability prepared most, if not all of the motion. What Rule 11 requires is that the lawyer who elects to sign a paper take responsibility for it, even if that responsibility is shared. 610 S. Supp. At 660.

Local Counsel And Lead Counsel

There are also obligations to lead counsel as well. In Vale v. Heitner, 396 N.Y.S. 2d 602 (1977), the court concluded that a referring attorney had a cause of action against trial counsel for the breach of an implied duty of care. In Pollack v. Lytle, 120 Cal. App. 3d (1981), the court held that a lawyer to whom a case had been referred for trial was liable for a breach of fiduciary duty owed to the principal attorney.

Practice Tips For Local Counsel

Forewarned is forearmed said Cervantes in Don Quixote. Here are some suggestions:

1. Put it in writing. Make clear throughout the case your understanding of the scope of your duties and undertakings.

2. Ask at the outset if lead counsel is also responsible for your fee and confirm the billing and payment arrangements in writing.
3. Read and review all pleadings filed by all parties both for adherence to local practice and for substance. Raise with lead counsel any concerns and do not sign until your concerns have been resolved.
4. Beware when you see or sense warning signs that things are not right. For example, lead counsel says that local counsel will not be paid for reviewing pleadings for substance, or lead counsel forbids local counsel from having any contact with the client, or your bills are not paid as promised. Heed the warnings and withdraw.
5. Be competent and diligent!

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BARBARA YAMAMOTO
OFFICE
ADMINISTRATOR

August 16, 2021

Honorable Mayor and Council Members
City of Boulder City
401 California Avenue
Boulder City, NV 89005

Re: Opioid Litigation

Dear Mayor McManus and City Council:

Please accept this expression of our law firm's interest in continuing to represent the City of Boulder City as local counsel in association with the national firm of Keller Lenker in the ongoing "opioid litigation" in U.S. federal courts. We believe you will find, and your City Attorney will attest, that our firm has an excellent reputation for ability and integrity, and we have a very active law office in Boulder City in addition to our main office in Henderson. You are also all well aware of Bruce Woodbury's excellent reputation as a public servant and his accomplishments for the people of Boulder City in his 28 years as a Clark County Commissioner.

Our involvement in this matter originated in 2019 when I was contacted by the Keller Lenker law firm. I had a prior relationship with an attorney in that firm and worked together on other matters. Both of our firms were involved in reaching out to officials of a number of Nevada municipalities, including Mesquite, Henderson, and Boulder City to inform them of the litigation and Keller Lenker's national involvement in the cases. Brian Holthus played a key role in discussions with Mesquite. This led to contingency fee agreements with Boulder City and Mesquite, while Henderson had already retained other counsel.

The role of our partner, Bruce L. Woodbury, in this matter has been minimal. He and I asked the City Manager of Boulder City to speak with Seth Myers about the potential case. Mr. Noyola and Steve Morris, the City Attorney, did have discussions and negotiations with Mr. Myers, resulting in the final version of the contingent fee agreement. Mr. Noyola, in consultation with the City Attorney, indicated that he had the authority to enter into such agreements on behalf of the City, subject to City Council approval of any potential settlement. Neither of our firms had any problem with having the matter heard and approved or disapproved by the City Council (with Mayor Woodbury being required to abstain), but it was not our call. To our knowledge, Rod Woodbury was not involved at all in these discussions. Mayor Woodbury tells us that he did not know until now that there was any such agreement with our firm.

We have done everything required of us as local council in the matter over the past two years. Brian Holthus alone has spent well over 200 hours for each city, and we are continuing to do whatever is necessary.

Our time spent on these cases includes the following, among other legal services: preparation of pleadings in federal court in Las Vegas, researching several pharmaceutical entities, constantly monitoring the case docket in various related cases, researching various legal issues, working on responses to various pleadings, researching and responding to bankruptcy filings by certain defendants, preparing bankruptcy proof of claim documents, reviewing and responding to proposed bankruptcy plans, preparing for potential class settlements, and frequent calls and emails with Keller Lenker attorneys. Brian Holthus' extensive experience and well-recognized expertise in bankruptcy cases on behalf of hundreds of claimants and creditors has been extremely helpful in these opioid cases.

We have an excellent working relationship with our co-counsel, Keller Lenker, and there is no reasonable basis to replace us with another firm, whose attorneys would have to spend a considerable amount of duplicative time to become familiar with the issues and proceedings in these cases. We believe that Seth Myers will be expressing his support for our continued role as local counsel for these cases.

Above all else, we value our attorneys' well-earned reputation for integrity and competence. No one has ever called either into question, and there is absolutely no basis to do so in this matter as well.

Thank you for your consideration of this explanation and our expression of continued interest in representing you. Either Brian Holthus, Bruce Woodbury or I, along with Seth Myers, will attend the public meeting on August 26 to answer any questions you may have.

Letter to the Mayor and City Council

August 16, 2021

Page 3

Sincerely,

JOLLEY URGAL WOODBURY & HOLTHUS

A handwritten signature in blue ink, appearing to read "Will R. Urga", followed by a horizontal line.

William R. Urga, Esq.

Cc: Brittany Walker, Esq.
City Attorney of Boulder City/emailed



August 16, 2021

City of Boulder City
Attn: Brittany Lee Walker
City Attorney
401 California Ave.
Boulder City, NV 89005

Re: Representation of Boulder City, NV

Dear Ms. Walker:

We are very excited to learn that the City has chosen to continue forward in pursuing its claims against opioid manufactures and distributors with Keller Lenkner LLC. It is our privilege to continue representing the interests of Boulder City.

I write today to offer our recommendation for engaging in an attorney-client relationship with local counsel in connection with your claims. Since first bringing the City's claims in June 2019, Keller Lenkner has worked closely with Jolley Urga Woodbury Holthus & Rose. We have found Jolley Urga to be responsive, prompt, and a valuable partner in offering insight into Nevada's legal landscape. Though the City should give full and fair consideration to each firm it considers to fill the role of local counsel, we would be remiss if we did not advise the City of the efficiencies that would come from maintaining the its current relationship with Jolley Urga.

The original retention agreement entered into by the parties in connection with the City's claims entitles Jolley Urga to payment for its efforts to date. Given the national settlements that have recently been announced and our belief that similar settlements may be on the horizon with the remaining defendants in the opioid MDL, switching local counsel at this juncture may do little other than require bringing new local counsel up to speed on the players involved and the posture of MDL proceedings, thus incurring additional unnecessary legal fees. We ask that the City Counsel keep these factors in mind during its evaluation of prospective partners in continuing to pursue these claims.

As always, I am happy to have a phone call to further discuss these considerations and look forward to learning of the City Counsel's decision.

Sincerely,

Seth A. Meyer
Seth A. Meyer

Ryan A. Andersen

3199 E Warm Springs Rd, Ste 400, Las Vegas, NV 89120 | (702) 522-1992 | ryan@vegaslawfirm.legal |

Bankruptcy Attorney & Chapter 7 Bankruptcy Trustee Commercial & Bankruptcy Litigation

Bankruptcy attorney with 8 years of robust experience in commercial bankruptcy, personal bankruptcy, bankruptcy litigation, collections, and commercial disputes. Proven high-performance in Chapter 7 and Chapter 11 bankruptcy proceedings leveraged by strong academic record, focused coursework in bankruptcy law, and clerkship for Judge Bruce A. Markell in Nevada Bankruptcy Court. Selected 5X as "Rising Star" by Mountain States edition of Super Lawyers Magazine (2014-2021) and as member of Southern Nevada's "Legal Elite" by Nevada Business Magazine (2018 and 2021). Appointed as a Chapter 7 Bankruptcy Panel Trustee by the U.S. Trustee Program on August 1, 2019.

- **Key expertise in growing stable and profitable bankruptcy boutique firm** through business acumen, deep bankruptcy experience, and strategic leadership capabilities.
- **Deep experience representing creditors, debtors, and trustees in adversary proceedings**, including objections to discharge and objections to dischargeability of certain debts.
- **Track record of appearances in Federal Bankruptcy Court**, Federal District Court, and Nevada State Court in handling broad range of bankruptcy and commercial matters.
- **Highly skilled at drafting dispositive and discovery motions in Chapter 7 and Chapter 11 matters** that include motions for relief from automatic stay, contested confirmations, and default judgments.
- **Demonstrated representation of judgment creditors in collecting high-value judgments**, and representation of businesses and individuals in commercial disputes, including loans and asset purchase agreements.

PROFESSIONAL EXPERIENCE

Managing Partner & Owner | ANDERSEN LAW FIRM, LTD., Las Vegas, NV (Feb. 2014 – Present)

Boutique Nevada law firm focusing on complex bankruptcy issues.

Founded firm to represent small businesses in Chapter 11 proceedings, creditors in commercial proceedings, and individuals in Chapter 7 and Chapter 11 proceedings. Manage all business, HR, and financial operations of firm, including hiring and training associate attorney and staff members, and overseeing marketing, professional, and business development.

- **Represented debtor in Chapter 11 restructuring**, In re C.D. Hall LLC, Case No. 18-13058-ABL, United States Bankruptcy Court, District of Nevada. Successfully reorganized private school and day care through a small business chapter 11, requiring the sale and lease back of Debtor's real property to fund significant payments to creditors.
- **Represented Chapter 7 trustee in complex individual Chapter 7 bankruptcy**, In re William A. Gayler, Case No. 09-31603-MKN, United States Bankruptcy Court, District of Nevada. Within one year of retention, achieved settlement with all major litigation opponents by bringing six-figure amount into bankruptcy estate through asset sales.
- **Represented multiple creditors in complex individual Chapter 7 bankruptcy**, In re Raymond Ngan, Case No. 17-14166-BTB, United States Bankruptcy Court, District of Nevada. Obtained arrest of debtor owing \$2.2B due to contempt of court.
- **Represented creditor and upon sale of loan, represented another creditor in complex Chapter 11 bankruptcy**, In re John A. Ritter, Case No. 16-10933-ABL, United States Bankruptcy Court, District of Nevada. Successfully led involuntary bankruptcy filing on behalf of multiple creditors, including represented creditor owed \$20M.
- **Represented debtor in Chapter 11 restructuring**, In re Jersey Electric, Case No. 15-14394-LED, United States Bankruptcy Court, District of Nevada. Reached settlement involving breach of franchise agreement to confirm plan of reorganization.
- **Represented creditor in adversary proceeding**, RES-AZ Kingman, LLC v. Henry Eugene Neth, Adv. Proc. No. 15-01201-MKN, United States Bankruptcy Court, District of Nevada. Successfully obtained judgment barring discharge of client's debt following trial.

Associate Attorney | LIONEL SAWYER & COLLINS, Las Vegas, NV (Aug. 2011 – Feb. 2014)

Nevada's largest private law firm with approximately 80 attorneys. Closed in December 2014.

Represented creditors in complex bankruptcy proceedings with record of top billing and large case management. Handled several bank representations in complex chapter 11 cases, including BMO Bank in automotive finance company bankruptcy, which resulted in successful asset auction that paid client in full.

Judicial Law Clerk | U.S. BANKRUPTCY COURT, DISTRICT OF NEVADA, Las Vegas, NV (Aug. 2010 – Aug. 2011)

Served as term clerk to Honorable Bruce A. Markell, Ret.

Drafted orders, briefs, memorandum decisions, and opinions on cases commenced under chapters 7, 11, and 13 of the Bankruptcy Code. Conducted legal research on complex and new legal issues and prepared research memorandums on key decision points, within extremely tight deadlines. Observed and assisted in deciding wide variety of legal proceedings, including trials on involuntary petitions, contested cash collateral motions, motions for relief from the automatic stay, confirmation hearings, and proceedings under Bankruptcy Rule 9011. Assisted on several noteworthy opinions, both for the Nevada Bankruptcy Court and 9th Circuit Bankruptcy Appellate Panel.

EDUCATION

J.D., with distinction (2010) – The University of Iowa, College of Law, Iowa City, IA

- GPA: 3.52
- Honors & Awards: American Bankruptcy Institute Medal for Excellence in Bankruptcy Studies
- Activities: Research Assistant to Professor Katherine M. Porter; First Vice-Chairperson, Moot Court Board; Co-Chair, Student Advisory Comm. to Iowa Dean Search
- Key Coursework: Property I (3.7); Civil Procedure (4.0); Evidence (3.6); Corporations (4.0); Debt Transactions (3.8); Bankruptcy Reorganizations (3.8)

B.A., Political Science and B.A., History (2006) – The University of Iowa, Iowa City, IA

MEMBERSHIPS & AFFILIATIONS

- Active Member, State Bar of Nevada (admitted 2011)
- Active Member, State Bar of California (admitted 2011)
- Member, American Bankruptcy Institute (2009 – Present)
- Member, Clark County Bar Association (2011 – Present)
- Member, American Bar Association (2011 – Present)
- Member, National Association of Bankruptcy Trustees (2019 – Present)

Albright Stoddard Serves As Local Counsel For Nevada Lawsuits

If you are involved in litigation or any other legal matter in Nevada, we can assist your attorney in any state by acting as their local counsel in Nevada. It is important to build a relationship with a lawyer who can counsel you and your foreign attorney on Nevada's state specific laws and local procedural rules.

Albright Stoddard Warnick & Albright provides local counsel services to clients and their attorneys throughout the United States and internationally, in both state and federal court proceedings. We have handled countless cases as local counsel for matters as large as multi-million dollar class actions to relatively small collection suits. We have extensive experience in the Las Vegas and Nevada Courts, and have a number of our attorneys who have served as law clerks to state and federal judges.

We Regularly Associate With Out-of-State Attorneys

If you are located in another state and your attorneys are not licensed to practice law in Nevada, they will need to associate with a Nevada law firm before they can be admitted to represent you in the Nevada courts on a pro hac vice (temporary) basis. Our attorneys are experts on the local procedural rules and laws unique to Nevada and regularly serve as local counsel to law firms located throughout the United States. We are highly familiar with the rules and procedures for associating with out-of-state attorneys, and are authors of some of the chapters in the local Nevada Civil Procedure guidebook. We work with other law firms under a variety of arrangements, from collaborating on all aspects of a case to restricting our role to consultation on Nevada civil procedure.

Clients Worldwide Utilize our Services

If you do not already have a representation arrangement with a lawyer in your state, we can work directly with you to handle your legal matters in Nevada.

Whatever local counsel services you may need in Nevada, please don't hesitate to call one of our attorneys to discuss what we can do to meet your legal needs in the most effective and cost efficient manner.

RESOLUTION NO. 7317

RESOLUTION OF THE CITY COUNCIL OF BOULDER CITY, NEVADA, APPROVING KELLER LENKNER LETTER OF RETENTION AND CONTINGENT FEE AGREEMENT

- WHEREAS,** overuse of painkillers known as opioids have become a public health crisis throughout the nation; and
- WHEREAS,** drug manufacturers, distributors, and medical experts are accused of minimizing the risks and knowingly ignoring the overuse of painkillers in the United States; and
- WHEREAS,** the City is one of hundreds of other jurisdictions bringing action against various opioid manufacturers and distributors for damages the City incurred responding to the opioid epidemic; and
- WHEREAS,** on February 25, 2019, the former City Manager Al Noyola retained the law firm of Keller Lenkner with local counsel provided by the law firm of Jolley Urga Woodbury Holthus & Rose to represent the City in the opioid litigation; and
- WHEREAS,** the City Council did not review the selection of the law firms to represent the City in the opioid litigation; and
- WHEREAS,** on August 10, 2021, the City Council discussed the selection of legal counsel to represent the City in the opioid litigation and determined that it is desirable to continue with the representation provided by lead counsel Keller Lenkner, but directed staff to explore other options for local counsel; and
- [WHEREAS,** the City Council has discussed the selection of local counsel to represent the City in the opioid litigation and determined that it is desirable to have [insert law firm] provide services as local counsel going forward; and]
- WHEREAS,** the City Council has determined that it is desirable to approve the Keller Lenkner letter of retention and contingent fee agreement.

NOW, THEREFORE, BE IT RESOLVED, the City Council hereby approves Resolution No. 7317, approving the Keller Lenkner letter of retention and contingent fee agreement attached hereto as **Exhibit A**.

DATED and APPROVED this 24th day of August, 2021.

Kiernan McManus, Mayor

ATTEST:

Tami J. McKay, City Clerk

August 13, 2021

City of Boulder City
Attn: Brittany Lee Walker
City Attorney
401 California Ave.
Boulder City, NV 89005

Re: Representation of Boulder City, NV Concerning Opioid Matter

Dear Ms. Walker:

CONTINGENT FEE AGREEMENT

1. Parties

This agreement is between the City of Boulder City, Nevada, the client, and Keller Lenkner LLC, Consovoy McCarthy PLLC, and [LOCAL COUNSEL], the attorneys.

2. Scope of Representation

The attorneys agree to represent you in you in prosecuting claims against Defendants Purdue Pharma L.P., Purdue Pharma Inc., the Purdue Frederick Company, Inc., Insys Therapeutics, Inc., Teva Pharmaceutical Industries, Ltd., Teva Pharmaceuticals USA, Inc., Cephalon, Inc., Johnson & Johnson, Janssen Pharmaceuticals, Inc., Endo Health Solutions Inc., Endo Pharmaceuticals, Inc., Actavis plc, Actavis, Inc., Watson Pharmaceuticals, Inc., Watson Laboratories, Inc., and Mallinckrodt plc (collectively, “Manufacturer Defendants”); McKesson Corporation, Cardinal Health, Inc., and AmerisourceBergen Corporation (collectively, “Distributor Defendants”) (all together, “Defendants”) arising from potential violations of law in the marketing, sale, and distribution of opioids, in turn causing economic harm to the City of Boulder City (the “Matter”).

The attorneys shall have no obligation to represent you in any other matter and no obligation to handle any appeal of a decision in this matter.

3. Attorneys’ Fees

a. No Recovery, No Fee - You will not owe the attorneys anything unless there is a recovery, payment to you, or settlement in your case. This is a contingent fee agreement. The attorneys’ fees described below are contingent on you receiving a recovery, payment to you, settlement or award in this case.

b. **Contingent Fee** - The fee to be paid will be a percentage of the “gross recovery.” The term “gross recovery” means the total of all amounts received by settlement, arbitration award or judgment, including any award of attorney’s fees. The fee will be calculated before the deduction of any costs and expenses as set forth below, and the costs and expenses will remain the responsibility of the Client to be paid from the portion of any amounts received by the Client after deduction of the fee. The attorney’s fee shall be calculated as follows: 25% of the gross recovery.

c. **Low Value or Pick-Off Settlement Offers** - You have the right to accept or not any settlement offer made to you. You also recognize that the defendant or defendants may offer you a lump sum that is less than the expenses the attorneys have invested in prosecuting your case or less than the expenses and reasonable value of the attorneys’ fees incurred in prosecuting your case. Defendants sometimes do this to put pressure on attorneys or to try to escape litigation without properly compensating plaintiffs or their lawyers. We will inform you if we believe you have been offered such a settlement. **You recognize and agree that in the event you accept such a settlement, a large portion, perhaps a very large portion, may be required to reimburse us for expenses and attorneys’ fees. We will not recommend that you accept such a settlement.**

d. **Fee the Result of Negotiation, Not Set By Law**- You acknowledge that this fee is the result of an arm’s length transaction between you and the attorneys. You recognize that the attorneys have made substantial investments of time and resources to pursue this case on your behalf and bear a substantial risk of recovering nothing at all or nothing for a substantial amount of time. You agree that that risk justifies the fees under this agreement. You acknowledge that this fee is not set by law.

e. **Lien** - You grant attorneys a lien to secure payment of the fees and expenses described by this agreement.

f. **Fee Due at Settlement or Payment** - The fees and expenses described by this agreement are due as soon as any claims are settled or any payments made to you.

g. **Division of Fee Among Attorneys** - You understand and agree that the attorneys will divide any fee among themselves, based upon the division of responsibility between the attorneys’ firms: to [LOCAL COUNSEL], a fee calculated by the modified “lodestar” method out of the amounts awarded to Keller Lenkner under such retainers, receiving the same positive or negative multiplier applied to its lodestar to determine its pro rata share of the fees to be paid; or the attorneys’ reasonable hourly rates multiplied by the hours reasonably incurred pursuing your claim, and the remainder of fees collected divided equally between Consovoy McCarthy PLLC and Keller Lenkner LLC. In addition, you

acknowledge that [LOCAL COUNSEL] may be compensated by one or more of the other law firms on a conventional hourly basis.

4. Expenses

You authorize attorneys to incur reasonable expenses to pursue your potential claims. Attorneys will pay for expenses as they are incurred with the understanding that they will be repaid out of any recovery, as described above.

Expenses could include, but are not limited to, testifying and expert witness fees (including for evaluation, reports, and/or testimony), filing fees, court or arbitration costs, fees for court reporters and transcripts, deposition expenses, legal research expenses, commercial and private transportation expenses, travel expenses (including lodging and meals), consultant fees, postage, long-distance telephone calls, messengers, record service fees, photocopying, preparation of exhibits, investigative fees and expenses, specialized outside counsel and service fees and expenses (e.g., probate, taxation, bankruptcy), costs associated with collecting judgments, structured settlement expenses, witness fees and mileage, subpoena fees, any expenses to assist with investigating or resolving third-party liens, and all other reasonable and necessary costs and expenses that we in our professional judgment determine to be reasonably necessary in connection with prosecuting or settling your claims. If we represent more than one client with potential claims similar to yours (which we intend to do) then we may apportion joint expenses on a pro rata basis between you and similar clients if those expenses can reasonably be viewed as benefitting you and the other client or clients.

Expenses in this case could be significant.

5. Client's Potential Liability.

Client understands that in the event a lawsuit is filed and the case is lost, Client may be liable for the opposing party's attorney's fees, and will be liable for the opposing party's costs as required by law. Client further understands that a lawsuit brought solely to harass or to coerce a settlement may result in liability for malicious prosecution or abuse of process.

6. Client's Duties

Your cooperation is critical to the successful pursuit of your claims. You agree to perform the following duties:

a. Participation in Discovery - You may be required to locate and produce documents, to answer written questions, or appear at a time and place to answer questions under oath. You agree to make yourself available to do these things on reasonable notice.

b. Participation in Hearing - You agree to make yourself available to participate in a hearing on your claims on reasonable notice.

c. Document Preservation - You must not destroy, delete, or discard documents and other information sources in your possession that are relevant to your potential claims. This includes physical, paper documents and electronic documents like email or social media posts, whether on a computer, phone, or other device.

You agree and acknowledge that your failure to fulfill any of these duties is grounds for the attorneys to stop representing you.

7. Third-Party Liens

Certain third parties may have, or may assert in the future, liens on any recovery you might ultimately obtain by verdict, settlement or otherwise. You recognize and understand that any liens must be resolved and satisfied before we can distribute to you your portion of recovery from any settlement, judgment, or award. You acknowledge that we may engage the services of a company that specializes in resolving these types of liens, and that any fee paid to such company will be treated as an expense or advance under this Agreement. Satisfaction of liens could significantly reduce, or even eliminate entirely, any net proceeds to you from this matter. If any liens on the proceeds of this matter are asserted, you authorize us to hold in trust any funds we reasonably believe are or may be subject to any liens, until such liens are resolved and released.

8. Attorneys' Right to Withdraw

You acknowledge that the attorneys have the absolute right to stop representing you at any time if, in their professional judgment and consistent with their ethical responsibilities, they come to believe that your potential claims are unlikely to result in a recovery for any reason, including, but not limited to, the lack of a source of funds to pay your claims.

9. Client's Right to Terminate Attorneys

You may terminate attorneys at any time by written notice to the Attorneys. Such termination is subject to the Attorneys' Fees and Expenses provisions of this agreement.

10. No Guarantee

You acknowledge that the attorneys have not and will not provide any guarantee about the outcome of your claims.

11. Potential Conflicts

The attorneys intend to represent many clients with claims similar to yours. At this time, your interests and the interests of other clients align. We know of no conflicts of interest that would have an adverse impact on our representation of you. It is, however, possible that conflicts may arise in the future, including:

- a. We discover that there is a limited pool of assets from which recovery is reasonably likely (for example, an insurance policy), and those assets are insufficient to pay all of our clients the full value of their claims.
- b. A defendant offers an aggregate or “lump sum” settlement to all of our clients that does not specify the amount each client will receive.
- c. A defendant offers to settle, but only if a certain percentage, or even all, of our clients accept the proposed settlement.

We may also be required by the applicable rules of professional conduct to share material information about your claims and negotiating position with our other clients with similar claims. While we will try to avoid these issues if it is practical to do so, they might still occur. If any conflict of interest affecting you does arise, we will inform you promptly and work with you on how best to proceed in accordance with the applicable rules of professional conduct.

12. Data Privacy

In the course of representing you, we may learn facts about you, the defendants, or other parties, that could later be helpful in identifying or bringing a claim on behalf of another client or potential client. You agree that, so long as we do not disclose your identity to anyone other than our employees, agents, or service providers, we may use information gained through our representation of you to identify or pursue a legal claim on behalf of another party.

13. Association of Counsel

You acknowledge that the attorneys will likely associate with other counsel to assist with your potential claims and authorize us to do so. You authorize us to associate other counsel as we see fit. As discussed above, it may be necessary to retain specialized outside counsel to assist with specialized questions such as probate, taxation, or bankruptcy. In that event, fees and expenses of these counsel will be treated as expenses advanced for your benefit. On the other

hand, if we choose to associate other counsel to pursue the merits of your case, you agree that we may do so, we will be responsible for paying the associated counsel, and your fees will not increase as a result of any association with other counsel. If we intend to associate with other counsel in your case for either purpose, we will let you know promptly.

14. Entire Agreement and Choice of Law

This Agreement contains the entire agreement of the parties. It cannot be modified or canceled except in writing signed by all parties. This Agreement will be construed in accordance with the laws of the State of Nevada (including Nevada choice-of-law principles).

15. Arbitration

In the event of any dispute, controversy, or claim between us (or our respective heirs, successors, assigns, or affiliates) arising out of, relating to, or in connection with your engagement of us (any of the foregoing, a “dispute”), you and we irrevocably and unconditionally waive the right to seek remedies in court, including the right to a jury trial, and agree to submit said dispute exclusively to binding arbitration conducted by a single arbitrator subject to the rules of the American Arbitration Association. The seat of the arbitration will be in Las Vegas, NV. The arbitrator shall have the authority to determine his or her own jurisdiction by interpreting the scope of this agreement and whether a controversy or claim arises out of or relates to your engagement of us.

16. Power of Attorney

No settlement shall be made without your approval and permission. Consistent with the attorney ethics rules and other requirements for powers of attorney, you grant us the power of attorney to execute all documents connected with your claims, including pleadings, contracts, checks or drafts, settlement agreements, deposit of settlement funds in a trust account and disbursement of those funds, compromises, releases, verifications, dismissals, and orders, as well as all other documents that you could properly execute.

17. No Tax or Benefit Advice

It is possible that resolution of this case may result in a monetary payment to you. You acknowledge and agree that the attorneys cannot and will not provide legal advice regarding the tax and government benefit implications of receiving any settlement or sum of money.

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18. Authority to Sign

You acknowledge that you have read this Agreement in its entirety, that you fully understand the terms and conditions of same, and that you agree to abide by its terms.

Sincerely,

Keller Lenkner LLC

Consovoy McCarthy PLLC

[LOCAL COUNSEL]

AGREED AND ACCEPTED

Client Signature: _____

Client Printed Name: _____

Title: _____

Date: _____

August 13, 2021

City of Boulder City
Attn: Brittany Lee Walker
City Attorney
401 California Ave.
Boulder City, NV 89005

Re: Representation of Boulder City, NV Concerning Opioid Matter

Dear Ms. Walker:

CONTINGENT FEE AGREEMENT

1. Parties

This agreement is between the City of Boulder City, Nevada, the client, and Keller Lenkner LLC and Consovoy McCarthy PLLC, the attorneys.

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The attorneys shall have no obligation to represent you in any other matter and no obligation to handle any appeal of a decision in this matter.

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includes physical, paper documents and electronic documents like email or social media posts, whether on a computer, phone, or other device.

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b. A defendant offers an aggregate or “lump sum” settlement to all of our clients that does not specify the amount each client will receive.

c. A defendant offers to settle, but only if a certain percentage, or even all, of our clients accept the proposed settlement.

We may also be required by the applicable rules of professional conduct to share material information about your claims and negotiating position with our other clients with similar claims. While we will try to avoid these issues if it is practical to do so, they might still occur. If any conflict of interest affecting you does arise, we will inform you promptly and work with you on how best to proceed in accordance with the applicable rules of professional conduct.

12. Data Privacy

In the course of representing you, we may learn facts about you, the defendants, or other parties, that could later be helpful in identifying or bringing a claim on behalf of another client or potential client. You agree that, so long as we do not disclose your identity to anyone other than our employees, agents, or service providers, we may use information gained through our representation of you to identify or pursue a legal claim on behalf of another party.

13. Association of Counsel

You acknowledge that the attorneys will likely associate with other counsel to assist with your potential claims and authorize us to do so. You authorize us to associate other counsel as we see fit. As discussed above, it may be necessary to retain specialized outside counsel to assist with specialized questions such as probate, taxation, or bankruptcy. In that event, fees and expenses of these counsel will be treated as expenses advanced for your benefit. On the other hand, if we choose to associate other counsel to pursue the merits of your case, you agree that we may do so, we will be responsible for paying the associated counsel, and your fees will not increase as a result of any association with other counsel. If we intend to associate with other counsel in your case for either purpose, we will let you know promptly.

///

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This Agreement contains the entire agreement of the parties. It cannot be modified or canceled except in writing signed by all parties. This Agreement will be construed in accordance with the laws of the State of Nevada (including Nevada choice-of-law principles).

15. Arbitration

In the event of any dispute, controversy, or claim between us (or our respective heirs, successors, assigns, or affiliates) arising out of, relating to, or in connection with your engagement of us (any of the foregoing, a “dispute”), you and we irrevocably and unconditionally waive the right to seek remedies in court, including the right to a jury trial, and agree to submit said dispute exclusively to binding arbitration conducted by a single arbitrator subject to the rules of the American Arbitration Association. The seat of the arbitration will be in Las Vegas, NV. The arbitrator shall have the authority to determine his or her own jurisdiction by interpreting the scope of this agreement and whether a controversy or claim arises out of or relates to your engagement of us.

16. Power of Attorney

No settlement shall be made without your approval and permission. Consistent with the attorney ethics rules and other requirements for powers of attorney, you grant us the power of attorney to execute all documents connected with your claims, including pleadings, contracts, checks or drafts, settlement agreements, deposit of settlement funds in a trust account and disbursement of those funds, compromises, releases, verifications, dismissals, and orders, as well as all other documents that you could properly execute.

17. No Tax or Benefit Advice

It is possible that resolution of this case may result in a monetary payment to you. You acknowledge and agree that the attorneys cannot and will not provide legal advice regarding the tax and government benefit implications of receiving any settlement or sum of money.

18. Authority to Sign

You acknowledge that you have read this Agreement in its entirety, that you fully understand the terms and conditions of same, and that you agree to abide by its terms.

///

///

Sincerely,

Keller Lenkner LLC

Consovoy McCarthy PLLC

AGREED AND ACCEPTED

Client Signature: _____

Client Printed Name: _____

Title: _____

Date: _____

City Managers Report

SUBJECT:

- A. Claims Paid, July 2021
- B. Financial Report, July 2021

ADDITIONAL INFORMATION:

ATTACHMENTS:

Description	Type
▣ Item 14A Staff Report Claims Paid	Cover Memo
▣ Claims Paid Report	Backup Material
▣ Item 14B Staff Report Financial	Cover Memo
▣ Financial Report	Backup Material



**BOULDER CITY
CITY COUNCIL**

MAYOR
KIERNAN McMANUS

COUNCIL MEMBERS:
JAMES HOWARD ADAMS
CLAUDIA M. BRIDGES
MATHEW FOX
SHERRI JORGENSEN



MEETING LOCATION:
CITY COUNCIL CHAMBER
401 CALIFORNIA AVENUE
BOULDER CITY, NV 89005

MAILING ADDRESS:
401 CALIFORNIA AVENUE
BOULDER CITY, NV 89005

WEBPAGE:
WWW.BCNV.ORG



CITY MANAGER:
TAYLOUR TEDDER

CITY ATTORNEY:
BRITTANY LEE WALKER, ESQ

ACTING CITY CLERK:
TAMI MCKAY, MMC, CPO

ADMINISTRATIVE SERVICES DIRECTOR:
BRYCE BOLDT

COMMUNITY DEVELOPMENT DIRECTOR:
MICHAEL MAYS, AICP

PUBLIC WORKS DIRECTOR:
KEEGAN LITTELL, P.E.

UTILITIES DIRECTOR:
DENNIS PORTER, P.E.

POLICE CHIEF:
TIM SHEA

FIRE CHIEF:
WILLIAM GRAY, CFO

FINANCE DIRECTOR:
DIANE PELLETIER, CPA

PARKS & RECREATION DIRECTOR
ROGER HALL

City Council Meeting August 24, 2021 Item No. 14A Staff Report

TO: Taylour Tedder, City Manager

FROM: Diane Pelletier, Finance Director

DATE: August 24, 2021

SUBJECT: Claims Paid Report, July 2021

Business Impact Statement: This action will not have a significant economic impact on business and will not directly restrict the formation, operation, or expansion of a business.

Action Requested: Provide City Council a list of Claims paid and voided.

Overview: Attached is the Claims Paid Reports for July 1 – July 31, 2021 totalling \$4,485,680.75. All checks were written on Nevada State Bank.

Background Information: I hereby certify that the Claims Paid Report for July 2021 covering claims paid in July 2021, meet the following requirements:

- a) That the funds were available;
- b) That the items or services were duly authorized by the proper official and have been received or rendered in accordance with the purchasing agreement; and
- c) That the claim is accurate in amount and properly charged against the treasury.

Financial: Informational only.

Boulder City Strategic Plan Goal: Goal #1, Achieve Prudent Financial Stewardship.

Department Recommendation: The Finance Department respectfully requests that the City Council receive this report.

Attachment: Claims Paid Report, July 2021.

CLAIMS PAID REPORT, JULY 2021

CHECK NUMBER	CHECK DATE	CHECK TYPE	VENDOR NUMBER	VENDOR NAME	INVOICE	ORG	OBJECT	PROJECT	AMOUNT
600223338	07/01/2021	EFT	2272	PUBLIC AGENCY COMPENSATION TRUST	APR 20 2021	43	2022		164,267.00
600223339	07/01/2021	EFT	794	SCHAPER GOLF CORPORATION	JUL 2021	10760	5102		20,430.00
600223340	07/01/2021	EFT	1431	TURF TECH INC	5026	10760	5104		52,768.57
600223341	07/01/2021	PRINTED	3496	BRET HOOD	91433	10500	5509		184.82
600223342	07/01/2021	PRINTED	3318	NEVADA SOCIETY OF CERTIFIED PUBLIC ACCOUNTANTS	01634116 DP FY22	10430	5508		250.00
600223343	07/07/2021	EFT	1280	ACE SHOPPER STOPPER	118773	10700	5605		22.98
600223344	07/07/2021	EFT	1267	AGGREGATE INDUSTRIES - WESTERN	714619436	62670	5302		-
600223345	07/07/2021	EFT	3177	AMAZON CAPITAL SERVICES, INC.	1RC6643MKY1N	10620	5301		29.69
600223346	07/07/2021	EFT	3155	WINNER MOTORCYCLES LLC	28542	10500	5303		506.37
600223347	07/07/2021	EFT	1386	BORDER STATES INDUSTRIES, INC.	922316342	61900	5905	E1909	732.42
600223348	07/07/2021	EFT	2033	BOULDER CITY DISPOSAL INC	JUNE 2021	64044	4441		(20,592.57)
600223349	07/07/2021	EFT	2194	BOULDER CITY FIREFIGHTERS ASSOCIATION	070121	10	2030		315.00
600223350	07/07/2021	EFT	1131	BOULDER CITY MAGAZINE LLC	5750	10760	5503		275.00
600223351	07/07/2021	EFT	2328	BOULDER CITY POLICE SUPERVISORS ASSOCIATION	070121	25	2030		30.00
600223352	07/07/2021	EFT	3004	BOULDER CITY PROFESSIONAL FIREFIGHTERS ASSO(BCPFA)	070121	10	2030		900.00
600223353	07/07/2021	EFT	846	BOULDER TREE SERVICE LLC	69915	52860	5305		4,000.00
600223354	07/07/2021	EFT	1074	BRENDA LEE PIERFELICE	7072053	10500	5104		75.00
600223355	07/07/2021	EFT	1268	CARQUEST AUTO PARTS	14981116608	10500	5303		35.63
600223356	07/07/2021	EFT	2063	CENTURYLINK	JUN 2021 147	10500	5502		128.22
600223357	07/07/2021	EFT	2063	CENTURYLINK	JUN 2021 665	10500	5502		1,244.42
600223358	07/07/2021	EFT	2063	CENTURYLINK	JULY 2021 953	54830	5502		296.42
600223359	07/07/2021	EFT	1248	NCH CORPORATION	7361645	61650	5301		1,424.38
600223360	07/07/2021	EFT	994	CITY OF HENDERSON	MSC5035467	10500	5103		20,929.03
600223361	07/07/2021	EFT	1046	GRISWOLD INDUSTRIES	823951	62670	5302		3,646.20
600223362	07/07/2021	EFT	2501	DANA KEPNER CO INC	2022337600	62670	5302		10,115.00
600223363	07/07/2021	EFT	1245	DELL MARKETING L.P.	10493950444	60640	5603		1,846.94
600223364	07/07/2021	EFT	1511	THE ABY MFG GROUP INC	0159317IN	10510	5603		1,443.40
600223365	07/07/2021	EFT	2807	FENNEMORE CRAIG, P.C	1076885	62900	5905	UW171	7,608.63
600223366	07/07/2021	EFT	3609	FERGUSON US HOLDINGS INC	09573083	62670	5302		1,070.40
600223367	07/07/2021	EFT	3609	FERGUSON US HOLDINGS INC	8969639	10620	5301		261.24
600223368	07/07/2021	EFT	2932	GCW, INC.	109508	30900	5905	C2004	102.50
600223369	07/07/2021	EFT	2474	GEOTECHNICAL & ENVIRONMENTAL SERVICES INC	58740	61900	5905	E2103	2,940.00
600223370	07/07/2021	EFT	906	GRAINGER INC	9944449371	10620	5603		1,268.14
600223371	07/07/2021	EFT	1313	JOHNSTONE SUPPLY OF HENDERSON	388S4966290001	10620	5302		253.52
600223372	07/07/2021	EFT	3480	KEEGAN LITRELL	91425	10600	5509		28.18
600223373	07/07/2021	EFT	3562	LV.NET LLC	226755	10435	5104		3,500.00
600223374	07/07/2021	EFT	2078	MOBILE MINI INC	9010880869	10750	5402		61.60
600223375	07/07/2021	EFT	3593	MOUNTAIN PINE CONSTRUCTION INC	300865	62670	5302		4,330.00
600223376	07/07/2021	EFT	3688	PERIMETER SOLUTIONS LP	INV14735502	10510	5605		1,820.00
600223377	07/07/2021	EFT	1189	PORTABLE AGGREGATE PRODUCERS LLC	21356	62670	5302		2,041.15
600223378	07/07/2021	EFT	2010	PRAETORIAN GROUP INC	INVPR3504	10500	5509		3,150.00
600223379	07/07/2021	EFT	929	SIMPSON NORTON CORPORATION	159154000	10615	5302		369.65
600223380	07/07/2021	EFT	2418	SITEONE LANDSCAPE SUPPLY-	109094568001	10615	5603		747.57
600223381	07/07/2021	EFT	1411	SOUTHERN NEVADA WATER AUTHORITY	06210005	62670	5505		103,127.00
600223382	07/07/2021	EFT	3432	SOUTHERN TIRE MART LLC	7500108058	10510	5303		1,815.40
600223383	07/07/2021	EFT	3789	STAPLES, INC	3480156015	10625	5610		69.50
600223384	07/07/2021	EFT	861	STASIK CONSULTING SVC/SCS	202177	10510	5101		502.70
600223385	07/07/2021	EFT	991	STATE OF NEVADA - PERS ADMIN FUND	Jun2021	80	2023		2,621.36
600223386	07/07/2021	EFT	991	STATE OF NEVADA - PERS ADMIN FUND	Jun 2021	10	2023		414.76
600223387	07/07/2021	EFT	2062	TEAMSTERS UNION LOCAL #14	Aug 2021	80	2025		1,650.00
600223388	07/07/2021	EFT	1468	THATCHER COMPANY OF NEVADA INC	5068648	10740	5601		467.10
600223389	07/07/2021	EFT	1431	TURF TECH INC	732	30900	5905	R2006	41,394.60
600223390	07/07/2021	EFT	774	UNIFIRST CORPORATION	3512424682	10700	5614		151.62
600223391	07/07/2021	EFT	2056	UNITED WAY OF SOUTHERN NEVADA	070121	63	2029		7.00
600223392	07/07/2021	EFT	999	URBAN JUNGLE CONTRACTORS LTD.	2315	10700	5305		18,332.50
600223393	07/07/2021	EFT	2034	VANTAGE TRANSFER AGENTS	565142	80	2020		150.00
600223394	07/07/2021	EFT	2034	VANTAGE TRANSFER AGENTS	565152	25	2020		200.00
600223395	07/07/2021	EFT	2034	VANTAGEPOINT TRANSFER AGENTS	565155	63	2020		68.25

CLAIMS PAID REPORT, JULY 2021

CHECK NUMBER	CHECK DATE	CHECK TYPE	VENDOR NUMBER	VENDOR NAME	INVOICE	ORG	OBJECT	PROJECT	AMOUNT
600223396	07/07/2021	EFT	2203	VC3 INC	63131	10510	5510		500.00
600223397	07/07/2021	EFT	1035	WAXIE'S ENTERPRISES INC.	80118620	10700	5607		499.44
600223398	07/07/2021	EFT	2910	WUNDERLICH-MALEC SYSTEMS, INC.	68616	63675	5104		420.00
600223399	07/07/2021	PRINTED	3831	AIRMARK CORPORATION	372489	10610	5603		6,490.00
600223400	07/07/2021	PRINTED	3263	HOWROYD-WRIGHT EMPLOYMENT AGENCY, INC.	015953438	10800	5102		879.60
600223401	07/07/2021	PRINTED	2537	APPLIED CONCEPTS DBA STALKER RADAR	386113	10500	5603		3,080.00
600223402	07/07/2021	PRINTED	3526	AQUATIC CONSULTING & TESTING INC	2120370	63675	5302		950.00
600223403	07/07/2021	PRINTED	2084	ARC HEALTH & WELLNESS CENTERS LLC	2082402	10500	5102		635.00
600223404	07/07/2021	PRINTED	924	AT&T MOBILITY	287248841309x062121	62670	5502		821.51
600223405	07/07/2021	PRINTED	924	AT&T MOBILITY	287289003768x062121	10500	5502		2,533.52
600223406	07/07/2021	PRINTED	1317	BOULDER CITY ANIMAL HOSPITAL	276405	40530	5605	Z5037	26.75
600223407	07/07/2021	PRINTED	3128	BOULDER CITY BOAT STORAGE	JUL - SEP 2021	10500	5401		1,095.00
600223408	07/07/2021	PRINTED	2387	SCHULTZ FAMILY ENTERPRISES LLC	831277	10530	5611		11.00
600223409	07/07/2021	PRINTED	3828	BRITTANY WALKER	91428	10440	5508		490.00
600223410	07/07/2021	PRINTED	2623	CALIFORNIA HEALTH & SAFETY, INC.	21019NVLV	10510	5302		943.50
600223411	07/07/2021	PRINTED	1294	CENTENNIAL CONCRETE CORP	7800	30900	5905	C2107	9,841.00
600223412	07/07/2021	PRINTED	2042	CLARK COUNTY DEPT OF FINANCE	JUNE 2021 PRIV TAX	10	2006		15,300.00
600223413	07/07/2021	PRINTED	2042	CLARK COUNTY TREASURER	1241	10	2006		1,394.00
600223414	07/07/2021	PRINTED	2042	CLARK COUNTY ELECTION DEPT	90259795	10420	5101		36,637.95
600223415	07/07/2021	PRINTED	3598	DENISE RICE	MAY JUNE	10500	5102		420.36
600223416	07/07/2021	PRINTED	3803	EBY IRON DESIGNS LLC	5034	42620	5305		13,373.00
600223417	07/07/2021	PRINTED	3189	ELITE TACTICAL SECURITY SOLUTIONS LLC	03466	10490	5102		400.00
600223418	07/07/2021	PRINTED	3841	EVERGREEN SOLUTIONS LLC	08761	10450	5102		10,625.00
600223419	07/07/2021	PRINTED	1429	FORD COUNTRY	1398288	10500	5303		135.30
600223420	07/07/2021	PRINTED	1447	CHARLES ROWLETT	18926	10500	5303		77.67
600223421	07/07/2021	PRINTED	1492	H & E EQUIPMENT SERVICES LLC	95907179	10610	5303		1,501.81
600223422	07/07/2021	PRINTED	1073	HD SUPPLY FACILITIES MAINTENANCE LTD	639123	63675	5603		805.16
600223423	07/07/2021	PRINTED	1231	HELENA CHEMICAL COMPANY	63764150	52860	5601		3,046.40
600223424	07/07/2021	PRINTED	3722	HELIX LABORATORIES INC	22206	63675	5302		13,200.00
600223425	07/07/2021	PRINTED	1274	HOME HARDWARE & VARIETY	A332738	10620	5301		27.65
600223426	07/07/2021	PRINTED	1403	HOPKINS BILL	061621	10500	5301		60.00
600223427	07/07/2021	PRINTED	3447	JAMES H. ADAMS	91426	10400	5509		644.20
600223428	07/07/2021	PRINTED	1257	LAS VEGAS PAVING CORP	27620	10700	5305		8,400.00
600223429	07/07/2021	PRINTED	3023	LAS VEGAS TACTICAL LLC	157482	10500	5614		279.92
600223430	07/07/2021	PRINTED	1375	LEADSONLINE LLC	318506	10500	5510		2,933.00
600223431	07/07/2021	PRINTED	1260	LEAVITT INSURANCE AGENCY INC	NPAIP202122	60460	5501		246,356.74
600223432	07/07/2021	PRINTED	3223	LENSLOCK INC.	00626221	22493	5611		3,394.95
600223433	07/07/2021	PRINTED	1518	LESLIE'S POOL SUPPLIES INC	0300105012016	10740	5601		225.03
600223434	07/07/2021	PRINTED	2378	MCKAY TAMI	91550	10420	5509		52.65
600223435	07/07/2021	PRINTED	3167	MCMANUS, KIERNAN	91427	10400	5611		131.45
600223436	07/07/2021	PRINTED	2310	NEVADA LEAGUE OF CITIES AND MUNICIPALITIES	2022	10400	5508		6,209.42
600223437	07/07/2021	PRINTED	5000	Cargile, Barney	55320	10	2010		50.00
600223438	07/07/2021	PRINTED	5000	Carol Gordon	2106012	61650	5514		1,075.00
600223439	07/07/2021	PRINTED	5000	DESERT SUN REALTY	91227	61	1203		99.89
600223440	07/07/2021	PRINTED	5000	Elaine Hardy	2106009	61650	5514		750.00
600223441	07/07/2021	PRINTED	5000	GONZALEZ, CHRISTY	91512	61	1203		62.88
600223442	07/07/2021	PRINTED	5000	GRIFFITH, JESSICA	91511	61	1203		68.20
600223443	07/07/2021	PRINTED	5000	Hannon, Mary Ellen	55349	10	2010		100.00
600223444	07/07/2021	PRINTED	5000	James Swapp	2106010	61650	5510		500.00
600223445	07/07/2021	PRINTED	5000	Kathleen Feeney	2106011	61650	5514		420.00
600223446	07/07/2021	PRINTED	5000	Murphy, Misha	55347	10	2010		50.00
600223447	07/07/2021	PRINTED	5000	PATRICK, KELLY	91510	61	1203		65.30
600223448	07/07/2021	PRINTED	5000	Perez, Katelyn	55374	10044	4456		1,866.00
600223449	07/07/2021	PRINTED	5000	PIROLI, NICOLE	91228	61	1203		82.04
600223450	07/07/2021	PRINTED	5000	Robert Jarrard	2106013	61650	5514		400.00
600223451	07/07/2021	PRINTED	5000	Semanko, Ryan	55328(a)	10	2010		200.00
600223452	07/07/2021	PRINTED	5000	Tillman, Danielle	55315	10	2010		50.00
600223453	07/07/2021	PRINTED	5000	UPTON, C L & SHAUN	91509	61	1203		83.50

CLAIMS PAID REPORT, JULY 2021

CHECK NUMBER	CHECK DATE	CHECK TYPE	VENDOR NUMBER	VENDOR NAME	INVOICE	ORG	OBJECT	PROJECT	AMOUNT
600223454	07/07/2021	PRINTED	5000	Whalen, Jillienne	55350	10	2010		50.00
600223455	07/07/2021	PRINTED	2053	PETSMART LLC	8777189510106122021	10500	5611		65.99
600223456	07/07/2021	PRINTED	2058	POLICE PROTECTIVE ASSOCIATION	070121	26	2030		80.00
600223457	07/07/2021	PRINTED	2662	PRECISION CONCRETE CUTTING	NV24916EU	30900	5905	C2107	35,677.16
600223458	07/07/2021	PRINTED	3517	RAYNOR DOOR AUTHORITY OF LAS VEGAS	50442	10510	5301		1,312.00
600223459	07/07/2021	PRINTED	2157	ROADSAFE TRAFFIC SYSTEMS INC	110510621	10610	5603		2,562.73
600223460	07/07/2021	PRINTED	991	OFFICE OF CONTROLLER	1242	10	2006		22,730.00
600223461	07/07/2021	PRINTED	991	STATE OF NEVADA	AA21314	10460	5103		591.00
600223462	07/07/2021	PRINTED	2409	ARIZONA MACHINERY	P31534	10615	5302		238.10
600223463	07/07/2021	PRINTED	2521	TAB PRODUCTS CO LLC	2489539	10420	5610		995.71
600223464	07/07/2021	PRINTED	943	TEAM FORD LLC	77264	45900	5903	V2106	44,437.25
600223465	07/07/2021	PRINTED	1160	RSI/REMOTE SYSTEMS INTEGRATION LLC	5989	54830	5502		180.00
600223466	07/07/2021	PRINTED	3272	TIREHUB, LLC	21195506	10500	5303		1,080.16
600223467	07/07/2021	PRINTED	1471	TYLER TECHNOLOGIES INC	045343132	10435	5102		224,789.00
600223468	07/07/2021	PRINTED	2077	A COMPANY INC	11412130419	61900	5905	E1909	326.55
600223469	07/07/2021	PRINTED	1330	UPS INC	860762251	61650	5506		91.87
600223470	07/14/2021	MANUAL	3698	BANKCARD CENTER	JUNE 2021 DS	10620	5302		177.21
600223471	07/14/2021	MANUAL	3698	BANKCARD CENTER	JUNE 2021 GP	60640	5610		129.99
600223472	07/14/2021	MANUAL	3698	BANKCARD CENTER	JUNE 2021 BW	10440	5508		110.90
600223473	07/14/2021	MANUAL	3698	BANKCARD CENTER	JUNE 2021 LO	10440	5506		10.60
600223474	07/14/2021	MANUAL	3698	BANKCARD CENTER	JUNE 2021 SS	10615	5610		2,000.00
600223475	07/14/2021	MANUAL	3698	BANKCARD CENTER	JUNE 2021 TL	52860	5603		1,542.38
600223476	07/14/2021	MANUAL	3698	BANKCARD CENTER	JUNE 2021 GC	10510	5509		125.00
600223477	07/14/2021	MANUAL	3698	BANKCARD CENTER	JUNE 2021 WG	10510	5603		1,126.91
600223478	07/14/2021	MANUAL	3698	BANKCARD CENTER	JUNE 2021 JR	10510	5605		42.94
600223479	07/14/2021	MANUAL	3698	BANKCARD CENTER	JUNE 2021 BA	10430	5610		21.62
600223480	07/14/2021	MANUAL	3698	BANKCARD CENTER	JUNE 2021 CG	10460	5103		300.00
600223481	07/14/2021	VOID	3299	REGAL PACIFIC CONTRACTING & COMPLIANCE INC.	151071	54830	5306		5,562.50
600223482	07/14/2021	MANUAL	3698	BANKCARD CENTER	JUNE 2021 TH	10500	5509		184.82
600223483	07/14/2021	MANUAL	3698	BANKCARD CENTER	JUNE 2021 KB	10450	5512		200.00
600223484	07/14/2021	MANUAL	3698	BANKCARD CENTER	JUNE 2021 BB	10435	5603		589.76
600223485	07/14/2021	MANUAL	3698	BANKCARD CENTER	JUNE 2021 LL	10465	5503		484.47
600223486	07/14/2021	MANUAL	3698	BANKCARD CENTER	JUNE 2021 MM	10800	5508		455.00
600223487	07/14/2021	MANUAL	3698	BANKCARD CENTER	JUNE 2021 RH POOL	10740	5509		120.00
600223488	07/14/2021	MANUAL	3698	BANKCARD CENTER	JUNE 2021 RH	10700	5509		29.00
600223489	07/14/2021	MANUAL	3698	BANKCARD CENTER	JUNE 2021 AJ	10500	5509		35.69
600223490	07/14/2021	MANUAL	3698	BANKCARD CENTER	JUNE 2021 MD	10500	5510		256.72
600223491	07/14/2021	MANUAL	3698	BANKCARD CENTER	JUNE 2021 JG	10500	5303		19.00
600223492	07/14/2021	MANUAL	3698	BANKCARD CENTER	JUNE 2021 HC	10500	5510		(367.70)
600223493	07/14/2021	MANUAL	3698	BANKCARD CENTER	JUNE 2021 MMARTIN	61650	5301		(21.29)
600223494	07/14/2021	MANUAL	3698	BANKCARD CENTER	JUNE 2021 DB	61655	5301		38.97
600223495	07/14/2021	MANUAL	3698	BANKCARD CENTER	JUNE 2021 KL	10720	5302		10.00
600223496	07/14/2021	MANUAL	3698	BANKCARD CENTER	JUNE 2021 LG	54830	5307		4,110.00
600223497	07/14/2021	MANUAL	3698	BANKCARD CENTER	JUNE 2021 BF	61655	5301		117.30
600223498	07/14/2021	MANUAL	3698	BANKCARD CENTER	JUNE 2021 JL	10615	5302		882.87
600223499	07/14/2021	MANUAL	3698	BANKCARD CENTER	JUNE 2021 MN	62670	5303		(100.00)
600223500	07/14/2021	MANUAL	3698	BANKCARD CENTER	JUNE 2021 MP	61650	5301		184.97
600223501	07/20/2021	EFT	3299	REGAL PACIFIC CONTRACTING & COMPLIANCE INC.	151071	54830	5306		5,562.50
600223502	07/14/2021	MANUAL	3698	BANKCARD CENTER	JUNE 2021 DD	10610	5303		95.57
600223503	07/20/2021	MANUAL	1055	PITNEY BOWES GLOBAL FINANCIAL SERVICES LLC	072021 METER REFILL	10700	5506		50.00
600223505	07/21/2021	EFT	1280	ACE SHOPPER STOPPER	118442	62670	5302		61.84
600223506	07/21/2021	EFT	1464	AMERICAN PAVEMENT PRESERVATION LLC	15506	30900	5905	C2103	187,450.20
600223507	07/21/2021	EFT	2139	ANDERSON PEST CONTROL, LLC	146707	10900	5301	C2101	1,200.00
600223508	07/21/2021	EFT	1205	ATKINS NORTH AMERICA INC	1952941	30900	5905	C2010	225.00
600223509	07/21/2021	EFT	1386	BORDER STATES INDUSTRIES, INC.	922351744	61650	5904		466.03
600223510	07/21/2021	EFT	2033	BOULDER CITY DISPOSAL INC	JUN 2021	63675	5204		156.73
600223511	07/21/2021	EFT	846	BOULDER TREE SERVICE LLC	68515	10760	5305		2,500.00
600223512	07/21/2021	EFT	1268	CARQUEST AUTO PARTS	14981117175	10615	5302		(41.00)

CLAIMS PAID REPORT, JULY 2021

CHECK NUMBER	CHECK DATE	CHECK TYPE	VENDOR NUMBER	VENDOR NAME	INVOICE	ORG	OBJECT	PROJECT	AMOUNT
600223513	07/21/2021	EFT	1248	NCH CORPORATION	7378300	63675	5601		3,863.20
600223514	07/21/2021	EFT	3113	CITY ELECTRIC SUPPLY	HEN106966	61655	5301		3,954.65
600223515	07/21/2021	EFT	994	CITY OF HENDERSON	MSC5035662	63675	5104		600.00
600223516	07/21/2021	EFT	1046	GRISWOLD INDUSTRIES	823575	62670	5302		7,084.52
600223517	07/21/2021	EFT	2501	DANA KEPNER CO INC	2022442400	62670	5302		900.00
600223518	07/21/2021	EFT	3489	DATAPROSE LLC	DP2102082	60685	5507		5,378.43
600223519	07/21/2021	EFT	2112	EMERGENCY AID OF BOULDER CITY, INC	CDBG FY20-21	10730	5103	CD003	26,787.00
600223520	07/21/2021	EFT	3609	FERGUSON US HOLDINGS INC	0960773	62670	5302		458.90
600223521	07/21/2021	EFT	3609	FERGUSON US HOLDINGS INC	WP017607	62670	5302		131.25
600223522	07/21/2021	EFT	2940	FIRST ADVANTAGE OCCUPATIONAL HEALTH SVC CORP	2517632106	10450	5102		49.11
600223523	07/21/2021	EFT	2932	GCW, INC.	109589	30900	5905	G2106	7,400.00
600223524	07/21/2021	EFT	2474	GEOTECHNICAL & ENVIRONMENTAL SERVICES INC	58820	61900	5905	UE182	845.00
600223525	07/21/2021	EFT	3170	HORROCKS ENGINEERS, INC.	62274	30900	5905	C2103	14,120.00
600223526	07/21/2021	EFT	3712	LAS VEGAS REVIEW JOURNAL, INC	1000115280	10800	5508		181.36
600223527	07/21/2021	EFT	3487	SPORTSENGINE INC	11132	10450	5102		185.00
600223528	07/21/2021	EFT	3200	PAR ELECTRICAL CONTRACTORS INC.	142106117	61900	5905	E2001	461,092.00
600223529	07/21/2021	EFT	1211	PRINTY ESQ MICHAEL P	063021	10490	5102		320.00
600223530	07/21/2021	EFT	1263	REBEL OIL CO INC	7039313IN	10	1402		4,465.38
600223531	07/21/2021	EFT	2124	SATELLITE TRACKING OF PEOPLE LLC	STPINV00090515	40490	5605	M4901	281.52
600223532	07/21/2021	EFT	794	SCHAPER GOLF CORPORATION	JUNE 2021 MERCH/TAX	10760	2018		6,979.24
600223533	07/21/2021	EFT	3402	SCHUETZE, NCGAHA, TURNER AND FERRIS	19CR001648N.	10490	5102		190.00
600223534	07/21/2021	EFT	2418	SITEONE LANDSCAPE SUPPLY-	110577016001	10615	5305		493.15
600223535	07/21/2021	EFT	1291	SOUTHERN NEVADA HEALTH DISTRICT	IN220045	10510	5509		480.25
600223536	07/21/2021	EFT	1411	SOUTHERN NEVADA WATER AUTHORITY	06210007	62670	5505		392,858.65
600223537	07/21/2021	EFT	3432	SOUTHERN TIRE MART LLC	7500108035	63675	5303		373.20
600223538	07/21/2021	EFT	3789	STAPLES, INC	3480589006	10510	5610		18.90
600223539	07/21/2021	EFT	861	STASIK CONSULTING SVC/SCS	202178	10510	5101		230.00
600223540	07/21/2021	EFT	3178	STEPHANIE HOLLAND, LTD	BC0221	10500	5102		600.00
600223541	07/21/2021	EFT	1423	TILMAN ESQ CHRISTOPHER R	3422	40490	5605	M4902	1,630.00
600223542	07/21/2021	EFT	3781	USIC HOLDINGS, INC	449520	61900	5905	E1909	1,701.00
600223543	07/21/2021	EFT	3201	VALLEY COLLECTION SERVICE, LLC	4967	22493	5611		672.45
600223544	07/21/2021	EFT	2203	VC3 INC	63207	10435	5102		5,714.50
600223545	07/21/2021	EFT	2494	WEX BANK DBA WRIGHT EXPRESS FSC INC	72622486	10500	5604		806.04
600223546	07/21/2021	EFT	2910	WUNDERLICH-MALEC SYSTEMS, INC.	69327	63675	5104		157.50
600223547	07/21/2021	PRINTED	2985	1 A SMART START INC.	2145114IN	40490	5605	M4902	258.00
600223548	07/21/2021	PRINTED	2334	AMERICAN SIGN LANGUAGE COMMUNICATION LLC	964631	10490	5102		170.00
600223549	07/21/2021	PRINTED	3263	HOWROYD-WRIGHT EMPLOYMENT AGENCY, INC.	015960803	10800	5102		659.70
600223550	07/21/2021	PRINTED	3816	NEXUS ENERGY LLC	1	10500	5303		310.00
600223551	07/21/2021	PRINTED	924	AT&T MOBILITY	287286233851x062121	10510	5502		947.16
600223552	07/21/2021	PRINTED	1317	BOULDER CITY ANIMAL HOSPITAL	277556	40530	5605	Z5037	195.49
600223553	07/21/2021	PRINTED	980	BOULDER CITY HOSPITAL INC	1627	10500	5104		100.00
600223554	07/21/2021	PRINTED	2387	SCHULTZ FAMILY ENTERPRISES LLC	831290	10800	5610		8.00
600223555	07/21/2021	PRINTED	1520	CAPITAL WESTWARD SYSTEMS & CONTROLS	INV12819	62670	5603		508.57
600223556	07/21/2021	PRINTED	914	CMWORKS INC	37705	30900	5905	C2009	9,205.50
600223557	07/21/2021	PRINTED	1157	SIERRA SPRINGS	16631205 070221	54830	5611		57.85
600223558	07/21/2021	PRINTED	2081	FEDERAL EXPRESS CORP	742406378	46850	5506		6.09
600223559	07/21/2021	PRINTED	3782	LISA FOSTER	070121	10410	5102		5,000.00
600223560	07/21/2021	PRINTED	1447	CHARLES ROWLETT	18952	10500	5303		80.55
600223561	07/21/2021	PRINTED	3671	HEAVEN CAN WAIT ANIMAL SOCIETY	1922641	40530	5605	Z5037	1,450.00
600223562	07/21/2021	PRINTED	1274	HOME HARDWARE & VARIETY	A331570	63675	5302		14.54
600223563	07/21/2021	PRINTED	2018	INDUSTRIAL SCIENTIFIC CORP	2284192	10510	5302		3,573.96
600223564	07/21/2021	PRINTED	1400	LEND-A-HAND PROGRAM INC	CDBG FY20-21	10730	5103	CD003	9,411.00
600223565	07/21/2021	PRINTED	1221	LEXISNEXIS RISK DATA MANAGEMENT INC	124978420210630	10500	5510		100.00
600223566	07/21/2021	PRINTED	2968	LAND DEVELOPMENT CONSULTANTS INC.	1811	10500	5301		570.00
600223567	07/21/2021	PRINTED	1109	LOWES HOME IMPROVEMENT WAREHOUSE	9833	63675	5305		236.55
600223568	07/21/2021	PRINTED	3807	MCKINLEY ELEVATOR COMPANY	A140955IN	10740	5302		350.00
600223569	07/21/2021	PRINTED	3799	CURBELO INC	3095	10610	5102		192.47
600223570	07/21/2021	PRINTED	2188	POWERPHONE INC	72818	10520	5509		1,548.00

CLAIMS PAID REPORT, JULY 2021

CHECK NUMBER	CHECK DATE	CHECK TYPE	VENDOR NUMBER	VENDOR NAME	INVOICE	ORG	OBJECT	PROJECT	AMOUNT
600223571	07/21/2021	PRINTED	2832	RESIDENTIAL FIRE PROTECTION	FB152037	10620	5302		205.00
600223572	07/21/2021	PRINTED	1309	SAFE ELECTRONICS	53023	10620	5301		73.40
600223573	07/21/2021	PRINTED	2088	SOUTHWEST GAS CORP	JUNE 2021 BBQ	10700	5609		27.09
600223574	07/21/2021	PRINTED	2088	SOUTHWEST GAS CORP	JUNE 2021 SHOPS	10610	5609		25.80
600223575	07/21/2021	PRINTED	2088	SOUTHWEST GAS CORP	JUNE 2021 GRG	10610	5609		26.59
600223576	07/21/2021	PRINTED	2088	SOUTHWEST GAS CORP	JUNE 2021 FIRE	10510	5609		54.39
600223577	07/21/2021	PRINTED	2088	SOUTHWEST GAS CORP	JUNE 2021 REC	10700	5609		30.38
600223578	07/21/2021	PRINTED	2088	SOUTHWEST GAS CORP	JUNE 2021 POOL 6980	10740	5609		160.00
600223579	07/21/2021	PRINTED	2088	SOUTHWEST GAS CORP	JUNE 2021 POOL 6979	10740	5609		844.98
600223580	07/21/2021	PRINTED	2088	SOUTHWEST GAS CORP	JUNE 2021 TEEN	10700	5609		25.80
600223581	07/21/2021	PRINTED	3727	SOUTHWEST LAWN SHAPING	21593	10615	5305		1,140.00
600223582	07/21/2021	PRINTED	836	STANLEY CONVERGENT SECURITY	6001252550	54830	5202		292.79
600223583	07/21/2021	PRINTED	2414	THOMSON REUTERS - WEST CORP	844626957	10440	5508		327.25
600223584	07/21/2021	PRINTED	2500	TRANSUNION RISK AND ALTERNATIVE DATA SOLUTIONS INC	8065602021061	22493	5513		75.00
600223585	07/21/2021	PRINTED	2500	TRANSUNION RISK AND ALTERNATIVE DATA SOLUTIONS INC	514712021061	10500	5103		75.00
600223586	07/21/2021	PRINTED	1330	UPS INC	860762271	10750	5506		15.59
600223587	07/21/2021	PRINTED	2232	VERIZON WIRELESS - VSAT	9882862503	10500	5502		76.03
600223588	07/21/2021	PRINTED	3612	WILLIAM GRAY	91750	10510	5605		48.98
600223589	07/21/2021	PRINTED	818	XEROX CORPORATION	013767292	22493	5611		21.53
600223590	07/21/2021	EFT	2244	CLYDE CALDWELL	2801	10716	5605		255.00
600223591	07/21/2021	EFT	1280	ACE SHOPPER STOPPER	118921	10500	5611		8.98
600223592	07/21/2021	EFT	3177	AMAZON CAPITAL SERVICES, INC.	1VM7P1JT19C1	10465	5603		62.09
600223593	07/21/2021	EFT	1386	BORDER STATES INDUSTRIES, INC.	922395128	61650	5904		845.37
600223594	07/21/2021	EFT	2194	BOULDER CITY FIREFIGHTERS ASSOCIATION	071521	10	2030		315.00
600223595	07/21/2021	EFT	2328	BOULDER CITY POLICE SUPERVISORS ASSOCIATION	071521	25	2030		29.68
600223596	07/21/2021	EFT	3004	BOULDER CITY PROFESSIONAL FIREFIGHTERS ASSO(BCPFA)	071521	10	2030		900.00
600223597	07/21/2021	EFT	1074	BRENDA LEE PIERFELICE	7072054	10500	5104		75.00
600223598	07/21/2021	EFT	1268	CARQUEST AUTO PARTS	14981117919	10620	5303		8.56
600223599	07/21/2021	EFT	3609	FERGUSON US HOLDINGS INC	0962415	10615	5305		186.41
600223600	07/21/2021	EFT	906	GRAINGER INC	9954859998	10620	5603		86.30
600223601	07/21/2021	EFT	2417	HIGHLAND PRODUCTS GROUP LLC	310014797	40700	5605	Z7117	1,510.00
600223602	07/21/2021	EFT	3104	INTERNATIONAL BUSINESS INFORMATION TECH	INV000336	10500	5510		921.85
600223603	07/21/2021	EFT	1313	JOHNSTONE SUPPLY OF HENDERSON	20554982639001	10620	5302		1,395.00
600223604	07/21/2021	EFT	2086	LAS VEGAS CONVENTION AUTHORITY	Jul2021RT	10	2006		20,255.52
600223605	07/21/2021	EFT	3712	LAS VEGAS REVIEW JOURNAL, INC	10001153687	46850	5503		196.72
600223606	07/21/2021	EFT	975	D & D MARKETING GROUP	351922	10750	5607		433.12
600223607	07/21/2021	EFT	2028	LIFE INSURANCE COMPANY OF NORTH AMERICA	Jul 2021	80	2027		45.56
600223608	07/21/2021	EFT	3682	LOOMIS ARMORED US, LLC	12840190	10430	5102		492.06
600223609	07/21/2021	EFT	3562	LV.NET LLC	232563	10435	5104		3,500.00
600223610	07/21/2021	EFT	3669	MACLEOD WATTS INC	071321Bould	10430	5102		1,200.00
600223611	07/21/2021	EFT	3284	DOWNSTREAM AVIATION LP	3045SP2021	54830	5306		1,425.00
600223612	07/21/2021	EFT	2126	ROGUE 5 MEDIA INC	8488	10760	5503		300.00
600223613	07/21/2021	EFT	2132	ROYAL REFRIGERATION INC	111146	10750	5508		295.00
600223614	07/21/2021	EFT	794	SCHAPER GOLF CORPORATION	AUG 2021	10760	5102		20,430.00
600223615	07/21/2021	EFT	2651	SIERRA HEALTH & LIFE INS CO INC	211900001125	26	2025		1,290.44
600223616	07/21/2021	EFT	1291	SOUTHERN NEVADA HEALTH DISTRICT	IN0271087	10740	5508		2,145.00
600223617	07/21/2021	EFT	3789	STAPLES, INC	3481589285	10500	5610		169.99
600223618	07/21/2021	EFT	2062	TEAMSTERS UNION LOCAL #14	Aug2021	63	2031		173.96
600223619	07/21/2021	EFT	1468	THATCHER COMPANY OF NEVADA INC	5068926	63675	5601		1,479.80
600223620	07/21/2021	EFT	2049	THOMAS W STEWART JR	371	10800	5102		990.00
600223621	07/21/2021	EFT	1431	TURF TECH INC	5029	10760	5104		52,768.57
600223622	07/21/2021	EFT	774	UNIFIRST CORPORATION	3512430210	60685	5614		58.82
600223623	07/21/2021	EFT	2652	UHS PREMIUM BILLING	737838444371	26	2025		190.36
600223624	07/21/2021	EFT	2056	UNITED WAY OF SOUTHERN NEVADA	071521	63	2029		7.00
600223625	07/21/2021	EFT	2034	VANTAGE TRANSFER AGENTS	571757	80	2020		150.00
600223626	07/21/2021	EFT	2034	VANTAGE TRANSFER AGENTS	571776	25	2020		200.00
600223627	07/21/2021	EFT	2034	VANTAGEPOINT TRANSFER AGENTS	571781	63	2020		68.25
600223628	07/21/2021	EFT	2203	VC3 INC	62950	54830	5605		223.35

CLAIMS PAID REPORT, JULY 2021

CHECK NUMBER	CHECK DATE	CHECK TYPE	VENDOR NUMBER	VENDOR NAME	INVOICE	ORG	OBJECT	PROJECT	AMOUNT
600223629	07/21/2021	EFT	3808	VEOCI INC.	1289	54830	5508		4,725.00
600223630	07/21/2021	EFT	1035	WAXIE'S ENTERPRISES INC.	80148693	10700	5607		139.29
600223631	07/21/2021	PRINTED	2580	ALBOWICZ VINCENT	91780	10500	5509		119.25
600223632	07/21/2021	PRINTED	3263	HOWROYD-WRIGHT EMPLOYMENT AGENCY, INC.	015968161	10800	5102		879.60
600223633	07/21/2021	PRINTED	1317	BOULDER CITY ANIMAL HOSPITAL	278084	40530	5605	Z5037	236.25
600223634	07/21/2021	PRINTED	1299	BOULDER CITY MUSEUM & HIST. ASSN.	FY22	10730	5103	CD005	65,000.00
600223635	07/21/2021	PRINTED	2387	SCHULTZ FAMILY ENTERPRISES LLC	870406	10700	5605		8.00
600223636	07/21/2021	PRINTED	2216	BOULDER TOWNSHIP CONSTABLES OFFICE	070721	10440	5102		100.00
600223637	07/21/2021	PRINTED	1352	CAROL JEAN BLACK	21BC0777	10500	5104		75.00
600223638	07/21/2021	PRINTED	2042	CLARK COUNTY DEPT OF FINANCE	Jul2021RT	10	2006		4,561.14
600223639	07/21/2021	PRINTED	2042	CLARK COUNTY RECORDER	072121	61047	4714		126.00
600223640	07/21/2021	PRINTED	2042	CLARK COUNTY INFO TECH DEPT	90260093	10435	5102		5,950.00
600223641	07/21/2021	PRINTED	2042	CLARK COUNTY TREASURER	Jul2021 RT	10	2006		2,291.88
600223642	07/21/2021	PRINTED	2089	CLARK COUNTY SCHOOL DISTRICT	Jul2021RT	10	2006		7,375.03
600223643	07/21/2021	PRINTED	3842	CLEAR GOV INC	202111250	60460	5510		6,000.00
600223644	07/21/2021	PRINTED	1117	COLONIAL SUPPLEMENTAL INSURANCE	3190808-0702018	62	2027		35.76
600223645	07/21/2021	PRINTED	3143	CORE & MAIN LP	P035716	62670	5302		5,569.78
600223646	07/21/2021	PRINTED	1125	COX COMMUNICATIONS INC	JULY 2021 NET/PHONES	10700	5502		286.04
600223647	07/21/2021	PRINTED	1125	COX COMMUNICATIONS INC	JULY 2021 MGC	10760	5508		185.95
600223648	07/21/2021	PRINTED	1514	DIRECTV	064850034x210710	10750	5508		260.32
600223649	07/21/2021	PRINTED	3189	ELITE TACTICAL SECURITY SOLUTIONS LLC	3484	10490	5102		400.00
600223650	07/21/2021	PRINTED	3363	ESSENTIAL SOFTWARE DEVELOPMENT LLC	INV0739	22493	5611		750.00
600223651	07/21/2021	PRINTED	782	E-Z GO DIV OF TEXTRON	92639303	10760	5303		28.15
600223652	07/21/2021	PRINTED	1429	FORD COUNTRY	1400907	10500	5303		445.24
600223653	07/21/2021	PRINTED	2916	GARY R. BOOKER	197	10440	5102		5,000.00
600223654	07/21/2021	PRINTED	1447	CHARLES ROWLETT	19026	60685	5303		48.48
600223655	07/21/2021	PRINTED	2285	HEALING THOMAS	91752	10500	5509		20.00
600223656	07/21/2021	PRINTED	2935	HERBERT L FLAKE COMPANY LLC	INV2880906	10620	5301		91.78
600223657	07/21/2021	PRINTED	1274	HOME HARDWARE & VARIETY	B317603	10500	5303		1.29
600223658	07/21/2021	PRINTED	2121	JOHNSON, AARON	91781	10500	5509		119.25
600223659	07/21/2021	PRINTED	1023	LAKESHORE EQUIPMENT COMPANY	3544120721	10712	5602		799.99
600223660	07/21/2021	PRINTED	1260	LEAVITT INSURANCE AGENCY INC	081921	43710	5103		1,316.00
600223661	07/21/2021	PRINTED	3223	LENSLOCK INC.	00625221R	10500	5603		66,092.46
600223662	07/21/2021	PRINTED	1518	LESLIE'S POOL SUPPLIES INC	0300105012268	10740	5601		743.85
600223663	07/21/2021	PRINTED	1109	LOWES HOME IMPROVEMENT WAREHOUSE	2639	30900	5905	G2107	386.43
600223664	07/21/2021	PRINTED	5000	Bailey, Tracie	55940	10	2010		50.00
600223665	07/21/2021	PRINTED	5000	Bethany, Lisa	55633	10	2010		50.00
600223666	07/21/2021	PRINTED	5000	BIKASH MANANDHAR KARMI	21TR986/1244	10	2009		140.00
600223667	07/21/2021	PRINTED	5000	Budd, Andrew	55636	10	2010		50.00
600223668	07/21/2021	PRINTED	5000	C G & B ENTERPRISES	91775	62	1203		500.00
600223669	07/21/2021	PRINTED	5000	CLYDE, MILLER BEN	91609	54	2011		564.00
600223670	07/21/2021	PRINTED	5000	Compagnoni, Ashley	55887	10044	4453		40.00
600223671	07/21/2021	PRINTED	5000	Dougherty, Cheryl	55885	10044	4453		40.00
600223672	07/21/2021	PRINTED	5000	Felipe, Fran	55993	10	2010		200.00
600223673	07/21/2021	PRINTED	5000	GARCIA, SHERRIE	91777	61	1203		14.97
600223674	07/21/2021	PRINTED	5000	Gonzales, Lauren	55934	10	2010		100.00
600223675	07/21/2021	PRINTED	5000	Gonzalez, Caitlin	55932	10	2010		50.00
600223676	07/21/2021	VOID	5000	In Color Brand LLC	55637	10	2010		200.00
600223677	07/21/2021	PRINTED	5000	HALL, GREGORY	91776	61	1203		46.97
600223678	07/21/2021	PRINTED	5000	Hein, Sarah	55892	10044	4453		40.00
600223679	07/21/2021	PRINTED	5000	Holley, Mindy	55893	10044	4453		40.00
600223680	07/21/2021	PRINTED	5000	HOLZMAN, DOUG	91774	61	1203		22.90
600223681	07/21/2021	PRINTED	5000	Hughes, Karen	55828	10044	4453		10.00
600223682	07/21/2021	PRINTED	5000	King, Cassie	55631	10	2010		100.00
600223683	07/21/2021	PRINTED	5000	Kramer, Julee	55416	10044	4453		40.00
600223684	07/21/2021	PRINTED	5000	LAIRSEY, ROBERT E	91773	61	1203		92.26
600223685	07/21/2021	PRINTED	5000	Lawrence, Charlene	55891	10044	4453		40.00
600223686	07/21/2021	PRINTED	5000	Lawrence, Mikaela	55884	10044	4453		40.00

CLAIMS PAID REPORT, JULY 2021

CHECK NUMBER	CHECK DATE	CHECK TYPE	VENDOR NUMBER	VENDOR NAME	INVOICE	ORG	OBJECT	PROJECT	AMOUNT
600223687	07/21/2021	PRINTED	5000	Miller, Amber	55888	10044	4453		40.00
600223688	07/21/2021	PRINTED	5000	Miller, John	55933	10	2010		50.00
600223689	07/21/2021	PRINTED	5000	Murphy, Misha	55889	10044	4453		40.00
600223690	07/21/2021	PRINTED	5000	Qualls, Jeffrey	55935	10	2010		100.00
600223691	07/21/2021	PRINTED	5000	RACHEL E COOPER	91778	61	1203		7.24
600223692	07/21/2021	PRINTED	5000	Redfoot, Tim	55629	10	2010		100.00
600223693	07/21/2021	PRINTED	5000	Sahni, Mitali	55890	10044	4453		40.00
600223694	07/21/2021	PRINTED	5000	STATE OF NEVADA	91607	61	1203		185.70
600223695	07/21/2021	PRINTED	5000	STEFANIE WITMAN	21TR977/1243	10	2009		100.00
600223696	07/21/2021	PRINTED	5000	Urioste, Jasmine	55657	10044	4451		34.00
600223697	07/21/2021	PRINTED	5000	Vandermark, Amy	55823/55825	10044	4453		72.00
600223698	07/21/2021	PRINTED	5000	VEGAS IRON PICKUP TRUCKS LLC	91608	61	1203		29.11
600223699	07/21/2021	PRINTED	5000	Winlow, Whitney	55886	10044	4453		40.00
600223700	07/21/2021	PRINTED	5000	Winlow, Whitney	55553/55897	10044	4453		58.00
600223701	07/21/2021	PRINTED	1055	PITNEY BOWES GLOBAL FINANCIAL SERVICES LLC	1018495810	10490	5506		96.88
600223702	07/21/2021	PRINTED	2058	POLICE PROTECTIVE ASSOCIATION	071521	26	2030		80.00
600223703	07/21/2021	PRINTED	2588	PRE-PAID LEGAL SERVICES, INC.	071521	54	2033		15.95
600223704	07/21/2021	PRINTED	2406	PRISCU STEVEN R	91751	63675	5508		110.00
600223705	07/21/2021	PRINTED	2832	RESIDENTIAL FIRE PROTECTION	FB152021	10620	5302		480.00
600223706	07/21/2021	PRINTED	1291	SOUTHERN NEVADA HEALTH DISTRICT	IN0271086	10700	5508		94.00
600223707	07/21/2021	VOID	1013	STANDARD INSURANCE COMPANY	Jul 2021	80	2027		20.92
600223708	07/21/2021	PRINTED	991	STATE OF NEVADA - PUBLIC EMPLOYEES	070121	10460	5028		6,119.79
600223709	07/21/2021	PRINTED	991	STATE OF NEVADA PUBLIC UTILITIES	APR-JUN 2021 UEC	61	2006		10,513.72
600223710	07/21/2021	PRINTED	991	STATE OF NEVADA DEPT OF TAXATION	Jul2021RT	10	2006		15,385.46
600223711	07/21/2021	PRINTED	991	STATE OF NEVADA	N115221	10460	5103		1,082.03
600223712	07/21/2021	PRINTED	3272	TIREHUB, LLC	21428037	10500	5303		478.72
600223713	07/21/2021	PRINTED	2351	TRAUMA INTERVENTION PROGRAM OF SOUTHERN NEVADA INC	21062401	10520	5102		1,381.00
600223714	07/21/2021	PRINTED	2358	TYLER BUSINESS FORMS	61145	10460	5507		533.50
600223715	07/21/2021	PRINTED	2077	A COMPANY INC	11412159660	10610	5401		5,218.07
600223716	07/21/2021	PRINTED	1318	WESTERN INSURANCE SPECIALTIES INC	Aug 2021	61	2027		180.56
600223717	07/21/2021	PRINTED	1013	STANDARD INSURANCE COMPANY	Jul 2021	80	2027		20.92
600223717	07/21/2021	PRINTED	1013	STANDARD INSURANCE COMPANY	Jul 2021	60	2027		96.75
600223717	07/21/2021	PRINTED	1013	STANDARD INSURANCE COMPANY	Jul 2021	54	2027		21.97
600223717	07/21/2021	PRINTED	1013	STANDARD INSURANCE COMPANY	Jul 2021	26	2027		37.92
600223717	07/21/2021	PRINTED	1013	STANDARD INSURANCE COMPANY	Jul 2021	25	2027		62.76
600223717	07/21/2021	PRINTED	1013	STANDARD INSURANCE COMPANY	Jul 2021	22	2027		10.46
600223717	07/21/2021	PRINTED	1013	STANDARD INSURANCE COMPANY	Jul 2021	10	2027		1,198.65
600223716	07/21/2021	PRINTED	1318	WESTERN INSURANCE SPECIALTIES INC	Aug 2021	60	2027		31.16
600223716	07/21/2021	PRINTED	1318	WESTERN INSURANCE SPECIALTIES INC	Aug 2021	22	2027		4.22
600223716	07/21/2021	PRINTED	1318	WESTERN INSURANCE SPECIALTIES INC	Aug 2021	10	2027		1,491.70
600223707	07/21/2021	VOID	1013	STANDARD INSURANCE COMPANY	Jul 2021	60	2027		96.75
600223707	07/21/2021	VOID	1013	STANDARD INSURANCE COMPANY	Jul 2021	54	2027		21.97
600223707	07/21/2021	VOID	1013	STANDARD INSURANCE COMPANY	Jul 2021	26	2027		37.92
600223707	07/21/2021	VOID	1013	STANDARD INSURANCE COMPANY	Jul 2021	25	2027		62.76
600223707	07/21/2021	VOID	1013	STANDARD INSURANCE COMPANY	Jul 2021	22	2027		10.46
600223707	07/21/2021	VOID	1013	STANDARD INSURANCE COMPANY	Jul 2021	10	2027		1,198.65
600223703	07/21/2021	PRINTED	2588	PRE-PAID LEGAL SERVICES, INC.	071521	10	2033		98.65
600223702	07/21/2021	PRINTED	2058	POLICE PROTECTIVE ASSOCIATION	071521	25	2030		80.00
600223702	07/21/2021	PRINTED	2058	POLICE PROTECTIVE ASSOCIATION	071521	10	2030		880.00
600223663	07/21/2021	PRINTED	1109	LOWES HOME IMPROVEMENT WAREHOUSE	24793	30900	5905	G2107	474.90
600223663	07/21/2021	PRINTED	1109	LOWES HOME IMPROVEMENT WAREHOUSE	11227	30900	5905	G2107	551.86
600223662	07/21/2021	PRINTED	1518	LESLIE'S POOL SUPPLIES INC	0300101029473	10740	5601		735.82
600223657	07/21/2021	PRINTED	1274	HOME HARDWARE & VARIETY	A333989	10760	5605		43.97
600223657	07/21/2021	PRINTED	1274	HOME HARDWARE & VARIETY	A335861	10760	5605		31.76
600223657	07/21/2021	PRINTED	1274	HOME HARDWARE & VARIETY	B317871	10620	5301		33.98
600223657	07/21/2021	PRINTED	1274	HOME HARDWARE & VARIETY	A334043	10620	5301		16.99
600223657	07/21/2021	PRINTED	1274	HOME HARDWARE & VARIETY	B317153	10700	5605		29.98
600223654	07/21/2021	PRINTED	1447	CHARLES ROWLETT	18994	60685	5303		44.48

CLAIMS PAID REPORT, JULY 2021

CHECK NUMBER	CHECK DATE	CHECK TYPE	VENDOR NUMBER	VENDOR NAME	INVOICE	ORG	OBJECT	PROJECT	AMOUNT
600223654	07/21/2021	PRINTED	1447	CHARLES ROWLETT	18978	10500	5303		130.00
600223654	07/21/2021	PRINTED	1447	CHARLES ROWLETT	18991	10500	5303		88.96
600223652	07/21/2021	PRINTED	1429	FORD COUNTRY	1401062	10500	5303		1,183.45
600223652	07/21/2021	PRINTED	1429	FORD COUNTRY	1401648	10500	5303		83.62
600223652	07/21/2021	PRINTED	1429	FORD COUNTRY	1400780	10500	5303		222.20
600223652	07/21/2021	PRINTED	1429	FORD COUNTRY	1401374	10500	5303		112.17
600223646	07/21/2021	PRINTED	1125	COX COMMUNICATIONS INC	JULY 2021 NET/PHONES	10435	5104		4,792.00
600223644	07/21/2021	PRINTED	1117	COLONIAL SUPPLEMENTAL INSURANCE	3190808-0702018	61	2027		694.44
600223644	07/21/2021	PRINTED	1117	COLONIAL SUPPLEMENTAL INSURANCE	3190808-0702018	60	2027		123.34
600223644	07/21/2021	PRINTED	1117	COLONIAL SUPPLEMENTAL INSURANCE	3190808-0702018	25	2027		104.71
600223644	07/21/2021	PRINTED	1117	COLONIAL SUPPLEMENTAL INSURANCE	3190808-0702018	10	2027		3,202.12
600223643	07/21/2021	PRINTED	3842	CLEAR GOV INC	202111250	10430	5510		10,000.00
600223633	07/21/2021	PRINTED	1317	BOULDER CITY ANIMAL HOSPITAL	278508	40530	5605	Z5037	559.12
600223633	07/21/2021	PRINTED	1317	BOULDER CITY ANIMAL HOSPITAL	278399	40530	5605	Z5037	243.66
600223633	07/21/2021	PRINTED	1317	BOULDER CITY ANIMAL HOSPITAL	277745	40530	5605	Z5037	69.87
600223633	07/21/2021	PRINTED	1317	BOULDER CITY ANIMAL HOSPITAL	279167	40530	5605	Z5037	587.49
600223633	07/21/2021	PRINTED	1317	BOULDER CITY ANIMAL HOSPITAL	279166	40530	5605	Z5037	387.91
600223633	07/21/2021	PRINTED	1317	BOULDER CITY ANIMAL HOSPITAL	278090	40530	5605	Z5037	323.45
600223337	07/01/2021	EFT	3801	MARTHA FORD	91435	10430	5508		250.00
600223630	07/21/2021	EFT	1035	WAXIE'S ENTERPRISES INC.	80121583	10700	5607		1,100.65
600223627	07/21/2021	EFT	2034	VANTAGEPOINT TRANSFER AGENTS	571781	62	2020		126.75
600223627	07/21/2021	EFT	2034	VANTAGEPOINT TRANSFER AGENTS	571781	61	2020		50.00
600223627	07/21/2021	EFT	2034	VANTAGEPOINT TRANSFER AGENTS	571781	10	2020		731.00
600223625	07/21/2021	EFT	2034	VANTAGE TRANSFER AGENTS	571757	63	2020		497.27
600223625	07/21/2021	EFT	2034	VANTAGE TRANSFER AGENTS	571757	62	2020		1,023.49
600223625	07/21/2021	EFT	2034	VANTAGE TRANSFER AGENTS	571757	61	2020		492.50
600223625	07/21/2021	EFT	2034	VANTAGE TRANSFER AGENTS	571757	60	2020		1,437.50
600223625	07/21/2021	EFT	2034	VANTAGE TRANSFER AGENTS	571757	54	2020		100.00
600223625	07/21/2021	EFT	2034	VANTAGE TRANSFER AGENTS	571757	25	2020		99.89
600223625	07/21/2021	EFT	2034	VANTAGE TRANSFER AGENTS	571757	10	2020		20,797.76
600223624	07/21/2021	EFT	2056	UNITED WAY OF SOUTHERN NEVADA	071521	62	2029		13.00
600223624	07/21/2021	EFT	2056	UNITED WAY OF SOUTHERN NEVADA	071521	60	2029		22.50
600223624	07/21/2021	EFT	2056	UNITED WAY OF SOUTHERN NEVADA	071521	10	2029		22.50
600223623	07/21/2021	EFT	2652	UHS PREMIUM BILLING	737838444371	25	2025		94.17
600223623	07/21/2021	EFT	2652	UHS PREMIUM BILLING	737838444371	10	2025		1,056.33
600223622	07/21/2021	EFT	774	UNIFIRST CORPORATION	3512430212	10700	5614		124.98
600223622	07/21/2021	EFT	774	UNIFIRST CORPORATION	3512430187	63675	5614		101.69
600223622	07/21/2021	EFT	774	UNIFIRST CORPORATION	3512430187	63675	5603		36.87
600223622	07/21/2021	EFT	774	UNIFIRST CORPORATION	3512430187	62670	5614		76.09
600223622	07/21/2021	EFT	774	UNIFIRST CORPORATION	3512430187	62670	5603		36.86
600223622	07/21/2021	EFT	774	UNIFIRST CORPORATION	3512430187	61650	5614		270.15
600223622	07/21/2021	EFT	774	UNIFIRST CORPORATION	3512430187	61650	5603		36.87
600223622	07/21/2021	EFT	774	UNIFIRST CORPORATION	3512430187	10620	5614		79.89
600223622	07/21/2021	EFT	774	UNIFIRST CORPORATION	3512430187	10620	5603		36.86
600223622	07/21/2021	EFT	774	UNIFIRST CORPORATION	3512430187	10615	5614		264.56
600223622	07/21/2021	EFT	774	UNIFIRST CORPORATION	3512430187	10615	5605		36.86
600223622	07/21/2021	EFT	774	UNIFIRST CORPORATION	3512430187	10610	5614		104.78
600223622	07/21/2021	EFT	774	UNIFIRST CORPORATION	3512430187	10610	5603		36.86
600223622	07/21/2021	EFT	774	UNIFIRST CORPORATION	3512427404	63675	5614		77.11
600223622	07/21/2021	EFT	774	UNIFIRST CORPORATION	3512427404	63675	5603		36.87
600223622	07/21/2021	EFT	774	UNIFIRST CORPORATION	3512427404	62670	5614		76.09
600223622	07/21/2021	EFT	774	UNIFIRST CORPORATION	3512427404	62670	5603		36.86
600223622	07/21/2021	EFT	774	UNIFIRST CORPORATION	3512427404	61650	5614		270.15
600223622	07/21/2021	EFT	774	UNIFIRST CORPORATION	3512427404	61650	5603		36.87
600223622	07/21/2021	EFT	774	UNIFIRST CORPORATION	3512427404	10620	5614		79.89
600223622	07/21/2021	EFT	774	UNIFIRST CORPORATION	3512427404	10620	5603		36.86
600223622	07/21/2021	EFT	774	UNIFIRST CORPORATION	3512427404	10615	5614		155.73
600223622	07/21/2021	EFT	774	UNIFIRST CORPORATION	3512427404	10615	5605		36.86

CLAIMS PAID REPORT, JULY 2021

CHECK NUMBER	CHECK DATE	CHECK TYPE	VENDOR NUMBER	VENDOR NAME	INVOICE	ORG	OBJECT	PROJECT	AMOUNT
600223622	07/21/2021	EFT	774	UNIFIRST CORPORATION	3512427404	10610	5614		104.78
600223622	07/21/2021	EFT	774	UNIFIRST CORPORATION	3512427404	10610	5603		36.86
600223622	07/21/2021	EFT	774	UNIFIRST CORPORATION	3512427429	10700	5614		124.98
600223622	07/21/2021	EFT	774	UNIFIRST CORPORATION	3512427427	60685	5614		80.20
600223621	07/21/2021	EFT	1431	TURF TECH INC	5029	10750	5104		79,829.37
600223618	07/21/2021	EFT	2062	TEAMSTERS UNION LOCAL #14	Aug2021	62	2031		414.04
600223618	07/21/2021	EFT	2062	TEAMSTERS UNION LOCAL #14	Aug2021	61	2031		777.00
600223618	07/21/2021	EFT	2062	TEAMSTERS UNION LOCAL #14	Aug2021	60	2031		213.00
600223618	07/21/2021	EFT	2062	TEAMSTERS UNION LOCAL #14	Aug2021	10	2031		2,084.00
600223617	07/21/2021	EFT	3789	STAPLES, INC	3481524479	10500	5610		262.18
600223617	07/21/2021	EFT	3789	STAPLES, INC	3481524480	10500	5610		37.49
600223617	07/21/2021	EFT	3789	STAPLES, INC	3481589286	10460	5611		299.16
600223617	07/21/2021	EFT	3789	STAPLES, INC	3481445059	40490	5605	M4902	45.92
600223617	07/21/2021	EFT	3789	STAPLES, INC	3481445059	10490	5610		187.31
600223617	07/21/2021	EFT	3789	STAPLES, INC	3481445060	40490	5605	M4902	17.52
600223615	07/21/2021	EFT	2651	SIERRA HEALTH & LIFE INS CO INC	211900001125	25	2025		1,628.89
600223615	07/21/2021	EFT	2651	SIERRA HEALTH & LIFE INS CO INC	211900001125	10	2025		10,414.84
600223614	07/21/2021	EFT	794	SCHAPER GOLF CORPORATION	AUG 2021	10750	5102		37,128.00
600223612	07/21/2021	EFT	2126	ROGUE 5 MEDIA INC	8488	10750	5503		300.00
600223607	07/21/2021	EFT	2028	LIFE INSURANCE COMPANY OF NORTH AMERICA	Jul 2021	60	2027		239.33
600223607	07/21/2021	EFT	2028	LIFE INSURANCE COMPANY OF NORTH AMERICA	Jul 2021	54	2027		48.53
600223607	07/21/2021	EFT	2028	LIFE INSURANCE COMPANY OF NORTH AMERICA	Jul 2021	26	2027		71.00
600223607	07/21/2021	EFT	2028	LIFE INSURANCE COMPANY OF NORTH AMERICA	Jul 2021	25	2027		124.33
600223607	07/21/2021	EFT	2028	LIFE INSURANCE COMPANY OF NORTH AMERICA	Jul 2021	22	2027		38.26
600223607	07/21/2021	EFT	2028	LIFE INSURANCE COMPANY OF NORTH AMERICA	Jul 2021	10	2027		3,160.17
600223603	07/21/2021	EFT	1313	JOHNSTONE SUPPLY OF HENDERSON	388S4988919001	10620	5302		413.91
600223600	07/21/2021	EFT	906	GRAINGER INC	9950941675	10620	5301		180.38
600223600	07/21/2021	EFT	906	GRAINGER INC	9950082033	10620	5301		57.63
600223599	07/21/2021	EFT	3609	FERGUSON US HOLDINGS INC	0961209	10615	5305		475.90
600223597	07/21/2021	EFT	1074	BRENDA LEE PIERFELICE	7072055	10500	5104		75.00
600223597	07/21/2021	EFT	1074	BRENDA LEE PIERFELICE	7072056	10500	5104		150.00
600223597	07/21/2021	EFT	1074	BRENDA LEE PIERFELICE	7072057	10500	5104		75.00
600223595	07/21/2021	EFT	2328	BOULDER CITY POLICE SUPERVISORS ASSOCIATION	071521	10	2030		150.32
600223593	07/21/2021	EFT	1386	BORDER STATES INDUSTRIES, INC.	922403949	61900	5905	E1909	197.65
600223592	07/21/2021	EFT	3177	AMAZON CAPITAL SERVICES, INC.	1VM7PIJT19C1	10410	5610		49.21
600223592	07/21/2021	EFT	3177	AMAZON CAPITAL SERVICES, INC.	1VM7PIJT19C1	10450	5610		20.45
600223592	07/21/2021	EFT	3177	AMAZON CAPITAL SERVICES, INC.	1GLD377C1TND	10500	5610		123.99
600223592	07/21/2021	EFT	3177	AMAZON CAPITAL SERVICES, INC.	17TLTW7YVG6L	10620	5301		164.14
600223592	07/21/2021	EFT	3177	AMAZON CAPITAL SERVICES, INC.	1VP6TFPV1MG7	10490	5610		10.99
600223592	07/21/2021	EFT	3177	AMAZON CAPITAL SERVICES, INC.	1LRDNJC134K7	10460	5611		32.46
600223591	07/21/2021	EFT	1280	ACE SHOPPER STOPPER	118963	10700	5605		5.99
600223591	07/21/2021	EFT	1280	ACE SHOPPER STOPPER	118933	10700	5605		7.98
600223591	07/21/2021	EFT	1280	ACE SHOPPER STOPPER	118881	10620	5301		30.01
600223589	07/21/2021	PRINTED	818	XEROX CORPORATION	013767292	10490	5611		21.57
600223571	07/21/2021	PRINTED	2832	RESIDENTIAL FIRE PROTECTION	FB151914	10620	5302		315.00
600223567	07/21/2021	PRINTED	1109	LOWES HOME IMPROVEMENT WAREHOUSE	9590	63675	5305		119.95
600223563	07/21/2021	PRINTED	2018	INDUSTRIAL SCIENTIFIC CORP	2285499	10510	5302		(3,556.32)
600223560	07/21/2021	PRINTED	1447	CHARLES ROWLETT	18953	10500	5303		19.24
600223556	07/21/2021	PRINTED	914	CMWORKS INC	37689	30900	5905	C2009	57,057.50
600223555	07/21/2021	PRINTED	1520	CAPITAL WESTWARD SYSTEMS & CONTROLS	INV12818	62670	5603		1,335.79
600223554	07/21/2021	PRINTED	2387	SCHULTZ FAMILY ENTERPRISES LLC	831283	10500	5611		22.00
600223554	07/21/2021	PRINTED	2387	SCHULTZ FAMILY ENTERPRISES LLC	831291	10500	5611		22.00
600223554	07/21/2021	PRINTED	2387	SCHULTZ FAMILY ENTERPRISES LLC	831276	10500	5611		27.50
600223554	07/21/2021	PRINTED	2387	SCHULTZ FAMILY ENTERPRISES LLC	831267	10500	5611		27.50
600223554	07/21/2021	PRINTED	2387	SCHULTZ FAMILY ENTERPRISES LLC	831263	10500	5611		16.50
600223554	07/21/2021	PRINTED	2387	SCHULTZ FAMILY ENTERPRISES LLC	831256	10500	5611		22.00
600223553	07/21/2021	PRINTED	980	BOULDER CITY HOSPITAL INC	1638	10500	5104		150.00
600223553	07/21/2021	PRINTED	980	BOULDER CITY HOSPITAL INC	1649	10500	5104		250.00

CLAIMS PAID REPORT, JULY 2021

CHECK NUMBER	CHECK DATE	CHECK TYPE	VENDOR NUMBER	VENDOR NAME	INVOICE	ORG	OBJECT	PROJECT	AMOUNT
600223544	07/21/2021	EFT	2203	VC3 INC	63219	10435	5102		33,806.97
600223541	07/21/2021	EFT	1423	TILMAN ESQ CHRISTOPHER R	3422	10490	5102		-
600223538	07/21/2021	EFT	3789	STAPLES, INC	3480589005	10510	5610		178.45
600223537	07/21/2021	EFT	3432	SOUTHERN TIRE MART LLC	7500108035	62670	5303		-
600223537	07/21/2021	EFT	3432	SOUTHERN TIRE MART LLC	7500108035	61650	5303		-
600223537	07/21/2021	EFT	3432	SOUTHERN TIRE MART LLC	7500108035	60685	5303		-
600223537	07/21/2021	EFT	3432	SOUTHERN TIRE MART LLC	7500108035	10620	5303		-
600223537	07/21/2021	EFT	3432	SOUTHERN TIRE MART LLC	7500108035	10615	5303		-
600223537	07/21/2021	EFT	3432	SOUTHERN TIRE MART LLC	7500108035	10610	5303		-
600223537	07/21/2021	EFT	3432	SOUTHERN TIRE MART LLC	7500108035	10510	5303		-
600223534	07/21/2021	EFT	2418	SITEONE LANDSCAPE SUPPLY-	110569622001	10615	5305		535.13
600223534	07/21/2021	EFT	2418	SITEONE LANDSCAPE SUPPLY-	110304256001	10615	5603		1,728.49
600223532	07/21/2021	EFT	794	SCHAPER GOLF CORPORATION	JUNE 2021 MERCH/TAX	10750	2018		9,920.52
600223532	07/21/2021	EFT	794	SCHAPER GOLF CORPORATION	JUNE 2021 MERCH/TAX	10	2005		1,493.82
600223531	07/21/2021	EFT	2124	SATELLITE TRACKING OF PEOPLE LLC	STPINV00090515	10490	5102		1,341.36
600223531	07/21/2021	EFT	2124	SATELLITE TRACKING OF PEOPLE LLC	STPINV00090279	10490	5101		124.00
600223530	07/21/2021	EFT	1263	REBEL OIL CO INC	7039340IN	10	1402		8,064.40
600223525	07/21/2021	EFT	3170	HORROCKS ENGINEERS, INC.	62273	61900	5905	UE182	52,300.00
600223524	07/21/2021	EFT	2474	GEOTECHNICAL & ENVIRONMENTAL SERVICES INC	58819	30900	5905	C2009	842.50
600223523	07/21/2021	EFT	2932	GCW, INC.	109588	30900	5905	C2009	600.00
600223516	07/21/2021	EFT	1046	GRISWOLD INDUSTRIES	CR0005029222	62670	5302		(353.52)
600223516	07/21/2021	EFT	1046	GRISWOLD INDUSTRIES	CR0005029221	62670	5302		(183.03)
600223516	07/21/2021	EFT	1046	GRISWOLD INDUSTRIES	823574	62670	5302		4,618.23
600223516	07/21/2021	EFT	1046	GRISWOLD INDUSTRIES	CR0005029220	62670	5302		(617.16)
600223516	07/21/2021	EFT	1046	GRISWOLD INDUSTRIES	823573	62670	5302		9,966.56
600223515	07/21/2021	EFT	994	CITY OF HENDERSON	MSC5035632	10500	5104		6,176.00
600223515	07/21/2021	EFT	994	CITY OF HENDERSON	MSC5035649	10500	5103		20,350.88
600223512	07/21/2021	EFT	1268	CARQUEST AUTO PARTS	14981116120	10615	5302		900.66
600223512	07/21/2021	EFT	1268	CARQUEST AUTO PARTS	14981117529	10500	5303		12.04
600223512	07/21/2021	EFT	1268	CARQUEST AUTO PARTS	14981116245	63675	5303		-
600223512	07/21/2021	EFT	1268	CARQUEST AUTO PARTS	14981116245	62670	5303		21.35
600223512	07/21/2021	EFT	1268	CARQUEST AUTO PARTS	14981116245	61650	5303		-
600223512	07/21/2021	EFT	1268	CARQUEST AUTO PARTS	14981116245	54830	5302		-
600223512	07/21/2021	EFT	1268	CARQUEST AUTO PARTS	14981116245	10700	5303		-
600223512	07/21/2021	EFT	1268	CARQUEST AUTO PARTS	14981116245	10625	5303		-
600223512	07/21/2021	EFT	1268	CARQUEST AUTO PARTS	14981116245	10620	5303		-
600223512	07/21/2021	EFT	1268	CARQUEST AUTO PARTS	14981116245	10615	5303		-
600223512	07/21/2021	EFT	1268	CARQUEST AUTO PARTS	14981116245	10610	5604		-
600223512	07/21/2021	EFT	1268	CARQUEST AUTO PARTS	14981116245	10610	5303		-
600223512	07/21/2021	EFT	1268	CARQUEST AUTO PARTS	14981116245	10510	5302		-
600223512	07/21/2021	EFT	1268	CARQUEST AUTO PARTS	14981116245	10500	5303		-
600223511	07/21/2021	EFT	846	BOULDER TREE SERVICE LLC	69811	10615	5305		390.00
600223510	07/21/2021	EFT	2033	BOULDER CITY DISPOSAL INC	JUN 2021	62670	5204		156.73
600223510	07/21/2021	EFT	2033	BOULDER CITY DISPOSAL INC	JUN 2021	61650	5204		388.39
600223510	07/21/2021	EFT	2033	BOULDER CITY DISPOSAL INC	JUN 2021	10760	5204		351.96
600223510	07/21/2021	EFT	2033	BOULDER CITY DISPOSAL INC	JUN 2021	10700	5204		313.46
600223510	07/21/2021	EFT	2033	BOULDER CITY DISPOSAL INC	JUN 2021	10620	5204		241.30
600223510	07/21/2021	EFT	2033	BOULDER CITY DISPOSAL INC	JUN 2021	10615	5204		632.49
600223510	07/21/2021	EFT	2033	BOULDER CITY DISPOSAL INC	JUN 2021	10610	5204		632.49
600223510	07/21/2021	EFT	2033	BOULDER CITY DISPOSAL INC	JUN 2021	10530	5204		156.73
600223510	07/21/2021	EFT	2033	BOULDER CITY DISPOSAL INC	JUNE 2021 AIRPORT	54830	5204		219.85
600223510	07/21/2021	EFT	2033	BOULDER CITY DISPOSAL INC	JUNE 2021 CREEK	10750	5204		546.21
600223507	07/21/2021	EFT	2139	ANDERSON PEST CONTROL, LLC	146622	10900	5301	C2101	1,200.00
600223503	07/20/2021	MANUAL	1055	PITNEY BOWES GLOBAL FINANCIAL SERVICES LLC	072021 METER REFILL	10510	5506		40.00
600223503	07/20/2021	MANUAL	1055	PITNEY BOWES GLOBAL FINANCIAL SERVICES LLC	072021 METER REFILL	10430	5506		700.00
600223503	07/20/2021	MANUAL	1055	PITNEY BOWES GLOBAL FINANCIAL SERVICES LLC	072021 METER REFILL	10800	5506		200.00
600223503	07/20/2021	MANUAL	1055	PITNEY BOWES GLOBAL FINANCIAL SERVICES LLC	072021 METER REFILL	10420	5506		100.00
600223503	07/20/2021	MANUAL	1055	PITNEY BOWES GLOBAL FINANCIAL SERVICES LLC	072021 METER REFILL	10500	5506		62.00

CLAIMS PAID REPORT, JULY 2021

CHECK NUMBER	CHECK DATE	CHECK TYPE	VENDOR NUMBER	VENDOR NAME	INVOICE	ORG	OBJECT	PROJECT	AMOUNT
600223503	07/20/2021	MANUAL	1055	PITNEY BOWES GLOBAL FINANCIAL SERVICES LLC	072021 METER REFILL	60685	5506		2,200.00
600223503	07/20/2021	MANUAL	1055	PITNEY BOWES GLOBAL FINANCIAL SERVICES LLC	072021 METER REFILL	54830	5506		150.00
600223502	07/14/2021	MANUAL	3698	BANKCARD CENTER	JUNE 2021 DD	61650	5302		94.95
600223502	07/14/2021	MANUAL	3698	BANKCARD CENTER	JUNE 2021 DD	61650	5302		167.84
600223502	07/14/2021	MANUAL	3698	BANKCARD CENTER	JUNE 2021 DD	10510	5303		149.99
600223502	07/14/2021	MANUAL	3698	BANKCARD CENTER	JUNE 2021 DD	10615	5303		123.31
600223502	07/14/2021	MANUAL	3698	BANKCARD CENTER	JUNE 2021 DD	61650	5303		95.74
600223502	07/14/2021	MANUAL	3698	BANKCARD CENTER	JUNE 2021 DD	10500	5303		80.00
600223500	07/14/2021	MANUAL	3698	BANKCARD CENTER	JUNE 2021 MP	61650	5301		18.97
600223499	07/14/2021	MANUAL	3698	BANKCARD CENTER	JUNE 2021 MN	62670	5303		300.00
600223499	07/14/2021	MANUAL	3698	BANKCARD CENTER	JUNE 2021 MN	63675	5506		50.00
600223499	07/14/2021	MANUAL	3698	BANKCARD CENTER	JUNE 2021 MN	63675	5509		59.00
600223499	07/14/2021	MANUAL	3698	BANKCARD CENTER	JUNE 2021 MN	62670	5506		20.00
600223499	07/14/2021	MANUAL	3698	BANKCARD CENTER	JUNE 2021 MN	63675	5508		130.00
600223498	07/14/2021	MANUAL	3698	BANKCARD CENTER	JUNE 2021 JL	10510	5302		120.00
600223498	07/14/2021	MANUAL	3698	BANKCARD CENTER	JUNE 2021 JL	10610	5303		180.00
600223498	07/14/2021	MANUAL	3698	BANKCARD CENTER	JUNE 2021 JL	10500	5303		11.99
600223498	07/14/2021	MANUAL	3698	BANKCARD CENTER	JUNE 2021 JL	62670	5303		26.49
600223498	07/14/2021	MANUAL	3698	BANKCARD CENTER	JUNE 2021 JL	10610	5303		700.00
600223497	07/14/2021	MANUAL	3698	BANKCARD CENTER	JUNE 2021 BF	61655	5301		2.18
600223497	07/14/2021	MANUAL	3698	BANKCARD CENTER	JUNE 2021 BF	61655	5301		47.97
600223497	07/14/2021	MANUAL	3698	BANKCARD CENTER	JUNE 2021 BF	61655	5301		5.49
600223497	07/14/2021	MANUAL	3698	BANKCARD CENTER	JUNE 2021 BF	61655	5301		72.25
600223497	07/14/2021	MANUAL	3698	BANKCARD CENTER	JUNE 2021 BF	61655	5301		54.46
600223497	07/14/2021	MANUAL	3698	BANKCARD CENTER	JUNE 2021 BF	61655	5301		22.99
600223497	07/14/2021	MANUAL	3698	BANKCARD CENTER	JUNE 2021 BF	61655	5301		17.99
600223496	07/14/2021	MANUAL	3698	BANKCARD CENTER	JUNE 2021 LG	54830	5502		84.60
600223496	07/14/2021	MANUAL	3698	BANKCARD CENTER	JUNE 2021 LG	54830	5508		52.95
600223496	07/14/2021	MANUAL	3698	BANKCARD CENTER	JUNE 2021 LG	54830	5605		329.98
600223494	07/14/2021	MANUAL	3698	BANKCARD CENTER	JUNE 2021 DB	61655	5301		26.55
600223494	07/14/2021	MANUAL	3698	BANKCARD CENTER	JUNE 2021 DB	61650	5904		348.92
600223494	07/14/2021	MANUAL	3698	BANKCARD CENTER	JUNE 2021 DB	61655	5301		53.73
600223493	07/14/2021	MANUAL	3698	BANKCARD CENTER	JUNE 2021 MMARTIN	61650	5301		136.07
600223493	07/14/2021	MANUAL	3698	BANKCARD CENTER	JUNE 2021 MMARTIN	61650	5301		9.98
600223493	07/14/2021	MANUAL	3698	BANKCARD CENTER	JUNE 2021 MMARTIN	61650	5301		48.97
600223492	07/14/2021	MANUAL	3698	BANKCARD CENTER	JUNE 2021 HC	10520	5603		599.99
600223492	07/14/2021	MANUAL	3698	BANKCARD CENTER	JUNE 2021 HC	10520	5603		2,679.00
600223491	07/14/2021	MANUAL	3698	BANKCARD CENTER	JUNE 2021 JG	10500	5509		(136.99)
600223491	07/14/2021	MANUAL	3698	BANKCARD CENTER	JUNE 2021 JG	10500	5509		235.96
600223487	07/14/2021	MANUAL	3698	BANKCARD CENTER	JUNE 2021 RH POOL	10740	5603		156.52
600223487	07/14/2021	MANUAL	3698	BANKCARD CENTER	JUNE 2021 RH POOL	10740	5508		960.31
600223487	07/14/2021	MANUAL	3698	BANKCARD CENTER	JUNE 2021 RH POOL	10740	5503		53.05
600223487	07/14/2021	MANUAL	3698	BANKCARD CENTER	JUNE 2021 RH POOL	10740	5602		184.94
600223487	07/14/2021	MANUAL	3698	BANKCARD CENTER	JUNE 2021 RH POOL	10740	5509		39.00
600223487	07/14/2021	MANUAL	3698	BANKCARD CENTER	JUNE 2021 RH POOL	40700	5605	Z7117	39.00
600223484	07/14/2021	MANUAL	3698	BANKCARD CENTER	JUNE 2021 BB	10450	5512		158.06
600223483	07/14/2021	MANUAL	3698	BANKCARD CENTER	JUNE 2021 KB	10400	5509		445.30
600223483	07/14/2021	MANUAL	3698	BANKCARD CENTER	JUNE 2021 KB	10420	5610		123.60
600223482	07/14/2021	MANUAL	3698	BANKCARD CENTER	JUNE 2021 TH	10500	5611		175.60
600223482	07/14/2021	MANUAL	3698	BANKCARD CENTER	JUNE 2021 TH	10500	5611		304.23
600223480	07/14/2021	MANUAL	3698	BANKCARD CENTER	JUNE 2021 CG	40490	5605	M4902	91.70
600223480	07/14/2021	MANUAL	3698	BANKCARD CENTER	JUNE 2021 CG	40490	5605	M4902	125.00
600223479	07/14/2021	MANUAL	3698	BANKCARD CENTER	JUNE 2021 BA	10430	5506		4.35
600223479	07/14/2021	MANUAL	3698	BANKCARD CENTER	JUNE 2021 BA	60685	5509		96.88
600223479	07/14/2021	MANUAL	3698	BANKCARD CENTER	JUNE 2021 BA	10430	5610		6.99
600223478	07/14/2021	MANUAL	3698	BANKCARD CENTER	JUNE 2021 JR	10510	5603		348.00
600223478	07/14/2021	MANUAL	3698	BANKCARD CENTER	JUNE 2021 JR	10510	5605		27.94
600223478	07/14/2021	MANUAL	3698	BANKCARD CENTER	JUNE 2021 JR	10510	5603		(544.34)

CLAIMS PAID REPORT, JULY 2021

CHECK NUMBER	CHECK DATE	CHECK TYPE	VENDOR NUMBER	VENDOR NAME	INVOICE	ORG	OBJECT	PROJECT	AMOUNT
600223478	07/14/2021	MANUAL	3698	BANKCARD CENTER	JUNE 2021 JR	40510	5605	Z5127	42.91
600223478	07/14/2021	MANUAL	3698	BANKCARD CENTER	JUNE 2021 JR	10510	5603		920.12
600223477	07/14/2021	MANUAL	3698	BANKCARD CENTER	JUNE 2021 WG	10510	5603		269.85
600223477	07/14/2021	MANUAL	3698	BANKCARD CENTER	JUNE 2021 WG	10510	5603		2,263.32
600223477	07/14/2021	MANUAL	3698	BANKCARD CENTER	JUNE 2021 WG	10510	5509		2,500.00
600223477	07/14/2021	MANUAL	3698	BANKCARD CENTER	JUNE 2021 WG	10510	5603		179.99
600223477	07/14/2021	MANUAL	3698	BANKCARD CENTER	JUNE 2021 WG	10510	5603		26.99
600223477	07/14/2021	MANUAL	3698	BANKCARD CENTER	JUNE 2021 WG	10510	5603		31.49
600223472	07/14/2021	MANUAL	3698	BANKCARD CENTER	JUNE 2021 BW	10440	5508		18.00
600223471	07/14/2021	MANUAL	3698	BANKCARD CENTER	JUNE 2021 GP	10600	5610		29.70
600223470	07/14/2021	MANUAL	3698	BANKCARD CENTER	JUNE 2021 DS	54830	5307		943.20
600223470	07/14/2021	MANUAL	3698	BANKCARD CENTER	JUNE 2021 DS	10620	5508		4.49
600223470	07/14/2021	MANUAL	3698	BANKCARD CENTER	JUNE 2021 DS	10620	5302		149.70
600223470	07/14/2021	MANUAL	3698	BANKCARD CENTER	JUNE 2021 DS	10490	5301		23.22
600223470	07/14/2021	MANUAL	3698	BANKCARD CENTER	JUNE 2021 DS	30900	5905	R2002	770.22
600223470	07/14/2021	MANUAL	3698	BANKCARD CENTER	JUNE 2021 DS	54830	5301		160.83
600223470	07/14/2021	MANUAL	3698	BANKCARD CENTER	JUNE 2021 DS	10490	5301		198.00
600223470	07/14/2021	MANUAL	3698	BANKCARD CENTER	JUNE 2021 DS	10620	5508		13.95
600223470	07/14/2021	MANUAL	3698	BANKCARD CENTER	JUNE 2021 DS	10620	5302		465.00
600223470	07/14/2021	MANUAL	3698	BANKCARD CENTER	JUNE 2021 DS	10620	5603		111.30
600223470	07/14/2021	MANUAL	3698	BANKCARD CENTER	JUNE 2021 DS	10610	5603		209.90
600223462	07/07/2021	PRINTED	2409	ARIZONA MACHINERY	P31534	10610	5303		-
600223459	07/07/2021	PRINTED	2157	ROADSAFE TRAFFIC SYSTEMS INC	134495	10610	5603		1,431.85
600223456	07/07/2021	PRINTED	2058	POLICE PROTECTIVE ASSOCIATION	070121	25	2030		80.00
600223456	07/07/2021	PRINTED	2058	POLICE PROTECTIVE ASSOCIATION	070121	10	2030		880.00
600223435	07/07/2021	PRINTED	3167	MCMANUS, KIERNAN	91427	10400	5509		388.32
600223433	07/07/2021	PRINTED	1518	LESLIE'S POOL SUPPLIES INC	0300105011920	10740	5601		193.99
600223433	07/07/2021	PRINTED	1518	LESLIE'S POOL SUPPLIES INC	0300105011920	10740	5302		12.99
600223433	07/07/2021	PRINTED	1518	LESLIE'S POOL SUPPLIES INC	0300105011940	10740	5601		193.99
600223433	07/07/2021	PRINTED	1518	LESLIE'S POOL SUPPLIES INC	0300105011940	10740	5302		12.99
600223433	07/07/2021	PRINTED	1518	LESLIE'S POOL SUPPLIES INC	0300105011974	10740	5601		610.99
600223433	07/07/2021	PRINTED	1518	LESLIE'S POOL SUPPLIES INC	0300105011990	10740	5601		164.88
600223433	07/07/2021	PRINTED	1518	LESLIE'S POOL SUPPLIES INC	0300107015477	10740	5601		1,334.48
600223431	07/07/2021	PRINTED	1260	LEAVITT INSURANCE AGENCY INC	NPAIP202122	43460	5501		369,535.11
600223431	07/07/2021	PRINTED	1260	LEAVITT INSURANCE AGENCY INC	624129	54830	5501		8,042.00
600223425	07/07/2021	PRINTED	1274	HOME HARDWARE & VARIETY	A333507	10620	5301		20.98
600223425	07/07/2021	PRINTED	1274	HOME HARDWARE & VARIETY	A332558	10620	5301		4.94
600223425	07/07/2021	PRINTED	1274	HOME HARDWARE & VARIETY	B316996	10620	5301		10.67
600223425	07/07/2021	PRINTED	1274	HOME HARDWARE & VARIETY	A324787	10530	5611		258.03
600223425	07/07/2021	PRINTED	1274	HOME HARDWARE & VARIETY	B309984	10760	5606		14.99
600223425	07/07/2021	PRINTED	1274	HOME HARDWARE & VARIETY	A332800	10615	5605		34.98
600223425	07/07/2021	PRINTED	1274	HOME HARDWARE & VARIETY	A331039	10615	5605		6.58
600223425	07/07/2021	PRINTED	1274	HOME HARDWARE & VARIETY	A333479	10615	5605		18.99
600223423	07/07/2021	PRINTED	1231	HELENA CHEMICAL COMPANY	63764174	52860	5601		-
600223423	07/07/2021	PRINTED	1231	HELENA CHEMICAL COMPANY	63764174	52860	5305		-
600223423	07/07/2021	PRINTED	1231	HELENA CHEMICAL COMPANY	63764174	10615	5601		-
600223423	07/07/2021	PRINTED	1231	HELENA CHEMICAL COMPANY	63764174	10615	5305		1,850.00
600223422	07/07/2021	PRINTED	1073	HD SUPPLY FACILITIES MAINTENANCE LTD	639123	62670	5603		-
600223420	07/07/2021	PRINTED	1447	CHARLES ROWLETT	18907	10500	5303		59.95
600223420	07/07/2021	PRINTED	1447	CHARLES ROWLETT	18922	10500	5303		92.07
600223420	07/07/2021	PRINTED	1447	CHARLES ROWLETT	18892	10500	5303		22.95
600223420	07/07/2021	PRINTED	1447	CHARLES ROWLETT	18936	10500	5303		38.48
600223420	07/07/2021	PRINTED	1447	CHARLES ROWLETT	18940	10500	5303		90.57
600223420	07/07/2021	PRINTED	1447	CHARLES ROWLETT	18870	10500	5303		39.95
600223420	07/07/2021	PRINTED	1447	CHARLES ROWLETT	18861	10500	5303		24.24
600223420	07/07/2021	PRINTED	1447	CHARLES ROWLETT	18863	10500	5303		20.00
600223420	07/07/2021	PRINTED	1447	CHARLES ROWLETT	18857	10500	5303		155.57
600223419	07/07/2021	PRINTED	1429	FORD COUNTRY	1400202	10500	5303		260.59

CLAIMS PAID REPORT, JULY 2021

CHECK NUMBER	CHECK DATE	CHECK TYPE	VENDOR NUMBER	VENDOR NAME	INVOICE	ORG	OBJECT	PROJECT	AMOUNT
600223406	07/07/2021	PRINTED	1317	BOULDER CITY ANIMAL HOSPITAL	276735	40530	5605	Z5037	94.74
600223406	07/07/2021	PRINTED	1317	BOULDER CITY ANIMAL HOSPITAL	277026	40530	5605	Z5037	510.27
600223404	07/07/2021	PRINTED	924	AT&T MOBILITY	287248841309x062121	10700	5502		255.80
600223404	07/07/2021	PRINTED	924	AT&T MOBILITY	287248841309x062121	10490	5502		101.22
600223404	07/07/2021	PRINTED	924	AT&T MOBILITY	287248841309x062121	10420	5502		25.30
600223404	07/07/2021	PRINTED	924	AT&T MOBILITY	287248841309x062121	10400	5502		428.74
600223404	07/07/2021	PRINTED	924	AT&T MOBILITY	287248841309x062121	61650	5502		612.72
600223404	07/07/2021	PRINTED	924	AT&T MOBILITY	287248841309x062121	60685	5502		57.98
600223404	07/07/2021	PRINTED	924	AT&T MOBILITY	287248841309x062121	54830	5502		169.85
600223404	07/07/2021	PRINTED	924	AT&T MOBILITY	287248841309x062121	10800	5502		157.15
600223404	07/07/2021	PRINTED	924	AT&T MOBILITY	287248841309x062121	10740	5502		57.98
600223404	07/07/2021	PRINTED	924	AT&T MOBILITY	287248841309x062121	10716	5502		113.92
600223404	07/07/2021	PRINTED	924	AT&T MOBILITY	287248841309x062121	10625	5502		299.05
600223404	07/07/2021	PRINTED	924	AT&T MOBILITY	287248841309x062121	10620	5502		417.36
600223404	07/07/2021	PRINTED	924	AT&T MOBILITY	287248841309x062121	10615	5502		113.92
600223404	07/07/2021	PRINTED	924	AT&T MOBILITY	287248841309x062121	10610	5502		479.54
600223404	07/07/2021	PRINTED	924	AT&T MOBILITY	287248841309x062121	10600	5502		57.98
600223404	07/07/2021	PRINTED	924	AT&T MOBILITY	287248841309x062121	10500	5502		45.28
600223404	07/07/2021	PRINTED	924	AT&T MOBILITY	287248841309x062121	10450	5502		57.98
600223404	07/07/2021	PRINTED	924	AT&T MOBILITY	287248841309x062121	10440	5502		184.39
600223404	07/07/2021	PRINTED	924	AT&T MOBILITY	287248841309x062121	10435	5502		1,149.27
600223404	07/07/2021	PRINTED	924	AT&T MOBILITY	287248841309x062121	10430	5502		200.38
600223404	07/07/2021	PRINTED	924	AT&T MOBILITY	287248841309x062121	10410	5502		110.22
600223403	07/07/2021	PRINTED	2084	ARC HEALTH & WELLNESS CENTERS LLC	2082403	10500	5102		550.00
600223403	07/07/2021	PRINTED	2084	ARC HEALTH & WELLNESS CENTERS LLC	2082406	10500	5102		660.00
600223403	07/07/2021	PRINTED	2084	ARC HEALTH & WELLNESS CENTERS LLC	2082407	10500	5102		550.00
600223403	07/07/2021	PRINTED	2084	ARC HEALTH & WELLNESS CENTERS LLC	2082408	10500	5102		550.00
600223403	07/07/2021	PRINTED	2084	ARC HEALTH & WELLNESS CENTERS LLC	2086037	10500	5102		550.00
600223403	07/07/2021	PRINTED	2084	ARC HEALTH & WELLNESS CENTERS LLC	2081719	10500	5102		660.00
600223403	07/07/2021	PRINTED	2084	ARC HEALTH & WELLNESS CENTERS LLC	2084062	10500	5102		550.00
600223403	07/07/2021	PRINTED	2084	ARC HEALTH & WELLNESS CENTERS LLC	2084069	10500	5102		685.00
600223403	07/07/2021	PRINTED	2084	ARC HEALTH & WELLNESS CENTERS LLC	2086020	10500	5102		660.00
600223402	07/07/2021	PRINTED	3526	AQUATIC CONSULTING & TESTING INC	2120369	63675	5302		950.00
600223400	07/07/2021	PRINTED	3263	HOWROYD-WRIGHT EMPLOYMENT AGENCY, INC.	015945761	10800	5102		879.60
600223396	07/07/2021	EFT	2203	VC3 INC	61647	60640	5510		242.10
600223396	07/07/2021	EFT	2203	VC3 INC	61647	10625	5510		484.20
600223396	07/07/2021	EFT	2203	VC3 INC	61647	10610	5510		242.10
600223396	07/07/2021	EFT	2203	VC3 INC	61647	10615	5510		242.10
600223396	07/07/2021	EFT	2203	VC3 INC	61647	10500	5510		726.30
600223396	07/07/2021	EFT	2203	VC3 INC	61647	10450	5510		242.10
600223396	07/07/2021	EFT	2203	VC3 INC	61647	10420	5510		726.30
600223396	07/07/2021	EFT	2203	VC3 INC	61647	10410	5510		242.10
600223396	07/07/2021	EFT	2203	VC3 INC	61647	10510	5510		726.30
600223396	07/07/2021	EFT	2203	VC3 INC	61647	10620	5510		242.10
600223396	07/07/2021	EFT	2203	VC3 INC	61647	10490	5510		242.10
600223396	07/07/2021	EFT	2203	VC3 INC	61647	10465	5510		1,157.85
600223396	07/07/2021	EFT	2203	VC3 INC	61647	10800	5510		1,452.60
600223396	07/07/2021	EFT	2203	VC3 INC	61647	10440	5510		242.10
600223396	07/07/2021	EFT	2203	VC3 INC	61647	10600	5510		2,126.25
600223396	07/07/2021	EFT	2203	VC3 INC	61647	10700	5510		3,473.55
600223396	07/07/2021	EFT	2203	VC3 INC	61647	10430	5510		1,884.15
600223395	07/07/2021	EFT	2034	VANTAGEPOINT TRANSFER AGENTS	565155	62	2020		126.75
600223395	07/07/2021	EFT	2034	VANTAGEPOINT TRANSFER AGENTS	565155	61	2020		50.00
600223395	07/07/2021	EFT	2034	VANTAGEPOINT TRANSFER AGENTS	565155	10	2020		731.00
600223393	07/07/2021	EFT	2034	VANTAGE TRANSFER AGENTS	565142	63	2020		497.27
600223393	07/07/2021	EFT	2034	VANTAGE TRANSFER AGENTS	565142	62	2020		1,023.49
600223393	07/07/2021	EFT	2034	VANTAGE TRANSFER AGENTS	565142	61	2020		492.50
600223393	07/07/2021	EFT	2034	VANTAGE TRANSFER AGENTS	565142	60	2020		1,437.50

CLAIMS PAID REPORT, JULY 2021

CHECK NUMBER	CHECK DATE	CHECK TYPE	VENDOR NUMBER	VENDOR NAME	INVOICE	ORG	OBJECT	PROJECT	AMOUNT
600223393	07/07/2021	EFT	2034	VANTAGE TRANSFER AGENTS	565142	54	2020		100.00
600223393	07/07/2021	EFT	2034	VANTAGE TRANSFER AGENTS	565142	25	2020		100.00
600223393	07/07/2021	EFT	2034	VANTAGE TRANSFER AGENTS	565142	10	2020		20,266.97
600223392	07/07/2021	EFT	999	URBAN JUNGLE CONTRACTORS LTD.	2312	61650	5301		3,385.00
600223391	07/07/2021	EFT	2056	UNITED WAY OF SOUTHERN NEVADA	070121	62	2029		13.00
600223391	07/07/2021	EFT	2056	UNITED WAY OF SOUTHERN NEVADA	070121	60	2029		22.50
600223391	07/07/2021	EFT	2056	UNITED WAY OF SOUTHERN NEVADA	070121	10	2029		22.50
600223390	07/07/2021	EFT	774	UNIFIRST CORPORATION	3512424680	60685	5614		147.70
600223390	07/07/2021	EFT	774	UNIFIRST CORPORATION	3512424657	63675	5614		134.47
600223390	07/07/2021	EFT	774	UNIFIRST CORPORATION	3512424657	62670	5614		136.07
600223390	07/07/2021	EFT	774	UNIFIRST CORPORATION	3512424657	61650	5614		302.93
600223390	07/07/2021	EFT	774	UNIFIRST CORPORATION	3512424657	10620	5614		171.12
600223390	07/07/2021	EFT	774	UNIFIRST CORPORATION	3512424657	10615	5614		161.56
600223390	07/07/2021	EFT	774	UNIFIRST CORPORATION	3512424657	10610	5614		137.56
600223389	07/07/2021	EFT	1431	TURF TECH INC	737	30900	5905	R2006	37,164.80
600223388	07/07/2021	EFT	1468	THATCHER COMPANY OF NEVADA INC	5068410	63675	5601		1,744.05
600223387	07/07/2021	EFT	2062	TEAMSTERS UNION LOCAL #14	Aug 2021	63	2025		3,080.01
600223387	07/07/2021	EFT	2062	TEAMSTERS UNION LOCAL #14	Aug 2021	62	2025		6,819.99
600223387	07/07/2021	EFT	2062	TEAMSTERS UNION LOCAL #14	Aug 2021	61	2025		8,800.00
600223387	07/07/2021	EFT	2062	TEAMSTERS UNION LOCAL #14	Aug 2021	60	2025		11,000.00
600223387	07/07/2021	EFT	2062	TEAMSTERS UNION LOCAL #14	Aug 2021	54	2025		3,355.00
600223387	07/07/2021	EFT	2062	TEAMSTERS UNION LOCAL #14	Aug 2021	22	2025		1,100.00
600223387	07/07/2021	EFT	2062	TEAMSTERS UNION LOCAL #14	Aug 2021	10	2025		118,395.00
600223385	07/07/2021	EFT	991	STATE OF NEVADA - PERS ADMIN FUND	Jun2021	63	2023		5,293.84
600223385	07/07/2021	EFT	991	STATE OF NEVADA - PERS ADMIN FUND	Jun2021	62	2023		12,269.90
600223385	07/07/2021	EFT	991	STATE OF NEVADA - PERS ADMIN FUND	Jun2021	61	2023		20,229.26
600223385	07/07/2021	EFT	991	STATE OF NEVADA - PERS ADMIN FUND	Jun2021	60	2023		20,810.07
600223385	07/07/2021	EFT	991	STATE OF NEVADA - PERS ADMIN FUND	Jun2021	54	2023		5,183.26
600223385	07/07/2021	EFT	991	STATE OF NEVADA - PERS ADMIN FUND	Jun2021	26	2023		4,651.80
600223385	07/07/2021	EFT	991	STATE OF NEVADA - PERS ADMIN FUND	Jun2021	25	2023		12,797.43
600223385	07/07/2021	EFT	991	STATE OF NEVADA - PERS ADMIN FUND	Jun2021	22	2023		2,404.48
600223385	07/07/2021	EFT	991	STATE OF NEVADA - PERS ADMIN FUND	Jun2021	10	2023		323,659.45
600223383	07/07/2021	EFT	3789	STAPLES, INC	3479770927	10520	5610		32.05
600223383	07/07/2021	EFT	3789	STAPLES, INC	3479770927	10500	5610		465.61
600223383	07/07/2021	EFT	3789	STAPLES, INC	3479770926	10500	5610		12.07
600223383	07/07/2021	EFT	3789	STAPLES, INC	3480156016	10500	5610		37.49
600223383	07/07/2021	EFT	3789	STAPLES, INC	3478048489	22493	5611		4.33
600223383	07/07/2021	EFT	3789	STAPLES, INC	3478048489	10490	5610		99.55
600223383	07/07/2021	EFT	3789	STAPLES, INC	3479175513	10700	5610		81.53
600223379	07/07/2021	EFT	929	SIMPSON NORTON CORPORATION	159154002	10615	5302		80.04
600223379	07/07/2021	EFT	929	SIMPSON NORTON CORPORATION	410989500	10615	5302		2,379.36
600223376	07/07/2021	EFT	3688	PERIMETER SOLUTIONS LP	INV14735502	10510	5506		122.77
600223375	07/07/2021	EFT	3593	MOUNTAIN PINE CONSTRUCTION INC	300864	62670	5302		4,330.00
600223375	07/07/2021	EFT	3593	MOUNTAIN PINE CONSTRUCTION INC	300863	62670	5302		4,030.00
600223374	07/07/2021	EFT	2078	MOBILE MINI INC	9010880868	10750	5402		61.60
600223371	07/07/2021	EFT	1313	JOHNSTONE SUPPLY OF HENDERSON	205S4966694001	10620	5302		32.30
600223371	07/07/2021	EFT	1313	JOHNSTONE SUPPLY OF HENDERSON	205S4964560001	10620	5302		98.44
600223370	07/07/2021	EFT	906	GRAINGER INC	9947135381	62670	5302		32.57
600223369	07/07/2021	EFT	2474	GEOTECHNICAL & ENVIRONMENTAL SERVICES INC	58739	61900	5905	E2102	3,720.00
600223369	07/07/2021	EFT	2474	GEOTECHNICAL & ENVIRONMENTAL SERVICES INC	58738	61900	5905	E1901	5,280.00
600223369	07/07/2021	EFT	2474	GEOTECHNICAL & ENVIRONMENTAL SERVICES INC	58737	61900	5905	E1902	5,280.00
600223367	07/07/2021	EFT	3609	FERGUSON US HOLDINGS INC	89278341	10620	5301		291.06
600223366	07/07/2021	EFT	3609	FERGUSON US HOLDINGS INC	0961259	62670	5302		13,110.00
600223365	07/07/2021	EFT	2807	FENNEMORE CRAIG, P.C	1076885	61650	5102		147.37
600223361	07/07/2021	EFT	1046	GRISWOLD INDUSTRIES	823738	62670	5302		7,015.20
600223355	07/07/2021	EFT	1268	CARQUEST AUTO PARTS	14981116954	10500	5303		3.14
600223355	07/07/2021	EFT	1268	CARQUEST AUTO PARTS	14981117191	10500	5303		5.45
600223355	07/07/2021	EFT	1268	CARQUEST AUTO PARTS	14981116527	10500	5303		29.85

CLAIMS PAID REPORT, JULY 2021

CHECK NUMBER	CHECK DATE	CHECK TYPE	VENDOR NUMBER	VENDOR NAME	INVOICE	ORG	OBJECT	PROJECT	AMOUNT
600223355	07/07/2021	EFT	1268	CARQUEST AUTO PARTS	14981117098	10500	5303		7.81
600223355	07/07/2021	EFT	1268	CARQUEST AUTO PARTS	14981116170	62670	5303		12.25
600223355	07/07/2021	EFT	1268	CARQUEST AUTO PARTS	14981116962	61650	5303		30.90
600223355	07/07/2021	EFT	1268	CARQUEST AUTO PARTS	14981117031	10610	5303		29.58
600223355	07/07/2021	EFT	1268	CARQUEST AUTO PARTS	14981117094	10615	5303		4.83
600223351	07/07/2021	EFT	2328	BOULDER CITY POLICE SUPERVISORS ASSOCIATION	070121	10	2030		150.00
600223350	07/07/2021	EFT	1131	BOULDER CITY MAGAZINE LLC	5750	10750	5503		275.00
600223348	07/07/2021	EFT	2033	BOULDER CITY DISPOSAL INC	JUNE 2021	64680	5204		89,243.21
600223345	07/07/2021	EFT	3177	AMAZON CAPITAL SERVICES, INC.	1CGL9JVHLYWM	10500	5610		107.14
600223345	07/07/2021	EFT	3177	AMAZON CAPITAL SERVICES, INC.	1CGL9JVHL97T	10510	5603		2,275.80
600223345	07/07/2021	EFT	3177	AMAZON CAPITAL SERVICES, INC.	1W3JPP7LM3VQ	10510	5603		263.91
600223345	07/07/2021	EFT	3177	AMAZON CAPITAL SERVICES, INC.	1VYMPQMG963F	10740	5605		(8.99)
600223345	07/07/2021	EFT	3177	AMAZON CAPITAL SERVICES, INC.	1W3JPP7LL36C	10800	5610		412.80
600223345	07/07/2021	EFT	3177	AMAZON CAPITAL SERVICES, INC.	1W3JPP7LL36C	10470	5104		182.07
600223345	07/07/2021	EFT	3177	AMAZON CAPITAL SERVICES, INC.	1W3JPP7LL36C	10465	5610		113.98
600223345	07/07/2021	EFT	3177	AMAZON CAPITAL SERVICES, INC.	1W3JPP7LL36C	10450	5610		122.88
600223345	07/07/2021	EFT	3177	AMAZON CAPITAL SERVICES, INC.	1W3JPP7LL36C	10410	5610		39.10
600223345	07/07/2021	EFT	3177	AMAZON CAPITAL SERVICES, INC.	1VF4MTX9LVP1	10420	5610		625.58
600223345	07/07/2021	EFT	3177	AMAZON CAPITAL SERVICES, INC.	1KRYK7KRL79D	10740	5610		28.81
600223345	07/07/2021	EFT	3177	AMAZON CAPITAL SERVICES, INC.	1KRYK7KRL79D	10740	5605		55.27
600223345	07/07/2021	EFT	3177	AMAZON CAPITAL SERVICES, INC.	1KRYK7KRL79D	10740	5603		129.68
600223345	07/07/2021	EFT	3177	AMAZON CAPITAL SERVICES, INC.	16R97DTXXV1C	10740	5610		(20.32)
600223345	07/07/2021	EFT	3177	AMAZON CAPITAL SERVICES, INC.	1THTJV4PLRRM	10740	5610		33.31
600223345	07/07/2021	EFT	3177	AMAZON CAPITAL SERVICES, INC.	1W3JPP7LM169	63675	5302		540.66
600223345	07/07/2021	EFT	3177	AMAZON CAPITAL SERVICES, INC.	1VF4MTX9LV1G	10615	5605		124.01
600223345	07/07/2021	EFT	3177	AMAZON CAPITAL SERVICES, INC.	16VCN6HLK7PL	10700	5605		29.25
600223345	07/07/2021	EFT	3177	AMAZON CAPITAL SERVICES, INC.	16VCN6HLK7PL	10700	5301		225.00
600223345	07/07/2021	EFT	3177	AMAZON CAPITAL SERVICES, INC.	1F9NGJ43L1CM	10716	5602		115.48
600223345	07/07/2021	EFT	3177	AMAZON CAPITAL SERVICES, INC.	14KFQXGJLFWQ	10700	5610		10.88
600223345	07/07/2021	EFT	3177	AMAZON CAPITAL SERVICES, INC.	14KFQXGJLFWQ	10700	5605		7.35
600223345	07/07/2021	EFT	3177	AMAZON CAPITAL SERVICES, INC.	1D9HNMFGLYV7	40490	5605	M4902	81.32
600223345	07/07/2021	EFT	3177	AMAZON CAPITAL SERVICES, INC.	1W3JPP7LLMQK	10490	5611		13.99
600223345	07/07/2021	EFT	3177	AMAZON CAPITAL SERVICES, INC.	1W3JPP7LLMQK	10490	5610		30.96
600223344	07/07/2021	EFT	1267	AGGREGATE INDUSTRIES - WESTERN	714619436	10610	5301		346.45
600223343	07/07/2021	EFT	1280	ACE SHOPPER STOPPER	118723	10700	5605		51.96
600223343	07/07/2021	EFT	1280	ACE SHOPPER STOPPER	118728	10700	5605		134.45
600223343	07/07/2021	EFT	1280	ACE SHOPPER STOPPER	118525	10615	5605		19.77
600223340	07/01/2021	EFT	1431	TURF TECH INC	5026	10750	5104		79,829.37
600223339	07/01/2021	EFT	794	SCHAPER GOLF CORPORATION	JUL 2021	10750	5102		37,128.00
600223337	07/01/2021	EFT	3801	MARTHA FORD	91434	10430	5508		769.00
									<u>4,485,680.75</u>



BOULDER CITY
CITY COUNCIL

MAYOR
KIERNAN McMANUS

COUNCIL MEMBERS:
JAMES HOWARD ADAMS
CLAUDIA M. BRIDGES
MATHEW FOX
SHERRI JORGENSEN



MEETING LOCATION:
CITY COUNCIL CHAMBER
401 CALIFORNIA AVENUE
BOULDER CITY, NV 89005

MAILING ADDRESS:
401 CALIFORNIA AVENUE
BOULDER CITY, NV 89005

WEBPAGE:
WWW.BCNV.ORG



ACTING CITY MANAGER:
MICHAEL MAYS, AICP

CITY ATTORNEY:
BRITTANY LEE WALKER, ESQ

ACTING CITY CLERK:
TAMI MCKAY, MMC, CPO

ADMINISTRATIVE SERVICES DIRECTOR:
BRYCE BOLDT

COMMUNITY DEVELOPMENT DIRECTOR:
MICHAEL MAYS, AICP

PUBLIC WORKS DIRECTOR:
KEEGAN LITTELL, P.E.

UTILITIES DIRECTOR:
DENNIS PORTER, P.E.

POLICE CHIEF:
TIM SHEA

FIRE CHIEF:
WILLIAM GRAY, CFO

FINANCE DIRECTOR:
DIANE PELLETIER, CPA

PARKS & RECREATION DIRECTOR
ROGER HALL

City Council Meeting

August 24, 2021

Item No. 14B

Staff Report

TO: Taylour Tedder, City Manager

FROM: Diane Pelletier, Finance Director

DATE: August 24, 2021

SUBJECT: City Manager's Report
Financial Report (Unaudited) – July 2021

Business Impact Statement: This action will not have a significant economic impact on business and will not directly restrict the formation, operation, or expansion of a business.

Action Requested: Provide City Council with monthly unaudited financial reports.

Overview: Attached is financial information (unaudited) for the City by fund and a summary of cash and investments.

Background Information: None.

Financial: Informational only.

Boulder City Strategic Plan Goal: Goal #1, Achieve Prudent Financial Stewardship.

Department Recommendation: The Finance Department respectfully requests that the City Council receive this report.

Attachment: Financial Report (Unaudited), July 2021

Prepared by Finance Department

	PAGE
Governmental Funds	
General Fund	1
Residential Construction Tax, Special Revenue Fund	2
Municipal Court, Special Revenue Fund	3
More Cops and Crime Prevention, Special Revenue Funds	4
Acquisitions and Improvements, Capital Projects Fund	5
Multipurpose, Special Revenue Fund	6
Compensated Absences, Special Revenue Fund	7
Extraordinary Maintenance, Special Revenue Fund	8
Risk Management, Special Revenue Fund	9
Capital Improvement, Special Revenue Fund	10
Vehicle Equipment Replacement, Special Revenue Fund	11
Land Improvement	12
Revenue Stabilization, Special Revenue Fund	13
Golf Course Improvement, Special Revenue Fund	14
Redevelopment District #1, Special Revenue Fund	15
Enterprise Funds	
Cemetery Fund	16
Aviation Fund	17
Utility Fund	
Administration	18
Electric	19
Water	20
Wastewater	21
Landfill	22
Golf Course Operations	
Municipal Golf Course	23
Boulder Creek Golf Course	24
Summary of Cash, Cash Equivalents and Investments	25
Cash, Cash Equivalents and Investments by Fund	26
Designated and Restricted Cash, Cash Equivalents and Investments by Fund	27
Utility Fund Cash, Cash Equivalents and Investments	28
Swimming Pool Funding	29
 Prepared by Public Works	
CIP Governmental	30
CIP Proprietary	31

CITY OF BOULDER CITY

General Fund

For the One Month Ended July 31, 2021 (8% of year complete)

REVENUES	BUDGET	YEAR TO DATE	PERCENT OF BUDGET
Property Taxes	\$ 2,129,685	\$ -	0%
Licenses and Permits	1,526,000	87,631	6%
Consolidated Sales Tax	11,730,976	1,064,807	9%
Intergovernmental Revenues	921,473	11,066,370	1201%
Charges for Services	4,162,700	373,833	9%
Fines and Forfeitures	433,000	42,121	10%
Rents and Royalties	13,710,946	1,942,401	14%
Miscellaneous **	255,300	(15,167)	-6%
Total Revenues	34,870,080	14,561,997	42%
EXPENDITURES			
City Council	179,216	18,064	10%
City Manager	306,708	25,176	8%
City Clerk	562,795	20,540	4%
Finance	1,284,620	63,504	5%
Information Systems	887,033	227,457	26%
City Attorney	395,171	17,366	4%
Personnel	665,549	19,066	3%
Central Services	162,487	9,161	6%
Communications	287,016	14,579	5%
Municipal Court	926,325	45,748	5%
Police	7,236,142	404,786	6%
Fire	5,632,121	294,308	5%
Public Safety Communications	1,243,754	84,283	7%
Animal Control	450,138	25,454	6%
Public Works	5,901,352	298,273	5%
Recreation	6,479,013	619,973	10%
Community Development and Grants	1,863,646	86,068	5%
Capital	887,762	-	0%
Transfers	5,632,976	5,632,976	100%
Contingency	1,000,000	-	0%
Total Expenditures	41,983,824	7,906,782	19%
Revenues Over (Under) Expenditures	(7,113,744)	6,655,216	
Estimated Fund Balance at June 30, 2021 *	25,282,184	25,282,184	
Estimated Ending Fund Balance *	\$ 18,168,440	\$ 31,937,400	

* Includes value of infrastructure.

** Year to date balance is negative due to the investment valuation adjustment, which is expected to fluctuate.

CITY OF BOULDER CITY
Residential Construction Tax, Special Revenue Fund
For the One Month Ended July 31, 2021 (8% of year complete)

REVENUES	BUDGET	YEAR TO DATE	PERCENT OF BUDGET
Residential Construction Tax	\$ 40,000	\$ 7,000	18%
Total Revenues	40,000	7,000	18%
EXPENDITURES			
Total Expenditures	-	-	
Revenues Over (Under) Expenditures	40,000	7,000	
Estimated Fund Balance at June 30, 2021 *	133,988	133,988	
Estimated Ending Fund Balance *	\$ 173,988	\$ 140,988	

CITY OF BOULDER CITY
Municipal Court, Special Revenue Fund
For the One Month Ended July 31, 2021 (8% of year complete)

REVENUES	BUDGET	YEAR TO DATE	PERCENT OF BUDGET
Fines and Forfeitures	\$ 142,000	\$ 13,799	10%
Total Revenues	142,000	13,799	10%
EXPENDITURES			
Salaries, Wages and Employee Benefits	143,860	8,614	6%
Services and Supplies	134,300	4,202	3%
Capital	80,000	-	0%
Total Expenditures	358,160	12,816	4%
Revenues Over (Under) Expenditures	(216,160)	983	
Estimated Fund Balance at June 30, 2021 *	481,976	522,442	
Estimated Ending Fund Balance *	\$ 265,816	\$ 523,425	

CITY OF BOULDER CITY
More Cops and Crime Prevention, Special Revenue Funds
For the One Month Ended July 31, 2021 (8% of year complete)

REVENUES	BUDGET	YEAR TO DATE	PERCENT OF BUDGET
More Cops Tax	\$ 800,000	\$ 93,618	12%
Crime Prevention Tax	200,000	25,038	13%
Total Revenues	1,000,000	118,655	12%
EXPENDITURES			
Salaries, Wages and Employee Benefits	1,015,158	41,625	4%
Services and Supplies	22,600	114	1%
Total Expenditures	1,037,758	41,739	4%
Revenues Over (Under) Expenditures	(37,758)	76,916	
Estimated Fund Balance at June 30, 2021 *	505,855	505,855	
Estimated Ending Fund Balance *	\$ 468,097	\$ 582,771	

CITY OF BOULDER CITY
Acquisitions and Improvements, Capital Projects Fund
For the One Month Ended July 31, 2021 (8% of year complete)

REVENUES	BUDGET	YEAR TO DATE	PERCENT OF BUDGET
Taxes	\$ 70,000	\$ 21,884	31%
Intergovernmental	-	365,228	
Transfers	4,600,000	4,600,000	100%
Total Revenues	4,670,000	4,987,112	107%
EXPENDITURES			
CIP Projects **	8,964,324	1,413	0%
Retainage adjustment on CIP Projects	-	(33,944)	
Transfers	195,003	195,003	100%
Total Expenditures	9,159,327	162,473	2%
Revenues Over (Under) Expenditures	(4,489,327)	4,824,639	
Estimated Fund Balance at June 30, 2021 *	2,513,319	2,513,319	
Estimated Ending Fund Balance *	\$ (6,576,008)	\$ 2,737,958	

* Includes value of infrastructure.

** The budget amount does not agree to the reports prepared by Public Works, because fiscal year 2021 balances have not been finalized and ending balances, including encumbrances, have not yet been updated for fiscal year 2022.

CITY OF BOULDER CITY
Multipurpose, Special Revenue Fund
For the One Month Ended July 31, 2021 (8% of year complete)

REVENUES	BUDGET	YEAR TO DATE	PERCENT OF BUDGET
State Funds	\$ 30,000	\$ 7,500	25%
Recreation	-	12,451	
Miscellaneous	25,000	25	0%
Total Revenues	55,000	19,976	36%
EXPENDITURES			
Community Gardens	8,917	-	0%
Court Programs	84,789	63	0%
Police	134,769	6,822	5%
Animal Control	35,514	2,408	7%
Recreation	25,000	1,510	6%
Total Expenditures	292,066	10,803	4%
Revenues Over (Under) Expenditures	(237,066)	9,173	
Estimated Fund Balance at June 30, 2021 *	2,181,023	2,181,023	
Estimated Ending Fund Balance *	\$ 1,918,957	\$ 2,190,171	

CITY OF BOULDER CITY
Compensated Absences, Special Revenue Fund
For the One Month Ended July 31, 2021 (8% of year complete)

REVENUES	BUDGET	YEAR TO DATE	PERCENT OF BUDGET
Rents and Royalties	\$ 198,541	\$ 28,218	14%
Transfers	400,000	400,000	100%
Total Revenues	598,541	428,218	72%
EXPENDITURES			
Employee Benefits	2,500,000	-	0%
Total Expenditures	2,500,000	-	0%
Revenues Over (Under) Expenditures	(1,901,459)	428,218	
Estimated Fund Balance at June 30, 2021 *	2,076,122	2,076,122	
Estimated Ending Fund Balance *	\$ 174,663	\$ 2,504,340	

* Includes value of infrastructure.

Fund balance ceiling equals total liability
FY 2020 CAFR Liability

\$ 3,610,172

CITY OF BOULDER CITY
Extraordinary Maintenance, Special Revenue Fund
For the One Month Ended July 31, 2021 (8% of year complete)

REVENUES	BUDGET	YEAR TO DATE	PERCENT OF BUDGET
Rents and Royalties	\$ 198,541	\$ 28,218	14%
Transfers	250,000	250,000	100%
Total Revenues	448,541	278,218	62%
EXPENDITURES			
Services and Supplies	2,200,000	-	0%
Total Expenditures	2,200,000	-	0%
Revenues Over (Under) Expenditures	(1,751,459)	278,218	
Estimated Fund Balance at June 30, 2021 *	2,740,774	2,740,774	
Estimated Ending Fund Balance *	\$ 989,315	\$ 3,018,992	

* Includes value of infrastructure.

Fund balance ceiling 5% of total Governmental Assets	
FY 2020 CAFR Total Governmental Capital Assets	\$ 202,580,881
5% of total capital assets	\$ 10,129,044

CITY OF BOULDER CITY
Risk Management, Special Revenue Fund
For the One Month Ended July 31, 2021 (8% of year complete)

REVENUES	BUDGET	YEAR TO DATE	PERCENT OF BUDGET
Rents and Royalties	\$ 198,541	\$ 28,218	14%
Charges for Services	-	4,471	
Transfers	887,976	887,976	100%
Total Revenues	1,086,517	920,665	85%
EXPENDITURES			
Services and Supplies	2,387,976	370,851	16%
Total Expenditures	2,387,976	370,851	16%
Revenues Over (Under) Expenditures	(1,301,459)	549,814	
Estimated Fund Balance at June 30, 2021 *	1,540,142	1,540,142	
Estimated Ending Fund Balance *	\$ 238,683	\$ 2,089,956	

* Includes value of infrastructure.

Fund balance ceiling 10% of prior year General Fund expenditures

FY 2020 CAFR Total General Fund Expenditures	\$ 29,428,735
10% of total expenditures	\$ 2,942,874

CITY OF BOULDER CITY
Capital Improvement, Special Revenue Fund
(Requires Voter Approval)
For the One Month Ended July 31, 2021 (8% of year complete)

REVENUES	BUDGET	YEAR TO DATE	PERCENT OF BUDGET
Rents and Royalties	\$ 3,609,830	\$ 520,246	14%
Total Revenues	3,609,830	520,246	14%
EXPENDITURES			
Transfers	2,750,000	2,750,000	100%
Total Expenditures	2,750,000	2,750,000	100%
Revenues Over (Under) Expenditures	859,830	(2,229,754)	
Estimated Fund Balance at June 30, 2021 *	15,182,101	15,182,101	
Estimated Ending Fund Balance *	\$ 16,041,931	\$ 12,952,347	

* Includes value of infrastructure.

CITY OF BOULDER CITY
Vehicle Equipment Replacement, Special Revenue Fund
For the One Month Ended July 31, 2021 (8% of year complete)

REVENUES	BUDGET	YEAR TO DATE	PERCENT OF BUDGET
Rents and Royalties	\$ 198,541	\$ 28,218	14%
Transfers	495,000	495,000	100%
Total Revenues	693,541	523,218	75%
EXPENDITURES			
Capital	314,762	-	0%
Total Expenditures	314,762	-	0%
Revenues Over (Under) Expenditures	378,779	523,218	
Estimated Fund Balance at June 30, 2021 *	2,197,420	2,197,420	
Estimated Ending Fund Balance *	\$ 2,576,199	\$ 2,720,638	

* Includes value of infrastructure.

Fund balance ceiling 5% of total Governmental Assets	
FY 2020 CAFR Total Governmental Capital Assets	\$ 202,580,881
5% of total capital assets	\$ 10,129,044

CITY OF BOULDER CITY
Land Improvement, Special Revenue Fund
For the One Month Ended July 31, 2021 (8% of year complete)

REVENUES	BUDGET	YEAR TO DATE	PERCENT OF BUDGET
Total Revenues	-	-	
EXPENDITURES			
Services and Supplies	25,000	197	1%
Total Expenditures	25,000	197	1%
Revenues Over (Under) Expenditures	(25,000)	(197)	
Estimated Fund Balance at June 30, 2021 *	160,015	160,015	
Estimated Ending Fund Balance *	\$ 135,015	\$ 159,818	

* Includes value of infrastructure.

CITY OF BOULDER CITY
Revenue Stabilization, Special Revenue Fund
For the One Month Ended July 31, 2021 (8% of year complete)

REVENUES	BUDGET	YEAR TO DATE	PERCENT OF BUDGET
Rents and Royalties	\$ 198,541	\$ 28,218	14%
Total Revenues	198,541	28,218	14%
EXPENDITURES			
Total Expenditures	-	-	
Revenues Over (Under) Expenditures	198,541	28,218	
Estimated Fund Balance at June 30, 2021 *	2,638,844	2,638,844	
Estimated Ending Fund Balance *	\$ 2,837,385	\$ 2,667,062	

* Includes value of infrastructure.

Fund balance ceiling 10% of prior year General Fund expenditures

FY 2020 CAFR Total General Fund Expenditures	\$ 29,428,735
10% of total expenditures	\$ 2,942,874

CITY OF BOULDER CITY
Golf Course Improvement, Special Revenue Fund
For the One Month Ended July 31, 2021 (8% of year complete)

REVENUES	BUDGET	YEAR TO DATE	PERCENT OF BUDGET
Municipal GC Surcharge Fee	\$ 100,000	\$ 10,238	10%
Boulder Creek GC Surcharge Fee	100,000	7,350	7%
Transfers	195,003	195,003	100%
Total Revenues	395,003	212,591	54%
EXPENDITURES			
Capital	141,562	-	0%
Total Expenditures	141,562	-	0%
Revenues Over (Under) Expenditures	253,441	212,591	
Estimated Fund Balance at June 30, 2021 *	653,309	653,309	
Estimated Ending Fund Balance *	\$ 906,750	\$ 865,900	

* Includes value of infrastructure.

CITY OF BOULDER CITY
Redevelopment District #1, Special Revenue Fund
For the One Month Ended July 31, 2021 (8% of year complete)

REVENUES	BUDGET	YEAR TO DATE	PERCENT OF BUDGET
Property Taxes	\$ 984,820	\$ -	0%
Total Revenues	984,820	-	0%
EXPENDITURES			
Salaries, Wages and Employee Benefits	188,214	13,424	7%
Services and Supplies	383,382	-	0%
Capital	1,000,000	-	0%
Total Expenditures	1,571,596	13,424	1%
Revenues Over (Under) Expenditures	(586,776)	(13,424)	
Estimated Fund Balance at June 30, 2021 *	2,946,037	2,946,037	
Estimated Ending Fund Balance *	\$ 2,359,261	\$ 2,932,613	

* Includes value of infrastructure.

CITY OF BOULDER CITY
Cemetery, Enterprise Fund
For the One Month Ended July 31, 2021 (8% of year complete)

REVENUES	BUDGET	YEAR TO DATE	PERCENT OF BUDGET
Sale of Lots	\$ 90,000	\$ 7,807	9%
Other Charges for Services	53,000	7,902	15%
Miscellaneous	14,000	(969)	-7%
Total Revenues	157,000	14,740	9%
EXPENSES			
Cemetery Operations	150,405	3,833	3%
Depreciation	16,000	-	0%
Total Expenses	166,405	3,833	2%
Revenues Over (Under) Expenses	(9,405)	10,907	
Estimated Net Position at June 30, 2021 *	1,127,038	1,127,038	
Estimated Ending Net Position *	\$ 1,103,633	\$ 1,138,914	

* Includes value of infrastructure.

CITY OF BOULDER CITY
Aviation, Enterprise Fund
For the One Month Ended July 31, 2021 (8% of year complete)

REVENUES	BUDGET	YEAR TO DATE	PERCENT OF BUDGET
Non-business Licenses and Permits	\$ 5,000	\$ -	0%
Federal Grants	1,540,831	-	0%
Intergovernmental Aviation Fuel Taxes	19,432	2,205	11%
Airport Rents:			
Tiedowns	36,000	9,788	27%
Self Service Fuel	40,000	13,352	33%
Fuel Flow Fees	25,000	3,339	13%
Fuel Storage Fees	13,500	3,465	26%
Landing Fees	2,500	-	0%
Commercial Ground Lease	96,250	33,369	35%
Private Ground Lease	101,736	32,131	32%
Hangar Rentals	162,596	10,258	6%
Miscellaneous	6,000	1,195	20%
Total Revenues	2,048,845	109,102	5%
EXPENSES			
Airport Operations	2,637,247	45,629	2%
Depreciation	1,000,000	-	0%
Capital	384,180	-	0%
Total Expenses	4,021,427	45,629	1%
Revenues Over (Under) Expenses	(1,972,582)	63,474	
Estimated Net Position at June 30, 2021 *	22,576,943	22,576,943	
Estimated Ending Net Position *	\$ 20,598,361	\$ 22,639,222	

* Includes value of infrastructure.

CITY OF BOULDER CITY
Utility, Enterprise Fund - Administration
For the One Month Ended July 31, 2021 (8% of year complete)

REVENUES	BUDGET	YEAR TO DATE	PERCENT OF BUDGET
Miscellaneous	\$ -	\$ 275	
Transfers	3,227,820	268,985	8%
Total Revenues	3,227,820	269,260	8%
EXPENSES			
Utility Administration Operations	3,227,820	437,729	14%
Capital **	15,096	-	0%
Total Expenses	3,242,916	437,729	13%
Revenues Over (Under) Expenses	(15,096)	(168,469)	
Estimated Net Position at June 30, 2021 *	7,337,658	7,337,658	
Estimated Ending Net Position *	\$ 7,322,562	\$ 7,169,189	

* Includes value of infrastructure.

** The budget amount does not agree to the reports prepared by Public Works, because fiscal year 2021 balances have not been finalized and ending balances, including encumbrances, have not yet been updated for fiscal year 2022.

CITY OF BOULDER CITY
Utility, Enterprise Fund - Electric
For the One Month Ended July 31, 2021 (8% of year complete)

REVENUES	BUDGET	YEAR TO DATE	PERCENT OF BUDGET
Electric Billing **	\$ 16,187,200	\$ (43,881)	0%
Hook-up Fees	210,000	27,000	13%
Miscellaneous	-	2,833	
Transfers	600,000	600,000	100%
Total Revenues	16,997,200	585,952	3%
EXPENSES			
Electric Operations	9,700,559	100,904	1%
Depreciation	1,100,000	-	0%
Capital ***	7,231,253	524	0%
Retainage adjustment on CIP Projects	-	(206,882)	
Transfers	1,839,858	153,322	8%
Total Expenses	19,871,670	47,868	0%
Revenues Over (Under) Expenses	(2,874,470)	538,084	
Estimated Net Position at June 30, 2021 *	36,825,376	36,825,376	
Estimated Ending Net Position *	\$ 33,350,906	\$ 36,763,460	

* Includes value of infrastructure.

** Year to date balance is negative due to the July utility bills relating May 24 to June 30 usage and the adjustment to accrue the receivable/revenue as of June 30.

*** The budget amount does not agree to the reports prepared by Public Works, because fiscal year 2021 balances have not been finalized and ending balances, including encumbrances, have not yet been updated for fiscal year 2022.

CITY OF BOULDER CITY
Utility, Enterprise Fund - Water
For the One Month Ended July 31, 2021 (8% of year complete)

REVENUES	BUDGET	YEAR TO DATE	PERCENT OF BUDGET
Intergovernmental Revenues	\$ 800,000	\$ 90,735	11%
Water Billing	9,644,200	194,918	2%
Hook-up Fees	255,600	52,150	20%
Transfers	850,000	850,000	100%
Total Revenues	11,549,800	1,187,804	10%
EXPENSES			
Water Operations	6,275,711	57,194	1%
Depreciation	2,950,000	-	0%
Capital **	2,584,716	-	0%
Retainage adjustment on CIP Projects	-	(282,107)	
Debt Service	4,556,951	-	0%
Transfers	968,346	80,696	8%
Total Expenses	17,335,724	(144,218)	-1%
Revenues Over (Under) Expenses	(5,785,924)	1,332,022	
Estimated Net Position at June 30, 2021 *	28,662,039	28,662,039	
Estimated Ending Net Position *	\$ 22,876,115	\$ 29,994,061	

* Includes value of infrastructure.

** The budget amount does not agree to the reports prepared by Public Works, because fiscal year 2021 balances have not been finalized and ending balances, including encumbrances, have not yet been updated for fiscal year 2022.

CITY OF BOULDER CITY
Utility, Enterprise Fund - Wastewater
For the One Month Ended July 31, 2021 (8% of year complete)

REVENUES	BUDGET	YEAR TO DATE	PERCENT OF BUDGET
Wastewater Billing	\$ 2,000,000	\$ 11,769	1%
Hook-up Fees	40,000	12,700	32%
Transfers	300,000	300,000	100%
Total Revenues	2,340,000	324,469	14%
EXPENSES			
Wastewater Operations	891,592	23,824	3%
Depreciation	601,000	-	0%
Capital **	2,024,950	-	0%
Transfers	322,781	26,898	8%
Total Expenses	3,840,323	50,722	1%
Revenues Over (Under) Expenses	(1,500,323)	273,746	
Estimated Net Position at June 30, 2021 *	14,400,747	14,400,747	
Estimated Ending Net Position *	\$ 12,900,424	\$ 14,674,493	

* Includes value of infrastructure.

** The budget amount does not agree to the reports prepared by Public Works, because fiscal year 2021 balances have not been finalized and ending balances, including encumbrances, have not yet been updated for fiscal year 2022.

CITY OF BOULDER CITY
Utility, Enterprise Fund - Landfill
For the One Month Ended July 31, 2021 (8% of year complete)

REVENUES	BUDGET	YEAR TO DATE	PERCENT OF BUDGET
Refuse Billing	\$ 1,600,900	\$ 15,278	1%
Total Revenues	1,600,900	15,278	1%
EXPENSES			
Landfill and Refuse Collection Operations	1,173,000	-	0%
Depreciation	20,000	-	0%
Capital **	621,285	-	0%
Transfers	96,835	8,070	8%
Total Expenses	1,911,120	8,070	0%
Revenues Over (Under) Expenses	(310,220)	7,209	
Estimated Net Position at June 30, 2021 *	3,859,168	3,859,168	
Estimated Ending Net Position *	\$ 3,548,948	\$ 3,866,377	

* Includes value of infrastructure.

** The budget amount does not agree to the reports prepared by Public Works, because fiscal year 2021 balances have not been finalized and ending balances, including encumbrances, have not yet been updated for fiscal year 2022.

CITY OF BOULDER CITY
Municipal Golf Course Operations
For the One Month Ended July 31, 2021 (8% of year complete)

REVENUES	BUDGET	YEAR TO DATE	PERCENT OF BUDGET
Green Fees	\$ 920,000	\$ 99,405	11%
Range Balls	13,800	1,824	13%
Membership Fees	-	15,150	
Merchant Sales	5,000	-	0%
Restaurant Lease	12,000	2,352	20%
Total Revenues	950,800	118,731	12%
EXPENDITURES			
Professional	281,040	40,860	15%
Technical	655,575	105,537	16%
Monitoring Security Services	2,148	358	17%
Pest Control	1,000	-	0%
Solid Wastes Services	5,000	-	0%
Maintenance Facilities	2,240	-	0%
Maintenance Equipment	8,000	-	0%
Maintenance Vehicles	44,000	28	0%
Maintenance Grounds	13,600	-	0%
Communications	9,500	-	0%
Advertising Marketing	18,000	575	3%
Pubs Subs Dues Fees	14,000	186	1%
Equipment	1,221	-	0%
Fuel	500	-	0%
General	1,000	76	8%
Golf Course	4,000	-	0%
Janitorial	3,500	-	0%
Office Supplies	3,150	-	0%
Utility Services	395,000	48,499	12%
Total Expenditures	1,462,474	196,119	13%
Revenues Over (Under) Expenditures	\$ (511,674)	\$ (77,388)	

CITY OF BOULDER CITY
Boulder Creek Golf Course Operations
For the One Month Ended July 31, 2021 (8% of year complete)

REVENUES	BUDGET	YEAR TO DATE	PERCENT OF BUDGET
Green Fees	\$ 1,500,000	\$ 110,549	7%
Merchant Sales	10,000	-	0%
Pavilion Rent	9,000	3,300	37%
Membership Fees	75,000	35,540	47%
Restaurant Lease	30,000	3,952	13%
Golf Lessons	4,000	1,160	29%
Disc Golf	-	636	
Total Revenues	1,628,000	155,137	10%
EXPENDITURES			
Professional	487,286	74,256	15%
Other Professional Services	3,000	-	0%
Technical	967,287	159,659	17%
Monitoring Security Services	2,400	458	19%
Pest Control	1,000	-	0%
Solid Waste Services	6,500	-	0%
Maintenance Facilities	13,200	-	0%
Maintenance Equipment	35,000	-	0%
Maintenance Vehicles	52,000	-	0%
Storage Rent	2,400	123	5%
Communications	12,200	-	0%
Advertising Marketing	20,000	575	3%
Postage and Shipping	700	-	0%
Pubs Subs Dues Fees	50,000	555	1%
Travel and Training	180	-	0%
Golf Course Merchandise	5,000	-	0%
Equipment	8,100	-	0%
General	7,550	-	0%
Golf Course	10,000	-	0%
Janitorial	7,000	433	6%
Office Supplies	7,000	-	0%
Utility Services	460,000	51,785	11%
Total Expenditures	2,157,803	287,845	13%
Revenues Over (Under) Expenditures	\$ (529,803)	\$ (132,708)	

CITY OF BOULDER CITY
Summary of Cash, Cash Equivalents and Investments
For the One Month Ended July 31, 2021 (8% of year complete)

CASH, CASH EQUIVALENTS AND INVESTMENTS	BALANCE
Wells Fargo Brokerage	\$ 20,019,590
Nevada State Bank Sweep	48,427,344
Nevada State Bank Operating	42,904
State of Nevada Local Government Investment Pool	65,785,719
	\$ 134,275,557
INVESTMENT INCOME	
Wells Fargo Brokerage	\$ 16,527
Nevada State Bank Sweep	328
Local Government Investment Pool	9,362
	\$ 26,217

CITY OF BOULDER CITY
Cash, Cash Equivalents and Investments by Fund
For the One Month Ended July 31, 2021 (8% of year complete)

FUND	TOTAL	RESTRICTED	DESIGNATED	UNEARNED	AVAILABLE	
General	\$ 30,729,500	\$ -	\$ 5,470,482	\$ 733,808	\$ 24,525,210	
Residential Construction Tax	141,299	141,299	-	-	-	
Municipal Court	476,498	429,720	46,778	-	-	
More Cops and Crimes Prevention	561,886	339,067	222,818	-	-	
Acquisitions and Improvements	9,245,468	6,965,077	2,000,000	-	280,391	***
Multipurpose	2,226,039	2,226,039	-	-	-	
Compensated Absence	2,505,143	2,505,143	-	-	-	
Extraordinary Maintenance	3,020,058	2,231,091	788,967	-	-	
Risk Management	2,473,603	2,473,603	-	-	-	
Capital Improvement	13,015,163	13,015,163	-	-	-	
Vehicle Equipment Replacement	2,721,505	2,721,505	-	-	-	
Land Improvement	159,874	159,874	-	-	-	
Revenue Stabilization	2,668,082	2,668,082	-	-	-	
Golf Course Improvement	866,153	866,153	-	-	-	
Redevelopment District #1	2,936,158	2,833,000	103,158	-	-	
Cemetery	984,890	401,128	-	-	583,762	**
Aviation	2,876,160	-	417,395	32,742	2,426,023	**
Utility	56,475,877	5,265,228	13,454,911	-	37,755,738	**
Total	134,083,356	\$ 45,241,174	\$ 22,504,509	\$ 766,550	\$ 65,571,124	
Bank Balance	134,275,557					
Difference *	\$ (192,201)					

* Difference between General Ledger and Bank is due to deposits in transit and outstanding checks.

** Amounts are available only for use in the applicable fund.

*** Available for Reallocation

CITY OF BOULDER CITY
Designated and Restricted Cash, Cash Equivalents and Investments
For the One Month Ended July 31, 2021 (8% of year complete)

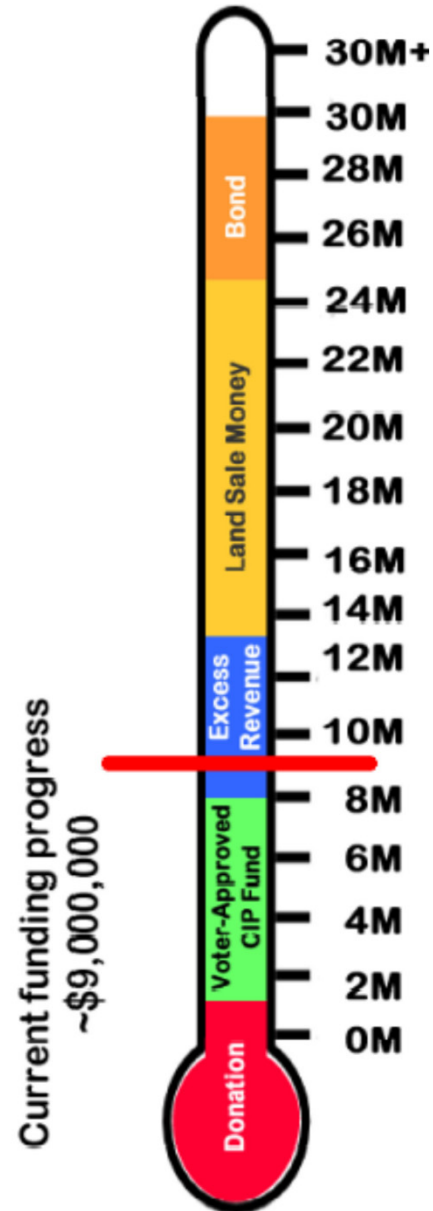
DESIGNATION/RESTRICTION	FUND	BALANCE
Emergency Capital Reserve	General	\$ -
Operating Reserve	General	5,470,482
Operating Reserve	Municipal Court	46,778
Operating Reserve	More Cops and Crimes Prevention	222,818
Emergency Capital Reserve	Acquisitions and Improvements	2,000,000
Swimming Pool Reserve	Multipurpose	1,367,486
Swimming Pool Reserve	Extraordinary Maintenance	788,967
Swimming Pool Reserve	Capital Improvement	7,000,000
Operating Reserve	Redevelopment District #1	103,158
Restricted for Specific Fund Purpose	Various	31,207,332
	Total Governmental Funds	48,207,021
Perpetual Care	Cemetery	401,128
Emergency Capital Reserve	Aviation	250,000
Operating Reserve	Aviation	167,395
	Utility	
Emergency Capital Reserve	Administration	5,000,000
Rate Stabilization Reserve	Administration	3,000,000
RDA Utility Reserve	Administration	942,630
Customer Deposits	Electric	197,260
Operating Reserve	Electric	2,182,824
Bond Reserve	Water	2,326,922
Operating Reserve	Water	1,863,539
Operating Reserve	Wastewater	223,077
Landfill Closure	Landfill	1,464,615
Landfill Construction Fees Reserve	Landfill	1,276,431
Operating Reserve	Landfill	242,841
	Total Enterprise Funds	19,538,662
	Total Designated and Restricted	\$ 67,745,683

CITY OF BOULDER CITY
Utility Fund Cash, Cash Equivalents and Investments
For the One Month Ended July 31, 2021 (8% of year complete)

UTILITY FUND	TOTAL	RESTRICTED AND/OR DESIGNATED	AVAILABLE
Administration	\$ 8,615,688	\$ 8,942,630	\$ (326,942)
Electric	19,736,913	2,380,084	17,356,829
Water	17,900,898	4,190,461	13,710,437
Wastewater	5,406,545	223,077	5,183,468
Landfill	4,815,833	2,983,887	1,831,946
Total	\$ 56,475,877	\$ 18,720,139	\$ 37,755,738

Swimming Pool Funding

For the One Month Ended July 31, 2021 (8% of year complete)



Prepared by Public Works

City Of Boulder City's Acquisitions and Improvements, Capital Projects Fund
Year to Date as of 7/31/2021

Munis PROJECT	ACCOUNT DESCRIPTION	ORIGINAL BUDGET FISCAL YEAR END	TOTAL APPROVED BUDGET	PREVIOUSLY EXPENDED	REVISED BUDGET FY 22	YTD EXPENDED	ENCUMBRANCES	AVAILABLE BUDGET
C1908	RTC Pavement Maintenance 2019	2019	250,000	154,880	95,120	0	0	95,120
C2003	SLURRY SEAL FY19-20	2020	700,000	649,265	50,735	0	0	50,735
C2004	STREET RECON FY 19-20	2020	1,400,000	98,917	1,301,083	0	56,399	1,244,684
C2005	RTC RAILROAD MUSEUM ROAD	2020	500,000	120,356	379,644	0	108,675	270,969
C2006	PEDESTRIAN SAFETY UPGRAD 19-20	2020	210,000	197,794	12,206	0	0	12,206
C2007	ADA UPGRADES PROGRAM FY19-20 R	2020	250,000	247,257	2,743	0	0	2,743
C2008	BIKEPATH REHABILITATION RTC	2020	400,000	383,556	16,444	0	0	16,444
C2009	HEMENWAY SYSTEM PHASE IIB	2020	5,202,802	357,371	4,845,431	0	4,834,705	10,726
C2010	INTERSECTION IMPROVE RTC NV WA	2020	200,000	138,172	61,828	0	43,647	18,181
C2011	RTC Bike Path - Hemenway	2020	250,000	2,411	247,589	0	23,430	224,159
C2103	Slurry Seal FY 21	2021	1,262,400	211,148	1,051,252	0	854,186	197,066
C2104	R.T.C. Street Recon FY21	2021	1,000,000	0	1,000,000	0	0	1,000,000
C2106	Pedestrian Safety Upgrade FY21	2021	300,000	189,736	110,264	0	25,000	85,264
C2107	ADA Upgrades Program FY21	2021	250,000	241,844	8,156	0	76	8,080
C2108	Bikepath Rehabilitation FY21	2021	400,000	122,480	277,521	0	103,509	174,012
C2109	CC HP Sheep Habitat	2021	302,600	166,342	136,258	0	31,397	104,861
C2110	PH 2 - BC Parkway Complete Streets	2021	750,000	0	750,000	0	0	750,000
E1409	HEMENWAY SYSTEM PHASE 2	2010	935,500	461,719	473,781	0	148,448	325,333
E1703	BC PARKWAY-RTC	2019	16,945,000	16,802,531	142,469	0	0	142,469
PW162	RIVER MT LOOP TRAIL SEG 2	2019	377,690	4,880	372,810	0	6,540	366,270
							Outside funding	5,099,322
F2101	Replace Cardiac Monitors	2021	150,000	148,311	1,689	0	0	1,689
F2102	Replace Auto Extraction Equipment	2021	50,000	0	50,000	0	49,274	726
F2104	Fire Station Air -Vac Diesel Exhaust	2021	56,754	21,877	34,877	0	21,877	13,000
G1903	AQUATIC & CULTURAL CENTER DESG	2019	200,000	0	200,000	0	0	200,000
G1907	FLEET REPLACEMENT-PUBLIC WORKS	2019	520,000	515,580	4,420	0	0	4,420
G1909	BOULDER CREEK EQUIPMENT LEASE	2019	420,000	390,813	29,187	0	18,990	10,197
G1914	BOULDER CREEK PAVILLION IMPRV	2019	150,000	62,347	87,653	0	0	87,653
G2001	City Shops Renovation/Expansio	2020	100,000	46,668	53,332	0	0	53,332
G2002	City Shops Main Bldg Renovatio	2020	200,000	54,012	145,988	0	8,880	137,108
G2003	HVAC REPLACEMENT	2020	484,000	77,276	406,724	0	20,000	386,724
G2004	Video Security System All Faci	2020	250,000	51,054	198,946	0	7,442	191,504
G2005	Sidewalk Hazard Repair	2020	50,000	23,848	26,152	0	0	26,152
G2006	School Zone Crosswalk Renovati	2020	30,000	0	30,000	0	0	30,000
G2007	Street Light Conversion to LED	2020	100,000	65,831	34,169	0	19,322	14,847
G2101	Streetscape Rehabilitation	2021	50,000	0	50,000	0	0	50,000
G2102	City Facility Parking Lot Renovat	2021	200,000	0	200,000	0	0	200,000
G2105	Design Cottage 3 ABC Park	2021	100,000	73,880	26,120	0	25,790	330
G2106	City Hall ADA Access Improvements	2021	35,000	7,400	27,600	0	0	27,600
G2107	Council Chamber Remodel	2021	120,000	0	120,000	1,413	30,980	87,607
G2201	City Shops Covered Parking	2021	60,000	0	60,000	0	0	60,000
G2202	Public Safety Dispatch Microwave Rep	2022	155,000	0	155,000	0	0	155,000
G2203	Self Contained Breathing Apparatus	2022	155,000	0	155,000	0	149,915	5,085
H2001	BISTRO LIGHTING - HISTORIC COM	2020	250,000	79,564	170,436	0	0	170,436
I2101	Server Replacement	2021	25,000	0	25,000	0	0	25,000
P2101	Communications Equipment in Emerge	2021	75,000	0	75,000	0	0	75,000
P2102	ICS Vehicle Communication Equip	2021	28,000	0	28,000	0	0	28,000
R2002	Whalen Field Concession Building	2020	254,764	250,597	4,167	0	2,508	1,659
R2006	City Park Irrigation Renovatio	2020	100,000	88,458	11,542	0	0	11,542
R2015	BCGC Maintenance Yard Paving	2020	150,000	17,418	132,582	0	0	132,582
R2016	Muni Golf Cottonwood Tree Remo	2020	140,000	0	140,000	0	0	140,000
R2101	ABC Park Gym Light Replacement	2021	25,000	0	25,000	0	0	25,000
R2102	Recreation Center - Flat Roof	2021	60,000	0	60,000	0	0	60,000
R2103	Aquatic Center Filtration System	2021	60,000	0	60,000	0	10,507	49,493
R2104	Pool Surge Trench Repair	2021	50,000	0	50,000	0	0	50,000
R2105	Add Lighting to Vets Skate Park	2021	45,000	0	45,000	0	0	45,000
R2106	Sand Bin - BCGC	2021	100,000	0	100,000	0	35,340	64,660
R2109	Consultant Repair Existing Pool	2021	71,000	56,490	14,510	0	0	14,510
R2201	ABC Park Repaving Parking lot	2022	250,000	0	250,000	0	0	250,000
R2202	Park Irrigation Replacement	2022	100,000	0	100,000	0	0	100,000
R2203	Park Improvements	2022	200,000	0	200,000	0	0	200,000
R2204	BC Golf Course Improvements	2022	100,000	0	100,000	0	0	100,000
R2205	Muni Golf Course Improvements	2022	75,000	0	75,000	0	0	75,000
R2206	Pet Mausoleum Design	2022	50,000	0	50,000	0	0	50,000
R2207	Community Gardens ABC Park	2022	75,000	0	75,000	0	0	75,000
R2208	Golf Cart Lease-to-Own - BCGC	2022	283,735	0	283,735	0	0	283,735
							Other City Funds	3,769,591
	Closed in FYE 22							0
	Projects closed for reallocation in FY22							
						Projects closed for reallocation in FY21		0
						Reallocation balance prior to FYE22		3,417,514
						Total available for Reallocation		3,417,514
	Total 30900 SPF SPECIAL PROJECTS FU				15,507,163	1,413	6,636,837	8,868,913
	Total 30 SPECIAL PROJECTS FUND				15,507,163	1,413	6,636,837	8,868,913
	Revenue Total				0	0	0	0
	Expense Total				15,507,163	1,413	6,636,837	8,868,913
	Grand Total				15,507,163	1,413	6,636,837	8,868,913
	FOOTNOTES							
	7/20/21 - The Acting City Manager approved the transfer of \$13K from Fire Project G2203 to F2104.							

City of Boulder City's Utility Funds Capital Projects Year to Date
as of 7/31/2021

MUNIS PROJECT	ACCOUNT DESCRIPTION	ORIGINAL BUDGET FISCAL YEAR END	TOTAL APPROVED BUDGET PRIOR TO FYE 22	CIP FUNDS APPROVED FOR FYE 22	TOTAL APPROVED BUDGET AS OF FYE 22	PREVIOUSLY EXPENDED	REVISED BUDGET FY 22	YTD EXPENDED	ENCUMBRANCES	AVAILABLE BUDGET
U1901	CITY SHOP UTIL ADM BLDG REFURB	2019	100,000	0	100,000	82,523	17,477	0	0	17,477
	Total 60900 UT CAPITAL PROJECTS						17,477	0	0	17,477
	Total 60 UTILITY ADMIN FUND						17,477	0	0	17,477
E1901	FEEDER 63 TO SUBSTATION 3 TIE	2019	400,000	0	400,000	153,817	246,183	0	3,520	242,663
E1902	FEEDER 53 REPLACEMENT	2019	500,000	0	500,000	323,712	176,288	0	3,520	172,768
E1905	FEEDER 64-TEMPLE ROCK REROUTE	2019	150,000	0	150,000	55,869	94,131	0	0	94,131
E1907	SUBSTATION IMPROVEMENTS	2019	70,000	0	70,000	43,586	26,414	0	0	26,414
E1909	4KV OVERHEAD LINE INSULATOR, T	2019	3,590,000	0	3,590,000	3,083,593	506,407	524	485,806	20,077
E2001	BC TAP TO BUCHANAN OVERHEAD LI	2020	9,800,000	0	9,800,000	3,154,088	6,645,912	0	6,639,104	6,808
E2009	Capital Equipment Purchase	2020	836,232	0	836,232	648,987	187,245	0	0	187,245
E2010	Claremont Conversion	2020	500,000	0	500,000	170,834	329,166	0	19,963	309,203
E2011	Substation 5 Reclosure Replace	2020	90,000	0	90,000	91,555	(1,555)		0	(1,555)
E2101	San Felipe - Mendota Feeder	2021	500,000	1,400,000	1,900,000	0	1,900,000	0	0	1,900,000
E2102	Circuit 45-61-62 Tie	2021	1,100,000	0	1,100,000	10,640	1,089,360	0	2,480	1,086,880
E2103	Circuit 63-64 Tie	2021	100,000	300,000	400,000	6,400	393,600	0	1,960	391,640
E2105	Pole Replacement Program	2021	450,000	450,000	900,000	129,653	770,347	0	1	770,346
E2201	Feeder 14-24 Tie Replacement	2022	0	400,000	400,000	0	400,000	0	0	400,000
E2202	Red Mountain Distribution Line	2022	0	1,200,000	1,200,000	0	1,200,000	0	0	1,200,000
UE161	BC TAP TRANSFORMER/BKR	2016	2,720,000	0	2,720,000	2,420,808	299,192	0	0	299,192
UE182	Feeder Arizona St	2018	2,056,555	0	2,056,555	1,099,614	956,941	0	950,116	6,826
UE183	METER REPLACEMENT	2018	1,000,000	0	1,000,000	947,843	52,157	0	41,958	10,199
	Total 61900 ELECT FUND CAPITAL						15,271,787	524	8,148,428	7,122,837
	Total 61 ELECTRIC FUND						15,271,787	524	8,148,428	7,122,837
UW171	WATER LINE TO ELDORADO VALLEY	2017	2,400,000	0	2,400,000	2,002,145	397,855	0	69,614	328,241
W2006	Copper Service Replacement	2020	1,063,300	600,000	1,663,300	838,445	824,855	0	194,905	629,950
W2008	Eldorado Valley Line PRV Desig	2020	250,000	0	250,000	0	250,000	0	0	250,000
W2009	ACCESS AND SECURITY IMPROV RES	2020	50,000	0	50,000	0	50,000	0	0	50,000
W2101	Rebuild Pressure Reducing Valve	2021	100,000	0	100,000	96,030	3,970	0	0	3,970
W2102	Install PRV on "A" Line to National Par	2021	250,000	0	250,000	0	250,000	0	0	250,000
W2103	Reservoir Improvements	2021	80,000	559,600	639,600	0	639,600	0	0	639,600
W2104	Replace 8" Butterfly Valves	2021	80,000	200,000	280,000	12,479	267,521	0	0	267,521
W2201	Water Meter Replacements	2022	0	75,000	75,000	0	75,000	0	0	75,000
	Total 62900 WF CAPITAL PROJECTS						2,758,801	0	264,519	2,494,282
	Total 62 WATER FUND						2,758,801	0	264,519	2,494,282
S1901	SANITARY SEWER REHABILITATION	2019	100,000	0	100,000	46,070	53,930	0	0	53,930
S2004	WWTP Headworks Upgrade	2020	400,000	0	400,000	17,960	382,040	0	40	382,000
S2101	Evaluate Hemenway Valley Sewer	2021	100,000	0	100,000	81,587	18,413	0	8,413	10,000
S2102	Sewage Lift Station Mobile Eme	2021	120,000	0	120,000	109,016	10,984	0	39	10,945
S2103	Rehabilitate Sanitary Sewer Ma	2021	120,000	750,000	870,000	5,440	864,560	0	0	864,560
S2201	Lift Station No 1 Improvements	2022	0	100,000	100,000	0	100,000	0	0	100,000
S2202	Chlorine Contact Chamber	2022	0	100,000	100,000	0	100,000	0	0	100,000
S2203	Concrete Line Aeration Basins	2022	0	200,000	200,000	0	200,000	0	0	200,000
	Total 63900 WWATER FUND CAPITAL						1,729,927	0	8,492	1,721,435
	Total 63 WASTEWATER FUND						1,729,927	0	8,492	1,721,435
UL151	LANDFILL EXPANSION	2016	562,000	0	562,000	365,999	196,000	0	96,752	99,248
UL201	Landfill Expansion Phasing Pla	2020	60,000	0	60,000	0	60,000	0	0	60,000
UL202	Perimeter Fencing/Road Design	2020	460,000	0	460,000	16,335	443,665	0	0	431,037
	Total 64900 LANDFILL FUND CAPITAL						699,665	0	96,752	590,285
	Total 64 LANDFILL FUND						699,665	0	96,752	590,285
	Revenue Total						0	0	0	0
	Expense Total						20,477,657	524	8,518,190	11,946,316
	Grand Total						20,477,657	524	8,518,190	11,946,316