

**MINUTES OF THE
SENATE COMMITTEE ON GOVERNMENT AFFAIRS**

**Eighty-second Session
February 20, 2023**

The Senate Committee on Government Affairs was called to order by Chair Edgar Flores at 3:32 p.m. on Monday, February 20, 2023, in Room 2149 of the Legislative Building, Carson City, Nevada. The meeting was videoconferenced to Room 4412 of the Grant Sawyer State Office Building, 555 East Washington Avenue, Las Vegas, Nevada. [Exhibit A](#) is the Agenda. [Exhibit B](#) is the Attendance Roster. All exhibits are available and on file in the Research Library of the Legislative Counsel Bureau.

COMMITTEE MEMBERS PRESENT:

Senator Edgar Flores, Chair
Senator James Ohrenschall, Vice Chair
Senator Skip Daly
Senator Pete Goicoechea
Senator Lisa Krasner

STAFF MEMBERS PRESENT:

Jered McDonald, Policy Analyst
Heidi Chlarson, Counsel
Spencer Jones, Committee Secretary

OTHERS PRESENT:

Joe Hardy, Mayor, City of Boulder City
Taylour Tedder, City Manager, City of Boulder City
Brittany Walker, City Attorney, City of Boulder City

CHAIR FLORES:

I would like to open the meeting with a presentation from the City of Boulder City.

JOE HARDY (Mayor, City of Boulder City):

What makes Boulder City unique is not just the attractions, though there are many: Hoover Dam, Lake Mead, museums, historic wild sheep in the park, solar fields, vistas, events on the Fourth of July, Spring Jamboree, bike paths and

schools where we wave to the cars because we know who is driving them. It is the people who care, share, serve and volunteer. These people lend a hand with emergency aid, events, the Nevada State Veterans Home and Southern Nevada Veterans Memorial Cemetery, youth coaching, the senior center, pro bono wills, those with mental health and drug issues, the senior all-night party and police volunteers. We even have horses volunteer for the police-mounted patrol.

TAYLOUR TEDDER (City Manager, City of Boulder City):

Our presentation ([Exhibit C](#)) educates the Committee on our community and why it is a unique and integral part of Nevada. Boulder City is historically significant to the development of our State. The Boulder Canyon Project Act, authorizing construction of Hoover Dam, was signed by President Calvin Coolidge in 1928 just as the Great Depression was beginning. Construction was set to start in 1931, and 5,000 families came to work on the project. Boulder City was built to house the workers. The Bureau of Reclamation held title to all the land, and the federal government essentially owned Boulder City. Construction was completed in 1936, almost two years ahead of schedule; and in 1958, the federal government transferred ownership of Boulder City's government. When the City was incorporated in January 1960, it covered approximately 33 square miles, about one-sixth of its size today.

Boulder City is unique compared to the rest of Nevada. Various charter amendments keep the City much like it was in the early days; since incorporation, gambling has been prohibited. Boulder City is one of only two jurisdictions in Nevada that prohibit gambling and do not receive any gaming revenue. Voters also adopted a ballot initiative in 1979 for growth control which has kept our growth limited, even negative at times, in the past 40 years. While Boulder City acquired 167 square miles of former federal land in 1995, our voters in 1997 restricted how city land can be sold; it must go to the voters if we want to sell more than an acre of land. While Boulder City has the largest square mileage of land in Nevada, most of it remains undeveloped. Boulder City also has a limit on city debt obligation, making us a pay-as-you-go community, and our city code requires voter approval on any debt over \$1 million.

Last year, voters elected longtime Boulder City resident Dr. Joe Hardy as Mayor. We are fortunate to have someone with his expertise and character leading our City. Our City Council also includes Mayor Pro Tem Sherri Jorgensen, Councilwoman Cokie Booth, Councilman Matt Fox and Councilman

Steve Walton. Appointed officials include myself, City Clerk Tami McKay, City Attorney Brittany Lee Walker and Municipal Judge Victor L. Miller.

Boulder City established a strategic plan in 2018, and we are incredibly close to achieving the five goals: achieving prudent financial stewardship, investing in infrastructure, managing growth and development, promoting historic preservation and sustaining a high level of public safety services. Some examples of the strategies within those goals include diversifying revenue for a greater use of grants, developing a historic preservation plan and supporting nonprofit volunteer groups. City staff plans to seek direction from the City Council to determine steps for a new strategic plan this spring, as the current one is about 98 percent complete.

In [Exhibit C](#), Slide 8 is an overview of the Boulder City's general fund revenue sources. Intergovernmental revenue accounts for more than 36 percent of our revenue, and most of that comes from the Consolidated Tax Distribution. Rents and royalties are another 32 percent of our revenue, which come mostly from land leases of solar development. Fiscal year (FY) 2022-2023 revenue is estimated at about \$42.7 million, and we have a total budget of \$134 million.

Most buildings were given to the City in 1960 and are still in use today. While historic in value, some challenges exist with our facilities, such as accessibility issues in buildings like the 1931 vintage City Hall seen on [Exhibit C](#), page 9. The police department has walls of the same poured concrete used to build Hoover Dam, so it is difficult to renovate the facilities.

Boulder City has only 10 departments with 355 employees. Due to limited staffing, personnel do multiple jobs. For example, our utility billing supervisor is also our director of business licensing. Staffing includes eight collective bargaining units which were all up for renewal last year. We have 17 parks, 1 swimming pool and 2 City-owned golf courses.

Boulder City employs 37 sworn officers and more than 12 support staff. The 911 dispatch center handles all calls for police and fire response. Our police department has sustained critical staffing levels, thanks to strong recruiting and retention efforts, at a time when other agencies are struggling to recruit. The City also maintains a low crime rate as shown on [Exhibit C](#), Slide 10, a recognition we celebrate year after year. Boulder City's fire department and EMS responded to over 2,600 calls for service in FY 2021-2022. The fire

department had an almost 26 percent increase in calls for service compared to FY 2021-2022, and we had a 21.5 percent increase in EMS calls FY 2020-2021 to FY 2021-2022.

We recently launched a business community AED/CPR program, utilizing some American Rescue Plan (ARP) Act funding to place AEDs in a lot of our downtown businesses for coverage where needed. The City also plans to build a small substation to improve service to about 35 percent of our community over on the lakeside, that is outside our nationally accepted standard for response time.

Diversity is at an all-time high in the four Boulder City schools. Nearly 25 percent of the students identify their race as something other than white, and nearly 27 percent of the children fall below the federal guidelines to qualify for free and reduced-cost meals available districtwide through our community eligibility provision.

The City holds a small old-fashioned charm in part because our residents skew older. Census data shows 15,000 residents compared to Clark County's 2.2 million, and the median age of Boulder City residents is 52.7 to Clark County's 37.5. Twenty-nine percent of residents are over the age of 65, and over 50 percent of adults are in the workforce. Nearly 11 percent of residents are veterans of the armed forces.

With more than one-third of residents living on fixed incomes, several agencies provide support: Emergency Aid of Boulder City, Lend A Hand of Boulder City and the Senior Center of Boulder City. Due to an increase in need over the past three years, ARP funds have provided assistance with utility bills and rent. The fire department also saw more calls for service in the last year because of health conditions.

For many years, the City Council has approved the transfer of Boulder City's bond volume cap to the Nevada Rural Housing Authority, which has supported affordable housing projects across the State. Last year, the City Council approved the transfer of our bond volume cap to the Volunteers of America, for the purpose of converting an existing assisted living facility into a new affordable senior housing apartment complex. The developer is also in the process of developing affordable senior living facilities in Boulder City with the proposed total of over 180 units. It will pursue federal low-income housing tax

credits to aid in funding those units. Our controlled growth ordinance limits the number of residential units that can be built in Boulder City to 120 a year. The same ordinance allows for an additional 50 affordable housing units every five years.

Boulder City has a representative on the Continuum of Care Board which promotes a countywide commitment to homeless services, including securing federal dollars for local homeless service providers. The City provides annual funding along with other jurisdictions for the annual homeless census, the homeless management information software system that collects information on services provided to homeless and emergency shelters. Our staff and local volunteers also participate in the annual census count organized by Clark County Social Services. We provide individuals with a homeless services resource guide, listing all the services in Clark County, and work with Emergency Aid of Boulder City to secure housing for those individuals. We focus on solving the issue of homelessness by providing information and trying to help the homeless rather than with arrests or things of that nature.

The City has an additional duty assignment of a grants manager from within our Finance Department who is responsible for the centralized administration and submission reporting of all grants within the City. All grant requests are solicited by various departments, coordinated through the Grants Manager and evaluated by a grants working group in the submission process. The Grants Manager is certified in federal grants management procedures and has access to applicable grant management websites and accounts.

Boulder City, unlike most of the State, provides its residents with all utilities except for natural gas. The majority of power comes from Hoover Dam, and Boulder City retains its own water rights, subject to specific fees handled by Southern Nevada Water Authority (SNWA). While the City provides land leases for solar power, nearly all that power is sent to Las Vegas and California. In 2019, the City Council formed a Utility Advisory Committee whose members advise the Council on utility operations. Boulder City owns and operates an electrical distribution system providing residents with electricity. Unlike our investor-owned utility neighbors, the not-for-profit electrical distribution system is subject to the jurisdiction of the Boulder City Council rather than the Public Utilities Commission of Nevada.

The City does not own or operate any generation resources and obtains all energy needs from existing power purchase agreements in the open energy market. The City is a leader in clean energy, getting most power from hydropower and solar, and offering rebates for energy-efficient appliances and items such as smart thermostats and homes. We employ 12 people in our electric division.

Winter energy demands are just over 29,000 megawatt hours (mwh). About 53 percent of that power is exclusively served by federal hydropower from Hoover Dam and Glen Canyon Dam; 36 percent, solar power and battery storage from a power purchase agreement with Townsite Solar; and 11 percent, market energy purchases. Our anticipated summer energy demands go up to about 58,000 mwh with 37 percent of that from hydropower; 19 percent, solar power and battery storage; and 44 percent, the open energy market. Boulder City has diversified our revenue sources, [Exhibit C](#), Slide 20, with utility-scale solar projects and lease revenue in the Eldorado Valley, helping the City survive difficult times like the Great Recession and COVID-19 pandemic. The first utility-scale solar project to benefit the utility directly is the Townsite Solar project which delivers five megawatts of firm power by solar and battery storage through most of the year. The City is exploring additional power purchase agreements in the future due to the dwindling capacity of Hoover Dam with the ongoing drought.

Boulder City—one of the first cities in southern Nevada to adopt SNWA’s latest water conservation measures—is in talks with the Authority to return its wastewater to Lake Mead. The City is converting up to 2 million square feet of turf from golf courses and parks to water-smart landscape. The City recently authorized rebates for smart irrigation controllers with rain sensors to save water when it rains. We are fully committed to the new four acre-feet per irrigated acre water budget for all golf courses.

Boulder City activities unique for visitors to southern Nevada include the Nevada State Railroad Museum, Hoover Dam, Lake Mead National Recreation area, trails, and parks and outdoor activities, accounting for more than 8 million visitors annually passing through the community. The Nevada State Railroad Museum will be expanding with a \$35 million investment. Phase 1 of the expansion project will construct a new visitor center. Phase 2 will be the development of a linear park, running the length of the museum campus, incorporating the museum's livestream interpretive railroad and adding an

outdoor amphitheater, railroad-themed playground, leisure areas and additional restroom facilities. Another project is an Adventure Center under a U.S. Department of Commerce grant. The \$2.2 million capital investment will be colocated with our Chamber of Commerce and allow tourism companies to develop operations at a centralized hub so visitors can schedule various activities in one location. The grant will also enable the National Park Express to operate inexpensive transportation from Las Vegas resorts to the Adventure Center.

One of the perks of living in Boulder City is getting daily visits from the Nevada State animal, the desert bighorn sheep. With the help of Clark County Commissioner Jim Gibson, the County gave the City a \$175,000 grant for improvements to Hemenway Valley Park to benefit two-legged and four-legged visitors alike. Improvements include a walking trail, benches, educational signage, irrigation and watering holes.

CHAIR FLORES:

Can you provide the Committee data with regard to the federal grants for affordable housing projects you mentioned? How many have been awarded in the last several years? What parameters did they have? Were they matching grants? And can you provide data on your homeless populations, specifically how many folks have you identified and what wraparound services you provide for them? This information would be helpful if you can send it to all the members.

SENATOR OHRENSCHALL:

Boulder City has always been known for limited, controlled growth. Is that going to continue? Or will housing, business and industrial growth outpace what we have seen in the last few decades?

MR. TEDDER:

I have looked back through the last decade on our housing permits. The limit by ordinance is 120 new homes per year; however, we have not hit that. Housing growth averages about 38 a year. One year, we came close to the limit; generally, it has not approached 120. Due to a limited amount of privately owned land, the City has to ask voters whether we sell a plot of land for development. Right now, a developer is looking at building homes on a plot of land, but it has not come to fruition yet with market uncertainty and will be discussed with the City in the spring. A new neighborhood of about 100 homes

was just completed. We have a consistent flow of some homes, but I do not see the data showing exploding growth anytime soon.

CHAIR FLORES:

We will open the hearing on Senate Bill (S.B.) 23.

SENATE BILL 23: Authorizes an amendment of a redevelopment plan to include the removal of an area from a redevelopment area under certain circumstances. (BDR 22-367)

BRITTANY WALKER (City Attorney, City of Boulder City):

Boulder City's support for S.B. 23 is detailed in a statement ([Exhibit D](#)). Proposed Amendment 3519 to S.B. 23 ([Exhibit E](#)) clarifies the intent and addresses concerns with the language. Like many jurisdictions, Boulder City has a redevelopment agency. We established our redevelopment agency and redevelopment area in 1999 to specify an area and plan to redevelop blighted properties, including vacant city-owned land west and south of Boulder City Parkway. Prior to the Seventy-ninth Legislative Session, redevelopment agencies were permitted to amend redevelopment plans to add or remove properties from a redevelopment area.

In 2017, *Nevada Revised Statutes* (NRS) 279 was amended to add a prohibition on removing land from a redevelopment area to address commercial development using redevelopment funds. However, NRS 279 limits redevelopment agencies from removing residential property and developing new, unblighted residential property, like that in Boulder City. Such property tax revenue is more appropriate for traditional property tax purposes like public safety, schools and so on.

As mentioned before, Boulder City has a new development of about 100 homes in the redevelopment area, and the property tax has been contributing to our redevelopment fund. The City contends that revenue is better suited for public safety services for those homes and for schools that educate children in those homes.

SENATOR DALY:

Assembly Bill No. 80 of the 79th Session brought by the City of Reno went through a lot of amendments, and one of them added a prohibition from redevelopment agencies removing property from the redevelopment area. Doing

so could affect the bonds, but it also ensured that they could not pull areas out, to send back to the City that could sell those areas at less than fair market value. Proposed Amendment 3519 requires three findings regarding the removal area: no interference with any outstanding bonds, primarily single-family residential and property tax distribution. I am somewhat concerned with the word “primarily” in the amendment, hoping no abuses are allowed by that language. However, Proposed Amendment 3519 is narrow. There should not be some of the abuses that caused us to amend NRS 279 back in 2017.

Remainder of page intentionally left blank; signature page to follow.

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CHAIR FLORES:

The Senate Committee on Government Affairs is adjourned at 4:06 p.m.

RESPECTFULLY SUBMITTED:

Spencer Jones,
Committee Secretary

APPROVED BY:

Senator Edgar Flores, Chair

DATE: _____

EXHIBIT SUMMARY				
Bill	Exhibit Letter	Introduced on Minute Report Page No.	Witness / Entity	Description
	A	1		Agenda
	B	1		Attendance Roster
S.B. 23	C	2	Taylor Tedder, Boulder City	Presentation
S.B. 23	D	8	Brittany Walker, Boulder City	Support Statement
S.B. 23	E	8	Brittany Walker, Boulder City	Proposed Amendment 3519