

AMENDED AND RESTATED INTERLOCAL AGREEMENT  
FOR  
THE SOUTHERN NEVADA REGIONAL PLANNING COALITION

THIS AMENDED AND RESTATED INTERLOCAL AGREEMENT is made and entered into this 27th day of January, 2000, by and between the COUNTY OF CLARK, the CITY OF LAS VEGAS, the CITY OF HENDERSON, the CITY OF NORTH LAS VEGAS, the CITY OF BOULDER CITY, and the BOARD OF SCHOOL TRUSTEES, CLARK COUNTY SCHOOL DISTRICT, political subdivisions of the State of Nevada. The parties above named are hereinafter referred to as "County," "the Cities," and "the District" respectively, or collectively as "Public Entities".

WITNESSETH:

WHEREAS, Southern Nevada continues to be one of the nation's fastest growing regions; and

WHEREAS, unprecedented growth creates tremendous challenges for local government to maintain an ongoing equilibrium between demands for public services generated by growth and the supply of revenues to finance those demands; and

WHEREAS, failing to meet these challenges will adversely impact such basic quality of life elements as economic prosperity, public safety, education, transportation, recreation and culture, the natural environment, and health care; and

WHEREAS, these challenges transcend governmental jurisdictional boundaries; and

WHEREAS, it is essential to preserve the unique qualities of individual communities as we continue to grow and develop; and

WHEREAS, intergovernmental collaboration has proven to be an efficient and effective approach to address many of these challenges; and

WHEREAS, it is of utmost importance to preserve and enhance the quality of life for the citizens and the future generations of Southern Nevada; and

WHEREAS, the Public Entities desire to establish pro-active regional planning policies for the compatibility of land uses, location of infrastructure and the provision of regional public services; and

WHEREAS, there is a need for collaboration and regional recommendations to address the challenges facing Southern Nevada, enumerated above; and

WHEREAS, the creation of an advisory committee was the necessary first step to interlocal cooperation to address regional governance issues; and

WHEREAS, Nevada Revised Statutes (NRS) 277.180 provides that two or more political subdivisions of the State may enter into interlocal agreements for the performance of any governmental

function in the furtherance of that function; and

WHEREAS, the Public Entities executed an Interlocal Agreement for the formation of the Southern Nevada Regional Planning Coalition dated October 20, 1998; and

WHEREAS, the 1999 Nevada State Legislature deemed it appropriate to codify the Southern Nevada Regional Planning Coalition establishing the membership and work plan in Senate Bill 436 on May 27, 1999; and

WHEREAS, the Public Entities desire to amend and restate this Interlocal Agreement to incorporate the applicable legislative provisions of the 1999 Nevada State Legislature.

NOW, THEREFORE, the following have been mutually agreed upon by all parties:

1. Name. The Southern Nevada Regional Planning Coalition, hereinafter referred to as the "Coalition", is hereby created.
2. Definitions. The Regional Policy Plan Area shall mean the incorporated areas of Las Vegas, North Las Vegas, Henderson, and Boulder City, and the unincorporated urban areas of Clark County.
3. Efficiency Committee Superseded. The Coalition shall supersede the Southern Nevada Government Efficiency Committee.
4. Membership of the Governing body of the Coalition ("Coalition Board").
  - (a) Public Entity Membership: The membership of the Coalition Board shall consist of two (2) elected officials appointed by the governing body of each of the Public Entities with the exception of Boulder City which shall appoint one (1) member, and with the exception of the Clark County School District which shall appoint one (1) member for a total of ten (10) members.
  - (b) The Coalition Board shall elect a chairman and vice chairman from its membership at the first meeting of each calendar year.
  - (c) Each Coalition Board member shall have one (1) vote.
  - (d) The term of each member of the Coalition Board is coterminous with his term of elected office unless the Public Entity that appointed him revokes his appointment to the Coalition Board. If a member fails to attend three consecutive meetings or fails to attend five meetings during a calendar year, his appointment is automatically revoked. If a member is unable to serve for the duration of his term or has his membership revoked, his position becomes vacant. A vacancy on the Coalition Board must be filled by the authority which was entitled to appoint the member whose position is vacant. A vacancy must be filled within 45 days

after the departure of the member. The term of a member appointed by the governing body of each Public Entity to fill a vacancy is the remainder of the term of the member whose position is vacant.

5. Meeting and Notice.

- (a) The Coalition Board shall meet each month at a time and place designated by the chairman of the Coalition Board. The Coalition Board may hold special meetings as often as the needs of the Coalition Board require, upon notice to each member of the Coalition Board. The Coalition Board must provide notice of a meeting in the manner prescribed by NRS 241.020, in accordance with Nevada Open Meeting Law.
- (b) Subject to the desired goal of taking action by consensus, if possible, and except as provided in Sections 9(a) and 13, action by the Coalition Board shall be effective for all purposes if approved by a majority of the members of the Coalition Board at a meeting duly called and noticed. A quorum shall consist of a majority of the members of the Coalition Board.

6. Officers. The officers of the Coalition shall consist of a Chair and Vice-Chair selected from the Coalition Board members, elected for a one-year term at the first meeting of each calendar year. The initial Chair and Vice-Chair shall be elected at the first meeting of the Coalition and shall serve until the first meeting of 2000.

7. Staff. The Coalition shall employ such professional, necessary technical and support staff with such duties as required by the Coalition Board.

8. Technical Committee. A Technical Committee, consisting of the Clark County Manager and the City Managers of Las Vegas, Henderson, North Las Vegas, Boulder City, and the Superintendent of the Clark County School District, or their designee(s), shall support the work of the Coalition. The committee shall elect a chairman and vice chairman from its membership. The committee shall meet as often as is necessary to provide assistance to the board. The chairman shall determine the time and place of the meetings of the committee and notice the meetings in accordance with Nevada Open Meeting Law, NRS Chapter 241. In addition, the Technical Committee may invite participation on the Technical Committee of representatives of regional agencies or entities including, but not limited to (a) the Regional Transportation Commission, (b) the Clark County School District, (c) the Regional Flood Control District, (d) the Clark County District Board of Health, (e) the Southern Nevada Water Authority, (f) Public Utilities and (g) local air pollution control boards. The Technical Committee shall select a Chair from its membership. The Technical Committee shall perform such duties as required by

the Coalition Board.

9. Powers. The Coalition shall comply with legislative requirements delineated in the Nevada Revised Statutes and Nevada Administrative Codes, as amended from time to time, and shall:

(a) Develop a comprehensive regional policy plan (Plan) for the balanced economic, social, physical, environmental and fiscal development and orderly management of the growth of the region for a period of at least 20 years. The Plan must contain recommendations of policy to carry out each part of the Plan and must include goals, policies, maps and other documents relating to:

- (1) Conservation, including, without limitation, policies relating to the use and protection of natural resources.
- (2) Population, including, without limitation, standardized projections for population growth in the region.
- (3) Land use and development, including, without limitation, a map of land use plans that have been adopted by local governmental entities within the region;
- (4) Transportation.
- (5) The efficient provision of public facilities and services, including without limitation, roads, water and sewer service and police and fire protection, mass transit, libraries and parks.
- (6) Air Quality.
- (7) Strategies to promote and encourage:
  - (I) The interspersions of new housing and businesses in established neighborhoods; and
  - (II) Development in areas in which public services are available.

The Plan shall not be adopted or amended unless by resolution carried by the affirmative votes of not less than two-thirds of its total membership; and is ratified by the governing bodies of the Public Entities.

- (b) Study and develop methods to provide incentives for the interspersions of new housing and businesses in established neighborhoods.
- (c) Establish a definition for the term "project of regional significance."
- (d) At least every 2 years review the master plans, facilities plans and other similar plans received pursuant to NRS 278.02549, and determine whether those plans are in substantial conformance with the regional policy plan.

- (e) Cooperate and consult with the local air pollution control board and Regional Transportation Commission to ensure that the plans, policies, programs and amendments adopted by each of them are consistent to the greatest extent practicable. The Coalition shall also solicit public comment on the plans, policies, programs and capital improvement plans pursuant to NRS 278.0226.
- (f) Submit a report every 2 years to the County Clerk, Division of Environmental Protection, and Division of State Lands summarizing the policies related to land use, transportation and air quality which it has adopted and which the Air Pollution Control Board and the Regional Transportation Commission have adopted.

In addition, the Coalition may, without limitation and upon approval of a majority of its members:

- (g) Manage and implement the strategic plan and infrastructure finance recommendations adopted by the Southern Nevada Strategic Planning Authority.
- (h) Coordinate a regional and local database for the region, including Geographic Information Services (GIS).
- (i) Establish standardized population projections with respect to regional planning purposes.
- (j) Identify and recommend to the appropriate Public Entities measures which, if implemented, would increase the efficiency of furnishing governmental services and reduce the cost thereof.
- (k) Examine issues and problems with respect to Federal Land Disposal Policy and Practice in the Las Vegas Valley; consult with the affected Public Entities and representatives of the Federal Government; and make recommendations with respect thereto.
- (l) Establish methods for resolving disputes relating to annexation, future land use, zoning and development that arise between jurisdictions, including, without limitation, identification of the spheres of influence of the jurisdictions. As used in this subsection, "sphere of influence" means an area into which a jurisdiction plans to expand.
- (m) Identify and recommend to the appropriate Public Entities measures to coordinate development regulations and public improvement standards.
- (n) Identify and consider other regional issues such as:
  - (1) Policies for region-wide economic development and employment;

- (2) Policies for developing and coordinating recreational programs including a regional trail and open space program; and
- (3) Policies for maximizing cooperation among local governments and optimizing public infrastructure financing.
- (o) Consider any issues of regional significance as determined appropriate by the Coalition Board.
- (p) Develop a regional park plan in coordination with the Clark County Regional Flood Control District, organized pursuant to NRS 543.240.

10. Clearinghouse Responsibility. The Coalition shall assume the responsibilities of the Clark County A-95 Clearinghouse Council. The Cooperative Agreement for the formation of the Clark County Clearinghouse Council dated the 6th day of July, 1993 by and among Clark County, City of Las Vegas, City of North Las Vegas, City of Henderson, Boulder City, and the City of Mesquite shall terminate on the Effective Date hereof if approved by the governing bodies of all signatory parties thereto within a three (3) month period, otherwise on June 30, 1999. It is understood and agreed by the parties hereto that there is no outstanding indebtedness nor are there outstanding contractual obligations of the Council established pursuant to the July 6, 1993, Agreement. The responsibilities assumed under this Section include the responsibility to administer the efforts necessary for the review, comment, and recommendations required for compliance with Presidential Executive Order 12372 and Governor's Executive Order, State of Nevada, June 9, 1983, relative to applications for Project Notification and Review System, Direct Federal Development, State Plans, and Coordination of Planning in Multi-jurisdictional Areas. On termination of the July 6, 1993, Agreement, the Coalition shall succeed to the staff and funds of the Clark County Clearinghouse Council.

11. Procedures.

- (a) The Coalition Board may refer any matter before it to the regional organization, governmental agency or Public Entity having jurisdiction over such matter for review and recommendation to the Coalition. The Coalition Board or the Coalition Staff may consult with such regional organization, governmental agency, or Public Entity with respect to the matter under consideration by the Coalition Board. The Coalition Board shall request a response within forty-five (45) days of the referral. If no response is forthcoming within the forty-five (45) day period, the Coalition Board may proceed to consider and take action on the matter before it without input from the regional organization, governmental agency, or Public Entity. Examples of appropriate references are:

- Transportation - Regional Transportation Commission
  - Education and schools - Clark County School District
  - Flood Control - Regional Flood Control District
  - Air Quality - Clark County Planning Department and/or Clark County District Board of Health
  - Water Issues - Southern Nevada Water Authority
  - Other governmental agencies as may be appropriate
- (b) In the event a Coalition Recommendation or Policy involves one or more Public Entities or other governmental agency, the governing bodies of the Public Entity or Entities or governmental agency involved shall consider the recommendation of the Coalition within forty-five (45) days of the Coalition recommendation. In the event the governing body of any Public Entity or governmental agency rejects the Coalition recommendation, such Public Entity or governmental agency shall report to the Coalition Board at its next regular meeting the reasons for such rejection.
- (c) The Coalition Board shall adopt Rules of Practice and Procedure to govern the affairs of the Coalition and the meetings of the Coalition Board as the Coalition Board deems necessary. Initial Rules of Practice and Procedure shall be adopted no later than 135 days from the execution of this Agreement. It is the desired goal of the Coalition to take action on matters before it by consensus where possible. The Rules of Practice and procedure shall define consensus and shall identify the matters concerning which the Coalition Board is to strive to achieve the desired goal of consensus.

12. Standing Subcommittees. There shall be the following Standing Subcommittees of the Coalition:

- (a) Federal Lands Disposal Subcommittee to address issues referenced in Section 9 (k) above. This Subcommittee shall work directly with the Bureau of Land Management (BLM) and shall report its activities to the Coalition Board. The membership of this Subcommittee shall be the Clark County Coalition Board members and the Mayors of Henderson, Las Vegas, and North Las Vegas. The Manager of the Southern Nevada Public Land Management Project Office of the BLM and a representative of the United States Air Force shall be ex-officio non-voting members of this Subcommittee.

- (b) Clark County Clearinghouse Council Subcommittee to address the issues referenced in Section 10 above. The subcommittee must be composed of six members as follows: (1) One member appointed by the Board of County Commissioners of Clark County from its membership; (1) One member appointed by the City Council of the City of Las Vegas from its membership; (1) One member appointed by the City Council of the City of North Las Vegas from its membership; (1) One member appointed by the City Council of the City of Henderson from its membership; (1) One member appointed by the City Council of Boulder City from its membership; and (1) One member appointed by the City Council of the City of Mesquite from its membership.
- (c) The Coalition Board may appoint additional Subcommittees from time to time with such duties as may be designated by the Coalition Board.
- (d) Subcommittees shall have such members as may be determined from time to time by the Coalition Board.

13. Budget Authority. The Coalition Board is authorized to prepare an annual budget. Unless otherwise agreed by the Coalition Board, the budget shall apportion costs among the Public Entities, based on the percentage that each Public Entity's vote(s) on the Coalition Board bear to the total number of Public Entity Coalition Board votes provided however that no Public Entity's share of an annual budget shall exceed .15% of that entity's general fund revenues for the preceding fiscal year without the consent of that entity's governing body. The apportioned costs shall be submitted to the governing bodies of the Public Entities for ratification. Upon approval by each Public Entity, funds to cover that entity's share of costs shall be deposited into a special account to be maintained by the fiscal agent for the Coalition selected by the Coalition Board. All funds remaining following the completion of the Southern Nevada Strategic Planning Authority and its efforts, except the proportionate share returned to the City of Mesquite, will be forwarded to the Coalition's fiscal agent and committed to the expenses of the Coalition. Each Public Entity agrees to pay its share of annual budget expenses during the term of this Agreement. The fiscal agent shall furnish an independent audit on request of the Coalition Board but not more often than one (1) each year. In furtherance of the management of its fiscal affairs, the Coalition may accept donations from private sector donors and utilize such funds for the purposes of the Coalition. The affirmative vote of at least two-thirds of the members of the Coalition Board is necessary to pass an action relating to:

- (a) A budgetary matter or a matter which involves an expenditure of public money; or
- (b) A contract or other instrument that creates a binding legal obligation on a public



entity.

14. Professional Services. In the exercise of its powers, the Coalition may employ professional services.

15. Term of the Agreement. This Agreement shall continue until terminated.

16. Termination. This Agreement may be terminated, by the adoption of a resolution to that effect by the governing bodies of four (4) of the six (6) Public Entities. Such termination shall not take effect until all outstanding debts or contractual obligations of the Coalition have been fulfilled and one hundred and eighty (180) days shall have passed from the adoption of such resolution by the fourth Public Entity.

17. Amendments. This Agreement may be amended by approval of such amendment by the governing bodies of all Public Entities.

18. Effective Date. The effective date of this Agreement shall be the date on which the governing body of the last Public Entity to approve this Agreement does approve this Agreement.

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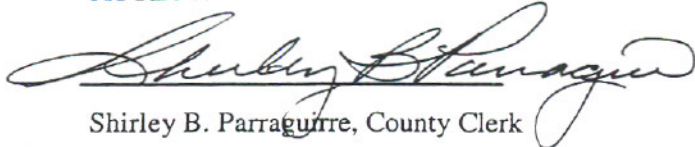
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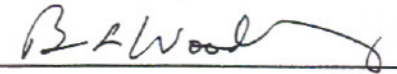
THIS AGREEMENT may be executed in any number of counterparts, and when so executed, each such counterpart shall be deemed to be an original hereof.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed by their duly authorized representatives on the day and in the year first above written.

ATTEST:

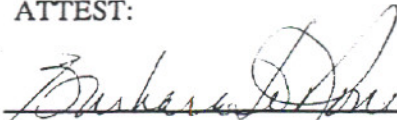
  
Shirley B. Parraguirre, County Clerk

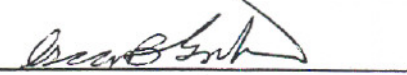
Board of County Commissioners  
Clark County, Nevada

By:   
Bruce L. Woodbury, Chairman  
4/15/00

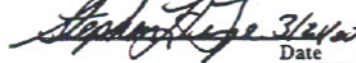
City of Las Vegas, Nevada

ATTEST:

  
Barbara Jo Ronemus, City Clerk

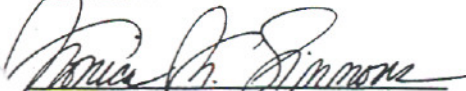
By:   
Oscar B. Goodman, Mayor

APPROVED AS TO FORM:

  
Date

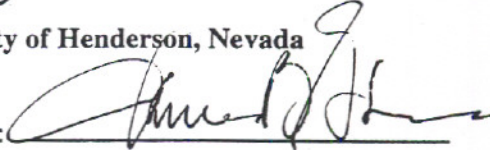
City of Henderson, Nevada

ATTEST:

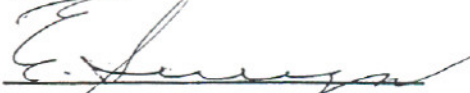
  
Monica M. Simmons, City Clerk

COUNCIL ACTION

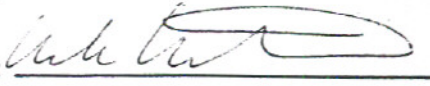
FEB 01 2000

By:   
James B. Gibson, Mayor

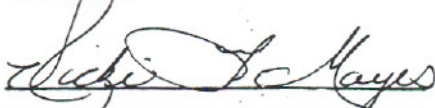
ATTEST:

  
Eileen Sevigny, City Clerk

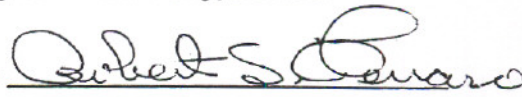
City of North Las Vegas, Nevada FEB 16 2000

By:   
Michael L. Montandon, Mayor

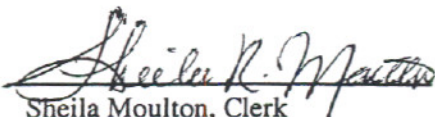
ATTEST:

  
Vicki G. Mayes, City Clerk

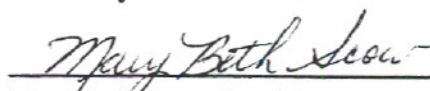
City of Boulder City, Nevada

By:   
Robert S. Ferraro, Mayor

ATTEST:

  
Sheila Moulton, Clerk

Board of School Trustees  
Clark County School District

By:   
Mary Beth Scow, President