



City Council Meeting May 14, 2024 Item No. 12 Staff Report

BOULDER CITY
CITY COUNCIL

MAYOR
JOE HARDY

COUNCIL MEMBERS:
COKIE BOOTH
MATT FOX
SHERRI JORGENSEN
STEVE WALTON



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

CITY CLERK:
TAMI MCKAY, MMC, CPO

COMMUNITY DEVELOPMENT DIRECTOR:
MICHAEL MAYS, AICP

PUBLIC WORKS DIRECTOR:
JIM KEANE, PE

UTILITIES DIRECTOR:
JOSEPH STUBITZ, PE

POLICE CHIEF:
TIM SHEA

ACTING FIRE CHIEF:
GREG CHESSER, CFO

FINANCE DIRECTOR:
CYNTHIA SNEED, CPA, CGFM

PARKS & RECREATION DIRECTOR:
JULIE CALLOWAY, CPRP

TO: Mayor and City Council
FROM: Brittany Walker, City Attorney
DATE: May 14, 2024

SUBJECT:

For possible action: Resolution No. 7794, a resolution of the City Council of Boulder City, Nevada, authorizing the City Attorney of Boulder City to join in the brief of amici curiae in support of appellant City of Las Vegas, in Nevada Supreme Court Case No. 84345; 84640

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 City Council approve the resolution authorizing the City Attorney of Boulder City to join in the brief of amici curiae in support of appellant City Of Las Vegas, in Nevada Supreme Court Case No. 84345; 84640.

Overview:

- The City of Las Vegas has been embroiled in litigation regarding municipal land use decisions.
- An Eight Judicial District Court judge recently found against the City Las Vegas in an inverse condemnation case, and the City of Las Vegas appealed to the Nevada Supreme Court.
- The Nevada Supreme Court recently found against the City Las Vegas in the case, and the City of Las Vegas is seeking rehearing before the Nevada Supreme Court.
- The decision has far reaching consequences for land use decisions for all municipalities in Nevada.

Background Information:

In *City of Las Vegas v. 180 Land Co, LLC et. al.* 140 Nev. Adv. Op. 29 (2024), the Nevada Supreme Court upheld a Nevada district court decision finding a regulatory taking regarding the proposed development for a 45 acre parcel of land in Las Vegas, Nevada. The policy and legal implications of this decision could impact land use decisions of all local governments in Nevada, and the City of Las Vegas has asked Boulder City to join in an amicus brief, a term that translates to “friend of the court” in support of the Cities petition for rehearing before the Nevada Supreme Court.

Financial:

None.

Boulder City Strategic Plan Goal:

Goal C: Manage Growth and Development

Department Recommendation: That City Council approve Resolution No. 7794, authorizing the City Attorney of Boulder City to join in the brief of amici curiae in support of appellant City Of Las Vegas, in Nevada Supreme Court Case No. 84345; 84640.

Attachment:

Resolution
Opinion