

1. For possible action: Approval of the following minutes:
  - A. March 6, 2025 Special City Council meeting minutes
  - B. March 11, 2025 Regular City Council meeting minutes



# City Council Meeting

## March 25, 2025

### Item No. 1

### Staff Report

**BOULDER CITY**  
**CITY COUNCIL**

**MAYOR**  
JOE HARDY

**COUNCIL MEMBERS:**  
DENISE E. ASHURST  
COKIE BOOTH  
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](http://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:**  
GARY POINDEXTER

**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:** Tami McKay, City Clerk

**DATE:** March 25, 2025

**SUBJECT:**

For possible action: Approval of the following minutes:

A. March 6, 2025 Special City Council meeting minutes

B. March 11, 2025 Regular City Council meeting minutes

**Business Impact Statement:**

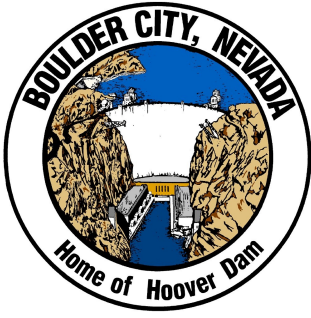
This action will not have a significant economic impact on business and will not directly restrict the formation, operation, or expansion of a business.

**Department Recommendation:** Approval of the March 6, 2025 Special City Council meeting minutes and March 11, 2025 Regular City Council meeting minutes.

**Attachment:**

Special City Council meeting minutes

Regular City Council meeting minutes



## SPECIAL CITY COUNCIL MEETING MINUTES

COUNCIL CHAMBER, 401 CALIFORNIA AVENUE,  
BOULDER CITY NV 89005

MARCH 06, 2025 - 2:00 PM

### CALL TO ORDER

### ADMINISTRATION OF OATH OF OFFICE

### CONFIRMATION OF POSTING AND ROLL CALL

**Council members present:** Mayor Joe Hardy, Council Member Denise Ashurst, Council member Cokie Booth, Council Member Sherri Jorgensen, Council member Steve Walton (5)

**Absent:** None (0)

**Also present:** Acting City Manager Michael Mays, City Attorney Brittany Walker, City Clerk Tami McKay, Deputy City Clerk Bridgette Rodriguez

Deputy City Clerk Rodriguez confirmed the agenda had been posted in accordance with Nevada Open Meeting Law and all members were present.

### PUBLIC COMMENT

Mayor Hardy opened the public comment period.

Alan Goya stated he had been a Boulder City resident for 32 years and had volunteered for the Police Department, the Historic Preservation Committee, and was currently serving on the Allotment Committee. He said during the City Manager interviews, he noted successful government functioned like a three-legged stool, requiring contributions from the public, the City Council, and City Staff for effective governance. He emphasized Boulder City's uniqueness lied in its strong volunteerism and citizen involvement. He expressed his appreciation for Ms. McKay and Ms. Walker, stating their support and respect made volunteering in Boulder City a pleasure rather than a burden. He highlighted the City's great stewardship, noting the City Clerk and City Attorney were integral members of the community. He said they deserved recognition and raises for their dedication.

No further comments were offered and the public comment period was closed.

## **SPECIAL AGENDA**

1. For possible action: Matters pertaining to the performance evaluation of City Clerk Tami McKay:
  - A. Presentation offered by City Clerk Tami McKay outlining her performance as City Clerk
  - B. Annual Performance Evaluation of City Clerk Tami McKay and consideration of a merit salary adjustment
  - C. Resolution No. 7940, a resolution of the City Council of Boulder City, Nevada, approving a merit salary adjustment for City Clerk Tami McKay

A staff report was submitted by Acting City Manager Michael Mays and included in the March 6, 2025 Special City Council meeting agenda packet.

Acting City Manager Mays provided a brief overview of the staff report.

City Clerk McKay provided the following disclosure:

"I would like to disclose pursuant to NRS 281A that I have a private pecuniary interest in this item as it may determine potential increases in my compensation, benefits, and/or changes to my employment contract."

City Clerk McKay provided a PowerPoint presentation outlining her accomplishments and the accomplishments of the City Clerk's office.

Council Member Ashurst stated as a new member of the City Council, she experienced the support of the City Clerk's office from day one. She said during her induction, when she struggled to get her computer running, the Clerk's office anticipated her needs and had continued to provide unwavering support ever since. She expressed gratitude to Ms. McKay for keeping her on track and out of trouble. She congratulated Deputy City Clerk Rodriguez on her promotion and thanked the entire team for their dedication. She thanked Ms. McKay for all she did and gave her kudos for the 2024 Election.

Council Member Booth noted everyone in the City Clerk's office consistently demonstrated politeness and helpfulness toward the public. She emphasized the importance of customer service, as the office represented the City. She complimented Ms. McKay on her entire team being customer service-oriented and the City Clerk's office effectively resolving issues through kindness. She commended Ms. McKay for fostering a team that worked well together and shared a strong sense of camaraderie.

Council Member Jorgensen thanked Ms. McKay and acknowledged her broad impact across various areas of the City. She highlighted the passport program, noting out of

the 200+ passports processed, many applicants came from across the valley, making it a valuable service for the community. She applauded Ms. McKay for her succession plan and emphasized the importance of having dedicated individuals like her in the City Clerk's office. She noted working with someone who grew up in Boulder City and having a deep love for the community fostered a shared sense of appreciation and commitment. She also expressed gratitude for the small but meaningful contributions made by the City Clerk's office, including their efforts on the Fourth of July float. She thanked the City Clerk's office for their attention to detail and highlighted the book Ms. McKay read during Reading Week at Martha P. King. She thanked the City Clerk's office for their dedication at all levels.

Council Member Walton thanked Ms. McKay for her presentation. He noted while the Charter outlined the City Clerk's responsibilities, it did not encompass all the duties she detailed in her presentation. He referenced the three-legged stool of municipal government, Staff, City Council, and Citizens, emphasizing Ms. McKay played a crucial role in supporting two of those legs. He commended her exceptional supervision of her staff, stating her leadership went far beyond what might be considered average. He said the success of her staff was a direct reflection of her guidance and leadership. He highlighted the importance of succession planning in municipal government, as staff members were continually training their replacements. He said despite limited staffing, Ms. McKay took the initiative to ensure her employees received the necessary training and education to advance in their careers. He congratulated her on her leadership and dedication to professional development within the City Clerk's Office. He acknowledged Ms. McKay's accomplishments extended beyond her Charter-mandated duties and recognized her additional duties. He said he was glad to hear multiple references on customer service. He said customer service was a priority. He said excellence in government and customer service was what we were seeking to accomplish as we did our jobs. He said Ms. McKay and her team were a great example of providing excellence in government and customer service. He gave her kudos for all she was doing and her accomplishments and the goals that she had moving forward.

Mayor Hardy expressed his appreciation for Ms. McKay and her staff, noting she was always present at City Hall and her team was consistently helpful. He thanked them for their support in this role and acknowledged the valuable guidance Ms. McKay provided. He said he appreciated her patience and availability whenever he needed assistance. He highlighted the professional recognition and respect she had earned across the state, emphasizing her great reputation. He commended her ability to collaborate with others and help them navigate challenges. He said Title 11 was crucial and thanked Ms. McKay for ensuring clarity and said he could not imagine a more qualified person for the task. He said Boulder City would be a good example for other entities in the State. He said people came from all over the valley to have their passport processed. He said the reputation the City Clerk's office had with passports was stellar. He extended his gratitude to the entire City Clerk's office and congratulated Deputy City Clerk Rodriguez on her promotion and said he appreciated the succession plan.

Mayor Hardy called for a recess at 2:34 p.m.

Mayor Hardy called the the meeting back to order at 2:43 p.m.

Acting City Manager Mays noted the evaluation had been tabulated and the cumulative score for Ms. McKay was 4.78.

After a thorough discussion, the Council determined they were comfortable with a 6% merit increase for Ms. McKay.

**Motion:** Approve 6% merit increase

**Moved by:** Council member Cokie Booth      **Seconded by:** Council Member Sherri Jorgensen

**Vote:**

**Aye:** Mayor Joe Hardy, Council Member Denise Ashurst, Council member Cokie Booth, Council Member Sherri Jorgensen, Council member Steve Walton (5)

**Nay:** (0)

**Abstain:** (0)

**Absent:** (0)

Motion Passed

2. For possible action: Matters pertaining to the performance evaluation of City Attorney Brittany Walker:
  - A. Presentation offered by City Attorney Brittany Walker outlining her performance as City Attorney
  - B. Annual Performance Evaluation of City Attorney Brittany Walker and consideration of a merit salary adjustment
  - C. Resolution No. 7941, a resolution of the City Council of Boulder City, Nevada, approving a merit salary adjustment for City Attorney Brittany Walker

A staff report was submitted by Acting City Manager Michael Mays and included in the March 6, 2025 Special City Council meeting agenda packet.

City Attorney Walker provided a PowerPoint presentation outlining her accomplishments.

Council Member Walton said he scored Ms. Walker as high as he could and acknowledged her dedication and exceptional work. He complimented her

presentation, noting he could highlight every slide as impressive. He said he appreciated her unwavering support for the City and her expertise in handling complex legal matters. He expressed gratitude for the countless hours she spent providing guidance and ensuring the council's legal safety. He said he appreciated her creative approach to contracts, which maximized the City's financial leverage, and her initiative in collaborating with other law firms as a support. He thanked her for her efforts in reducing reliance on outside counsel and valued the strong relationships she built across the state to benefit Boulder City.

Council Member Jorgensen thanked Ms. Walker and Paralegal Bernadette Almeida for their hard work. She noted she and Ms. Walker started with the City around the same time and had both learned a lot. She said the first experience she had with her she was speaking a language she did not understand and asked Ms. Walker to explain things in simpler terms which she did and had been doing so ever since. She said receiving feedback for improvement could be challenging but praised Ms. Walker for her openness and growth in response. She said she had watched Ms. Walker flourish in her role, taking initiative and working diligently to negotiate contracts that benefited the City financially. She said she also appreciated her efforts in reducing costs by seeking more affordable outside counsel. She said it could be challenging to balancing professional and family responsibilities but thanked her for embracing the spirit of the community by giving back and supporting others. She thanked Ms. Walker for all she did and said she felt she had flowered in this position over time.

Council member Booth said it was her belief Ms. Walker had struggled to provide clear, precise, and well-researched answers to the City Council. She said it was critical responses to Council inquiries be well-prepared, legally sound, and timely. She said if Ms. Walker was unsure of an answer, she would prefer Ms. Walker take time to research the issue and get back to her with an answer rather than change her answer over time. She said additionally, she believed her attorney-client relationship with Ms. Walker had been compromised. She said after she questioned some of her responses to various issues with the spay/neuter age, she brought in a third party to their meetings and this was troublesome given the potential for protected conversations to lose their privilege without her consent. She said she drafted a response to her concerns that was inaccurate and embellished to her favor. She said additionally, it was brought to her attention her discussions with the former animal control supervisor were disrespectful, and she was dismissive of her professional opinion. She said one of the primary responsibilities of the City Attorney was to oversee and maintain long-standing City contracts. She said however, during this review period, there had been instances where key contracts lapsed, were poorly renegotiated, or were not properly maintained. She said it was her belief this had resulted in operational disruptions and potential financial liabilities for the City. She said stronger oversight and proactive contract management were necessary to ensure stability and compliance. She said specifically, the contract with Boulder Disposal and MOU with Clark County for the Justice Court services. She said it was her understanding the MOU with the County was reviewed without discussion with City Council or the current municipal court judge. She said because the building was City owned, and City employees worked there, she



said she believed there should have been discussions prior to a new contract being entered into. She said given the fact we just had an election, and a new Justice of the Peace was elected for the County, she believed it would be important to re-evaluate that contract and discuss with the parties any pertinent issues that may need to be addressed instead, Ms. Walker unilaterally approved the contract. She said unfortunately she felt she did not have what she felt was sound advice from Ms. Walker.

Council member Ashurst said during her initial briefings with Ms. Walker, she felt Ms. Walker demonstrated she was serious and a dedicated person who was comfortable in her position. She said she was very knowledgeable and her wisdom was beyond her years. She said in her short time being on Council, she had the need for Ms. Walker's counsel where she had steered her in the right direction from misunderstanding and conflicts of interests. She said she appreciated she kept the council briefed on the needs to know in the legal realm. She said she displayed professionalism and kindness during the legislative session and did a good job representing Boulder City. She said Ms. Walker was a professional who had served Boulder City well during her tenure and should be respectfully compensated.

Mayor Hardy thanked Ms. Walker for her invaluable contributions and sound advice. He said during Council meetings, she would often remind him, "No, you can't do that," helping him avoid potential missteps. He thanked her for her ability to navigate legislative matters and maintaining strong relationships that continued to benefit Boulder City. He thanked her for her proactive efforts in labor negotiations and her open-door policy. He said he appreciated her for her sharpness during Council meetings, noting how she could quickly reference information and provide immediate answers. He said he was impressed by her early days as City Attorney when she stood firm, consulted with legal colleagues, and confidently advised decision makers which was an invaluable asset to the City. He said he appreciated her curiosity, willingness to learn from others, and ability to negotiate and explore new franchise opportunities. He said he was thrilled she was the City Attorney and wanted her to continue being the City Attorney.

Mayor Hardy called for a recess at 3:49 p.m.

Mayor Hardy called the meeting back to order at 4:00 p.m.

City Attorney Walker provided the following disclosure:

"I would like to disclose pursuant to NRS 281A that I have a private pecuniary interest in this item as it may determine potential increases in my compensation, benefits, and/or changes to my employment contract."

Acting City Manager Mays noted the evaluation had been tabulated and the cumulative score for Ms. Walker was 4.19.



After a thorough discussion, the Council determined they were comfortable with a 6% merit increase for Ms. Walker.

**Motion:** Approve 6% merit increase

**Moved by:** Council member Steve Walton      **Seconded by:** Council Member Sherri Jorgensen

**Vote:**

**Aye:** Mayor Joe Hardy, Council Member Denise Ashurst, Council member Cokie Booth, Council Member Sherri Jorgensen, Council member Steve Walton (5)

**Nay:** (0)

**Abstain:** (0)

**Absent:** (0)

Motion Passed

## **PUBLIC COMMENT**

Mayor Hardy opened the public comment period.

No comments were offered and the public comment period was closed.

Mayor Hardy adjourned the meeting at 4:06 p.m.

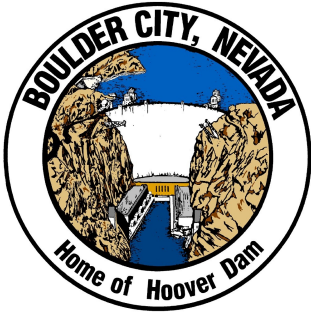
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Joe Hardy, Mayor

ATTEST:

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Bridgette Rodriguez, Deputy City Clerk



## CITY COUNCIL MEETING MINUTES

COUNCIL CHAMBER, 401 CALIFORNIA AVENUE,  
BOULDER CITY NV 89005

MARCH 11, 2025 - 5:00 PM

### CALL TO ORDER

### CONFIRMATION OF POSTING AND ROLL CALL

**Council members present:** Mayor Joe Hardy, Council Member Denise Ashurst, Council Member Cokie Booth, Council Member Sherri Jorgensen, Council Member Steve Walton (5)

**Absent:** None (0)

**Also present:** Acting City Manager Michael Mays, City Attorney Brittany Walker, City Clerk Tami McKay

City Clerk McKay confirmed the agenda had been posted in accordance with Nevada Open Meeting Law and that all members were present.

### INVOCATION AND PLEDGE OF ALLEGIANCE

Pastor Kevin Doyle from BC Home Church provided the invocation, and Mayor Hardy led the Pledge of Allegiance.

### PUBLIC ANNOUNCEMENTS

Mayor Hardy said to help encourage reinvestment of vacant properties on Nevada Way between Elm Street and 5th Street, the City was currently updating the electrical to a 12kV system along Nevada Way. He said the project was expected to be complete by June. He said in response to public concerns, City staff had revised project scheduling to minimize traffic disruptions during project construction. He said the City wanted to ensure that community reinvestment did not disrupt our residents and visitors access to our local business community.

### PUBLIC COMMENT

Mayor Hardy opened the public comment period.

No comments were offered and the public comment period was closed.

Written public comments submitted prior to the meeting via public comment form or email are attached:

Paula Daniels  
Craig Ullery

#### **FOR POSSIBLE ACTION: APPROVAL OF REGULAR AGENDA**

**Motion:** Approve with the Removal of Item No. 5

**Moved by:** Council Member Steve Walton      **Seconded by:** Council Member Sherri Jorgensen

**Vote:**

**Aye:** Mayor Joe Hardy, Council Member Denise Ashurst, Council Member Cokie Booth, Council Member Sherri Jorgensen, Council Member Steve Walton (5)

**Nay:** (0)

**Abstain:** (0)

**Absent:** (0)

Motion Passed

#### **FOR POSSIBLE ACTION: APPROVAL OF CONSENT AGENDA**

**Motion:** Approve

**Moved by:** Council Member Sherri Jorgensen      **Seconded by:** Council Member Cokie Booth

**Vote:**

**Aye:** Mayor Joe Hardy, Council Member Denise Ashurst, Council Member Cokie Booth, Council Member Sherri Jorgensen, Council Member Steve Walton (5)

**Nay:** (0)

**Abstain:** (0)

**Absent:** (0)

Motion Passed

## **CONSENT AGENDA**

1. For possible action: Approval of the February 25, 2025 meeting minutes

A staff report was submitted by City Clerk Tami McKay and included in the March 11, 2025 City Council agenda packet.

2. For possible action: Resolution No. 7942, a resolution of the City Council of Boulder City, Nevada, augmenting the City of Boulder City's Fiscal Year 2025 Acquisitions and Improvements Fund funding sources and expenditures in the amount of \$4,124,406.17

A staff report was submitted by Finance Director Cynthia Sneed and included in the March 11, 2025 City Council agenda packet.

3. For possible action: Resolution No. 7943, a resolution of the City Council of Boulder City, Nevada, repealing and replacing Resolution No. 7921 and reallocating American Rescue plan Act (ARPA) \$433,244.51 to water projects from wastewater projects and \$6,546.60 from the Emergency Aid facility upgrade project to the mental health/drug court program

A staff report was submitted by Finance Director Cynthia Sneed and included in the March 11, 2025 City Council agenda packet.

## **REGULAR AGENDA**

### **PRESENTATIONS**

4. Presentation by Dr. Deanna Jaskolski, Regional 3 Superintendent, to provide a quarterly update on the Clark County School District Municipality Report

A staff report was submitted by City Clerk Tami McKay and included in the March 11, 2025 City Council agenda packet.

Dr. Deanna Jaskolski, Regional Superintendent, provided a quarterly update on the Clark County School District Municipality Report. She reported the following:

### **Boulder City HS**

Our Girls Basketball Team was recognized by the NIAA as the 3A Girls State Academic Team Champions. The NIAA, the non-profit governing body of high school sports in the Silver State, is proud to present a special award each year to the team with the highest-grade point average in each sport per classification. The NIAA considers this state academic championship award to certainly be equal to the athletic championship award. As the NIAA's coaches and administrators always stress, the participants are students first, then athletes. The Girls Basketball Team had a 3.82 GPA. Our Boys Bowling Team was recognized by the NIAA as the 3A Boys State Academic Team Champions. The NIAA, the non-profit governing body of high school

sports in the Silver State, is proud to present a special award each year to the team with the highest-grade point average in each sport per classification. The NIAA considers this state academic championship award to certainly be equal to the athletic championship award. As the NIAA's coaches and administrators always stress, the participants are students first, then athletes. The Boys Bowling Team had a 3.54 GPA. Additionally, our Boys Bowling Team bowled against Losee in the state championship match but came up short, (2,116-1934). Leading the way for the Eagles, Bennet Forney bowled a 502, while Ben Porter bowled a 492. Brian Wainwright bowled a 483, while River Schenk bowled a 457. Great season Eagles! They were named the 3A Boys Bowling State Runner-Ups! The Girls Flag Football Team played in the State Championship Game at Allegiant Stadium. It was a once-in-a-lifetime opportunity for our Eagles to compete on a grand stage, elevating the sport and recognizing the hard work our athletes have put in all season. At the end of the game, we lost to Virgin Valley 19-6, but our girls played hard. Great season Eagles! We are proud of your accomplishments. They were named the 3A Girls Flag Football State Runner-Ups!

This past week, our Robotics Team was part of the alliance that placed 2nd overall at the FIRST Robotics Competition held in Orange County during Week One of competition. Their next competition will be in Flagstaff next week at the Arizona North Regional. Good luck High Scalers! Our Cheer leading Team was all smiles last weekend at competition at Knott's Berry Farm. They placed first in Stunt Cheer, second in Show Cheer, won the Spirit Stick for Best Spotters, and received a special award for their amazing choreography. Great job Eagles! Our Winterguard performed their show "Phoenix Rising" at Sunrise Mountain High School last weekend and was awarded 1st Place in the HS AA Division. They perform again at Sierra Vista on March 15th and on March 29th they perform at Foothill High School. I hope that you will be able to watch them perform at one of these shows.

### **Garrett JHS**

Garrett Junior High School was honored for their outstanding STEM education at the state capitol in Carson City. On March 6, teachers Mark Olson and Ryan Pusko, and principal Melanie Teemant traveled to Carson City to represent the school, as Garrett JHS was honored by the Governor and the State Superintendent of Education, as one of six new CCSD schools, for their efforts in bringing innovation and creativity to their students through STEM education. The staff and students have worked tirelessly, and throughout the application process we have increased and enhanced each of our STEAM programs to allow students choices and opportunities. In addition to their core classes, each day you will find students in robotics, hydroponics, design modeling, flight and space, environmental engineering, STEM guitars, fine arts, music, publications, and more. We celebrated our students who earned straight A's semester 1, and took them bowling at Boulder Bowl. These outstanding students had a wonderful time together having pizza and bowling!

Our students are beginning to build their STEM Guitar kits, which are generously sponsored by the Rotary Club of Boulder City. Guitar and band teacher Stacy Toal and Rotarian Larry Archuletta. work together to teach and facilitate learning the building of the guitars. Students start from a piece of wood and the neck and they sand, drill, study the physics of sound and eventually string an electric guitar. This is a huge highlight for

our students as they are able to leave school with something they built from scratch with their own hands. Garrett Junior High has even more to celebrate! The Bobcat Cheerleaders recently competed in their first-ever cheer competition at Knott's Berry Farm with the high school, earning 2nd place overall in their division. The team also received the Judges' Award for Showmanship and Spirit, and Emily Giampapa placed 4th in tumbling. These dedicated athletes have been training for nearly a year, showing determination and enthusiasm along the way. A special thank you to coaches Brandi Mozur and Lisa Vesley for their commitment to helping these students succeed both on and off the mat. Festival season is in full swing for our performing arts programs, as Garrett's Advanced Band traveled to the CCSD Middle School Advanced Band Festival at UNLV. Under the direction of Ms. Stacy Toal, the students had an outstanding performance playing four challenging pieces that highlighted their skills and talents. After their stage performance, the band participated in a sight reading clinic. Garrett's Advanced Band earned straight ones and a superior rating! Congratulations to our talented musicians and their dedicated director on this incredible achievement.

Chili Cook off Student Council hosted the first annual Chili Cook Off for the community and there were awards that were made by our STEM teacher Mr. Pusko with our 3D printers. It was a delicious award winning night! Student Council was invited by the Park and Recreation Department to work with the employees during one of their training sessions, and run team building activities to create a sense of community. The students shared some of their favorite activities they use in class and at school, and had a great time working together. It has been busy and exciting at Garrett, and next is volleyball, soccer, and so much more!

### **Mitchell ES**

We have been busy celebrating Nevada Reading Week. Throughout the day, our librarian has organized activities to grow our students love of reading. Our Read by Grade 3 strategist has organized our Family Literacy Night focused on how written communication has changed over the centuries. Last year, we had over 300 people attend and we are expecting just as many this year. This event was supported by many in our community including the Sunset Rotary, Albertsons, the Friends of the Boulder City Library, and our amazing teachers who work this event for our families. Ms. Samons's class joined a contest sponsored by the Silver Knights to earn a reading presentation by the Silver Knights at our school. Our amazing PAC worked to make the event extra special by decorating the stage with a Silver Knights theme balloons. Preparing students to be ready to read by Grade 3 is the academic focus of our school performance plan. We noticed that students were struggling with non-fiction texts. To give students more opportunities to practice, our classroom teachers and specialists put together a plan to have the reading they do in Library, Art, and Science support learning how to effectively read non-fiction texts. This is another great example of the high level of professionalism of our staff. Our student lighthouse leaders are finding more ways to support our school by helping to keep up the school grounds, managing the lost coats, and speaking about the habits at morning ceremony.

### **King ES**

Last month we held our annual Glow Dance, our annual Spring Family Event, at the Boulder City Recreation Center. Over 380 tickets were sold. We transformed the recreation center into an event space filled with Black lights and glow in the dark accessories. It was a great night of celebration for our entire community. The event raised over \$400 which we used to start a school pantry to support students and families struggling with food insecurity. Hope Church of Boulder City has partnered with us to help stock and organize the pantry allowing students access to non-perishable food items that can be taken home on the weekends to ensure that our kids don't go hungry. King families participated in the Kids Heart Challenge, raising over \$5,000 to support the American Heart Association. As a reward the kids were able to slime Ms. Fisher (PE), Ms. Corderman (PE), and myself. King is gearing up for state testing. Our most recent MAP testing shows a predicted proficiency of 61% in math and 63% in reading. That would be a 7% increase in math and a 5% increase in Reading from last year's SBAC Scores. To support us in reaching this goal, various student groups from BCHS and Garrett JHS will come together on April 7th to hold a pep rally for King students. The pep rally will take place in the gym at BCHS and will be attended by the school leaders from all four Boulder City Schools. The theme this year focuses on self-confidence, effort, and alleviating test anxiety. One of the key points that we want to stress to the community is that this year the SBAC contains nearly half of the number of questions that the 23-24 SBAC contained. We believe that this shortened test will alleviate stress and anxiety for our students and create a better picture of their overall academic performance.

She noted the data included in the packet was based on the school year 2023/2024. She noted the reported chronic absenteeism in Boulder City were the lowest in the Clark County school district.

Council member Booth asked why the 2023/2024 school year showed a decrease in proficiency and questioned why it was at the 50 percentile. She also asked why the science proficiency was 6.7% for Grade 10.

Dr. Jaskolski said she would speak to the Science question first. She said if you took a look at the two years prior, she too, was not happy with the proficiency and achievements. She said the school district was taking a look at the tier 1 materials used to teach. She said the science curriculum had moved from more discrete memorization skills to really understanding the phenomenon of science so they were providing intense professional learning and support around the materials to address the gaps. She mentioned the science test was mostly taken by ninth graders; however, the District was still not satisfied with the test scores.

In response to an additional question by Council member Booth regarding enrollment in the advanced placement classrooms, Dr. Jaskolski said specific to Boulder City High School, the number of advanced placement courses may have declined because students had opted to participate in technical education or dual credit courses in place of advanced placement courses. She noted all three options required rigorous work.



Council member Jorgensen asked if more science materials resources were being provided to students and what was the difference between the old ones and new ones. She asked if the new material would prepare students for college.

Dr. Jaskolski said the students now had an incredible amount of real world applications with simulations which provide an an opportunity to access real life situations. She said the District would like to see growth at a much more rapid rate. She said the previous materials were not consistent across the system, but it's since been addressed. She acknowledged that Clark County School District remained the 5<sup>th</sup> largest district in the nation.

Council member Jorgensen said that's a large number of the nation's kids being sent into colleges, trade schools, and the workforce. She said it was hard work to keep such a large diverse group of individuals. She said it was critical to recognize the decrease to 6% and said it couldn't go much lower. She said Boulder City had teachers that do a great job and they had great students and questioned the disconnect. She said she was happy to see the decrease in chronic absenteeism. She thanked everyone for their hard work to improve it. She mentioned two of the four Boulder City schools received rural funding which provided a significant difference in funds which made a difference in what type of programs were offered to the students. She said the schools may benefit if they were all classified as rural because it would provide additional funding for teacher salaries, programs and materials.

Dr. Jaskolski said she did not have the terms of the formulas and multipliers at hand, but said she could get the information and get back with it.

Council member Ashurst thanked Dr. Jaskolski for the report. She said having looked at the report, obviously the elephant in the room were the African Americans, Latino and Native American students whose test scores were all down. She said she talked to some teachers who explained the numbers could be down from COVID and suggested the numbers reported from 2017-2021 should be examined. She referenced "leave no child behind" and expressed concern about some students doing even worse than the other kids who were ahead of them. She asked what was being done in terms of after school programs or reading programs to increase their proficiency so they're not left behind. She asked if there was parental participation such as the Parent Teacher Association (PTA) which she believed may be beneficial. She asked if the report could reflect what the District was doing to support the three groups of children to ensure they're not left behind which was really important to everyone.

In response to Council member Ashurst, Dr. Jaskolski said the state test was a smarter, balanced assessment that students take in the spring. She said the assessment in elementary school had changed by decreasing the number of questions which was good for the students. She also noted early childhood education was not part of this report, but she could find specific information about it.

Council member Ashurst said she knew about legislation that passed for early childhood education and wanted to know more about it.

Dr. Jaskolski said the schools were working very diligently with their interim assessments which provide information for each individual student. She said the teachers were working diligently to purposefully plan their lessons utilizing tier one materials that address the standards that are assessed on the test. She said they provide interventions to specifically target the needs of the students.

Council member Jorgensen asked how many fewer questions per test. She said she had a daughter with test anxiety and she was placed on a 504 because of it. She said the length of the test did not matter because it was stressful regardless of the number of questions. She said it was important to be mindful of test anxiety, but to not forget the goal which was academia and preparing kids for life after 12<sup>th</sup> grade. She mentioned her daughter had been placed in a smaller group and became proficient because someone took the time to help which could be a solution too.

Mayor Hardy said legitimate questions had been raised and looked forward to hearing back with the answers.

### **REGULAR BUSINESS**

5. For possible action: Matters pertaining to the 2025 Land Management Process List (LMP):

- A. Public hearing on an application for the addition of approximately 150 acres located east of Interstate 11 and southeast of the Boulder City Rifle and Pistol Club for renewable energy and utility uses to be added to the LMP List

- B. Resolution No. 7944, a resolution of the City Council of Boulder City, Nevada adding approximately 150 acres located east of Interstate 11 and southeast of the Boulder City Rifle and Pistol Club for renewable energy and utility uses (LMP#25-02)

A staff report was submitted by City Planner Nakeisha Lyon and included in the March 11, 2025 City Council agenda packet.

### **THIS ITEM WAS REMOVED FROM THE AGENDA.**

6. For possible action: Discussion and possible direction regarding an ordinance of the City of Boulder City, Nevada amending Title 11 of the Boulder City Code to authorize the City to enter into an agreement for the development of land pursuant to NRS 278.0201 (as requested by Council member Booth)

A staff report was submitted by City Clerk Tami McKay on behalf of Council member Cokie Booth and included in the March 11, 2025 City Council agenda packet.

Mayor Hardy noted this item had been requested by Council member Booth.

Council member Booth said the matter for discussion proposed to direct Staff to prepare an amendment to Title 11 of the City Code which would allow the City to negotiate with a developer for the development of land pursuant to NRS 278.201. She asked Attorney Jeff Barr to approach the podium so he could explain the process to the City Council.

Attorney Jeff Barr said he was a former City Attorney at North Las Vegas and currently represented clients who may benefit in the change of this ordinance. He said development agreements were a flexible and useful tool for the City to have when working with a developer. He said a development agreement was a legally binding contract between a property owner and governmental entity. He said the developer would gain certainty about applicable regulations and requirements throughout the project's lifecycle and the government entity can secure public benefits and infrastructure improvements beyond what might be required through standard regulations. He said he had negotiated and enforced dozens of development agreements as his time as city attorney. He said one of the things he previously negotiated for a municipality was asking a developer to pay for a fire engine. He said there was nothing in law or the standard development code to allow a City to ask a developer to pay for a fire engine. He said it was important to keep in mind that the Council was ultimately responsible for negotiating these agreements. He said, they were asking for a general enabling ordinance to allow for general development agreements. He said in the City's current Title 11, there were zones for special recreation, senior housing and research and development. He said outside of those cases, there was no general development agreement ordinance in the city code. He said Nevada law allowed the City Council to enter into these types of agreements. He said they were not asking for specific development concessions nor were they negotiating a development agreement at this time. He said they were requesting the City Council consider passing a general development agreement ordinance.

Council member Jorgensen referenced the controlled growth ordinance stating no developer can take more than 30 allotment in any given time. She questioned how the City could negotiate a fire truck with a developer limited to 30 allotments. She said she understood the incentive for really large developments.

Mr. Barr said the beauty of a development agreement was for a City to get things they may not otherwise be able to get. He said while it may not be a fire engine, it could be a contribution to an aquatics center or electrical upgrade. He said a development agreement was limited only by imagination and the City's needs. He said he would defer to City Attorney Walker who was very competent, stating he didn't think it was possible to circumvent the controlled growth ordinance except in theory because the development agreement must be approved by the City Council.

Council member Jorgensen expressed great concern about the possibility of the controlled growth ordinance being circumvented.

Mr. Barr said a development agreement could waive or modify requirements of an ordinance, but if the Council didn't desire something in the agreement, it wouldn't be approved. He said, in theory, something could be waived, but in practice it probably wouldn't occur. He made reference to the sale of City property which could not be waived by a development agreement because it required voter approval. He said a development agreement was about trading benefits. He said the benefits did not have to be tied to the development and provided an example of a different area receiving benefits such as a trail in an underserved area in the city. He said negotiations would determine what was open for discussion.

Council member Ashurst asked what the City was lacking that would warrant the need for a general development ordinance.

Mr. Barr said the current City Code only authorizes the negotiation of an agreement for development of recreation, senior housing and research and development. He said his client's project did not fit into those categories.

Council member Ashurst said she was having a difficult time understanding the need for the change.

Mr. Barr said there was not currently a mechanism under the City code to allow for a general development agreement.

In response to Council member Jorgensen, City Attorney Walker said the City had the ability to negotiate with Toll Brothers for the development of Tract 350 because it was City-owned land. She said the City had the ability to ask for certain improvements in the land sales agreement; whereas the City did not have standing with a privately owned parcel.

Mayor Hardy said it was important to note the draft ordinance included in the packet was not prepared by Staff.

Mr. Barr said it was a draft ordinance and requested by City Attorney Walker for a separate process and his client decided not to continue that process.

City Attorney Walker said the City Code had a process that a property owner can request a text amendment, but they chose not to go through that process.

In response to Mayor Hardy, City Attorney Walker said directing staff to draft an ordinance, and if approved, would enable the City to enter into a development agreement and negotiate its terms. She said the entitlement process would still have to be followed. She said things like building density, road width, development standards, etc. would be set forth in the development agreement ahead of development.

Mayor Hardy expressed concern about a development agreement short circuiting the public process.

City Attorney Walker said the typical requirements for development agreements were less stringent than the requirements for a zoning change. She said the property owners wouldn't necessarily get noticed before the development agreement was approved unless Council directed the ordinance include noticing requirements for development agreements.

Mayor Hardy attributed the success of the sale of Tract 350 because of the public process and public input about the project. He questioned why the City needed an ordinance change.

Council member Booth said she brought this ordinance forward because it would allowed the City to ask for improvements from a developer for things such as running utilities to a new fire station site. She said the property in mind was private so they weren't obligated to give anything to the City. She said it was a negotiation process that may benefit the City.

Mayor Hardy asked if there was a law that prevented the City from asking a developer for certain amenities before the development is completed.

City Attorney said there was a process the developer had to follow so there was no opportunity for the City to negotiate without a development agreement. She said developers had to make improvements under the existing City code such as offsite improvements and infrastructure at their cost if they don't have access to build on it. She said a development agreement is the "law" that allows the City to ask a developer for something. She said under Dillon's Rule, the City only has the powers given by the state.

Council member Walton referred to the bullet points included in the overview of the staff report, which indicated development agreements were tools used for the development of large or problem parcels. He asked if there were any privately owned parcels in Boulder City that would be considered large or problematic.

City Attorney Walker clarified that the language included in the staff report came from Council member Booth. She said when she talked to other municipalities, she was told development agreements were used in really large developments such as for the development of 2,400 homes or more. She said negotiations occur to build a better development and offer more amenities for the residences which is a benefit to the public and the developer.

Council member Walton said privately owned parcels were zoned and based on the city attorney's comments, would the parcels in Boulder City be considered as large as the developments in the valley that she referred to.

Acting City Manager Mays said a vast majority of land in Boulder City was owned by the City and said none of the privately owned parcels were the size of the parcels in the surrounding cities.

In response to Council member Walton, Acting City Manager Mays said he did not have the specifics about private land but reiterated a vast majority of the vacant land in Boulder City was owned by the City. He said there were very few privately owned vacant parcels in the community.

Council member Walton asked what the City would potentially give up when they enter in to a development agreement.

City Attorney Walker said the City could agree to changes in the permitted use, allow a higher density, possibly adjust the maximum height and size. She said it was essentially a private zoning code for that parcel. She said it was customizing the zoning for that particular parcel ahead of time. She said while they still have to go through the entitlement process, those provisions would have already been agreed to.

Council member Walton said, if the provisions are already agreed to, the notification requirements were less stringent. He said negotiations take place with staff and only the completed development agreement is presented to the City Council and to the public.

City Attorney Walker said the ordinance language was up to the council so it could include more public involvement in the earlier stages if that was their desire.

Council member Walton said he appreciated the Mayor's earlier comment about the public participation of Tract 350 and the comments about the allotment process. He expressed concern about changing the process that the Boulder City community had been accustomed to. He said the Council may have honorable intentions about changing the city code, but expressed concern about unintended consequences that may occur in 5 or 10 years from now or with another developer or another council. He said he questioned the wisdom and value of changing it.

Council member Jorgensen said the thought that any five people serving the community could circumvent the process was alarming to her.

Council member Ashurst said she believed it was important to continue the transparent process and notify the public as they are accustomed to. She asked what the City was lacking and what was the purpose of changing the code. She said she did not believe the change was needed.

Council member Walton said if a developer had the desire to the change the density or zoning of a parcel, it could be done through the process that's currently in place.

Acting City Manager Mays said a developer had the right to submit an application and go through the due diligence process to rezone or request additional density, but it required review by staff and the planning commission and approval by the city council.

Council member Booth said Boulder City didn't have vast amounts of land nor would it have vast amounts of development; however, she believed the change would allow the City to ask something of benefit from the developer to add value to the City.

Council member Walton said he appreciated the discussion and said the conversation was productive and valued. He thanked Council member Booth for bringing the matter up.

Council member Booth made a motion to direct staff to draft an ordinance amending Title 11 to authorize the City to enter into an agreement for the development of land pursuant to NRS 278.02011.

No second was offered and the motion FAILED.

7. For possible action: Resolution No. 7945, a resolution of the City Council of Boulder City, Nevada approving amendment to Employment Agreement No. 25-2114A between the City of Boulder City and Ned P. Thomas changing the start date of employment

A staff report was submitted by City Attorney Brittany Walker and included in the March 11, 2025 City Council agenda packet.

City Attorney Walker said Mr. Thomas had requested additional time to start his tenure to on or around April 15.

**Motion:** Approve

**Moved by:** Council Member Cokie Booth      **Seconded by:** Council Member Sherri Jorgensen

**Vote:**

**Aye:** Mayor Joe Hardy, Council Member Denise Ashurst, Council Member Cokie Booth, Council Member Sherri Jorgensen, Council Member Steve Walton (5)

**Nay:** (0)

**Abstain:** (0)

**Absent:** (0)

Motion Passed



8. For possible action: City Council appointment to Allotment Committee

A staff report was submitted by City Clerk Tami McKay and included in the March 11, 2025 City Council agenda packet.

City Clerk McKay provided an overview of the Staff report noting Allotment Committee members were drawn by lot.

Gary Dahlia's name was selected as the member to serve an unexpired term ending June 30, 2025.

## **PUBLIC COMMENT**

Mayor Hardy opened the public comment period.

Brynn deLorimier talked about getting a ferrel cat in her neighborhood and said she took him to the animal shelter. She thanked the City Council for supporting the animal shelter. She thanked them for discussing the leash law. She talked about the survey that determined a dog park with grass was wanted. She said she supports the leash law as it was written at the last council meeting. She said it's a compromise to allow dogs to run in the desert without a leash and did not agree with allowing off leash dogs at any park.

Pam Triolo said the Council talked about Boulder City's uniqueness and said it's an awesome town. She said she lives near Hemenway Park where a dog park would not be possible, but she said other locations would be great. She said a human knocking her down or biting her is considered an assault. She asked to consider the seriousness of dogs doing it to humans.

No comments were offered and the public comment period was closed.

## **CITY COUNCIL'S REPORT**

Council member Walton said he attended the Las Vegas Convention Visitor Authority board meeting today noting the A's were in town this past weekend for Big League Weekend and looked forward to the iconic new stadium and expecting them in the 2028 Season. He said the number of visitors traveling to Las Vegas was returning to pre-pandemic numbers which was good for the economy. He said the average age of visitors to the downtown area and the Strip was 43.6 years of age. He said he participated in Reading Week and enjoyed interacting with the students.

Council member Jorgensen said reading to the kids was exciting for her too. She said she read to the 4<sup>th</sup> grade students. She gave a shout out to the schools and said there were great kids in Boulder City noting their wonderful athletic and competition achievements.

Council member Ashurst said she attended her first Southern Nevada Regional

Planning Coalition meeting which changed its name to Southern Nevada Council of Government. She said on March 19<sup>th</sup>, Clark County Parks and Recreation and Henderson Historical Society would be presenting the 80 years in the past. She said the discussion would be centered around Boulder City and Henderson and the roll they played in World War II. She said she attended the Civilian Military Council Executive board meeting and highlighted Pathways to Patriots. She noted Aviation Nation would take place in April this year on the 5<sup>th</sup> and 6<sup>th</sup>. For more information, please visit their websites

80 Years in the Past  
[www.clarkcountynv.gov](http://www.clarkcountynv.gov)

Pathways for Patriots  
<https://flows.beamery.com/ccsd/pathways-for-patriots-reg>

Aviation Nation  
<https://www.nellis.af.mil/Aviation-Nation/>

Council Member Booth said that if a resident's AC fails during non-working hours in the summer, they can have it repaired and obtain the permit on the next business day. She added that permits for water heater replacements, main breaker replacements, water service line repairs, gas tests, and re-roof sheathing can also be obtained the following day. She thanked Community Development Director Michael Mays and Public Works Director Gary Poindexter for helping residents when in need. She said she read to the 4<sup>th</sup> graders and had a great time. She said the kids requested a Chick Fil A, Canes, and a more challenging skate park.

Mayor Hardy said he read to the students at Martha P. King. He said he videotaped his 8 year old grandson reading the book and played it for the kids. He said it was powerful to watch the kids enjoying the video. He said he appreciated the interaction of the Council.

Mayor Hardy adjourned the meeting at 6:32 p.m.

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Joe Hardy, Mayor

ATTEST:

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Tami McKay, City Clerk

**From:** [noreply@civicplus.com](mailto:noreply@civicplus.com)  
**To:** [City Clerk](#); [Tami McKay](#); [Stacey Brownfield](#); [Teena Pickens](#)  
**Subject:** Online Form Submittal: Written Comment Form  
**Date:** Tuesday, March 11, 2025 11:37:32 AM

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## Written Comment Form

### Meetings Public Comment Form

Please complete this form if you would like to provide your comment on an item to be discussed at a Boulder City Council, Committee or Commission meeting. Comments should be addressed to the body as a whole, not to an individual member. Thank you for your cooperation and participation.

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All written comments will be included in the meeting minutes, so we kindly request that they be expressed in a courteous manner.

---

**PLEASE NOTE: Written comments must be received 1 hour prior to the start of the meeting so they can be distributed to Council, Committee and/or Commission members. We encourage you to send in comments early to allow members time to review.**

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First Name	Paula
Last Name	Daniels
Email Address	ecstaticdragonfly@gmail.com
Phone Number	425.9414561
Address	797 Shirley Ln
City	Boulder City
State	NV

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Zip	89005
Meeting Date and/or Function	March 11, 2025
Agenda Item: If unsure of the item, please view the agenda at <a href="http://www.bcnv.org/agendaportal">www.bcnv.org/agendaportal</a> . If your comment does not relate to a specific agenda item, please type "General Public Comment" below.	Agenda 6, Amending Title 11
Opinion	Oppose
Your Comment	<p>Dear Mayor and City Council Members,</p> <p>I Oppose to Agenda 6, Amending Title 11 with NRS 278.0201</p> <p>1. This is amendment is not necessary due to NRS 278.0201 is applicable to Boulder City without Amending the Boulder City Ordinance.</p> <p>2. Most importantly, Nevada Statutes are subject to Revisions therefore if the Boulder City includes Statute NRS 278.0201 or any statute within the BC Ordinance, then the BC Ordinance is subject to continuous amendments for update due to any and all NRS revisions.</p> <p>3. The agenda packet, "Background information" includes NRS 278-0201 - 278-0207 for review which is confusing when NRS 278-0201 is only designated to the Amend Title 11.</p> <p>4. I am not clear here what the intent is for this Amendment as Boulder City has been approving agreements without this amendment to the Ordinance so why now?</p> <p>Sincerely,</p> <p>Paula Daniels 797 Shirley Ln Boulder City, NV 89005 425.941.4561</p>
Affirm	Yes
Do you wish to sign up to receive future agendas and news items from the City of	No

Boulder City?

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**From:** [noreply@civicplus.com](mailto:noreply@civicplus.com)  
**To:** [City Clerk](#); [Tami McKay](#); [Stacey Brownfield](#); [Teena Pickens](#)  
**Subject:** Online Form Submittal: Written Comment Form  
**Date:** Monday, March 10, 2025 6:33:52 PM

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## Written Comment Form

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---

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---

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---

First Name	Paula
Last Name	Daniels
Email Address	ecstaticdragonfly@gmail.com
Phone Number	425.941.4561
Address	797 Shirley In
City	Boulder City
State	NV

---

Zip	89005
Meeting Date and/or Function	March 11, 2025 City Council Meeting
Agenda Item: If unsure of the item, please view the agenda at <a href="http://www.bcnv.org/agendaportal">www.bcnv.org/agendaportal</a> . If your comment does not relate to a specific agenda item, please type "General Public Comment" below.	Agenda item 5 A & B
Opinion	Oppose
Your Comment	<p>Dear Boulder City Mayor and City Council Members,</p> <p>My name is Paula Daniels, Property Owner Full Time Resident in Boulder City, NV. In which I submit my comments regarding the March 11, 2025 City Council Meeting Regular Business, ref Items 5A and 5B - Hydrostor Project.</p> <p>The Feb 19th, 2025, Boulder City Planning Commission was approved with 2 dissenting votes. I submitted public comment via the BC portal for the Feb 19th meeting. I watched and listened to that meeting live on YouTube as I was not able to attend.</p> <p>Councilmen Steve Walton responded back via email to my Feb 19th comment which is very much appreciated in which he included several links on the Boulder City Leasing process' pertaining to Solar which are very informative. I will be referencing one of those Documents in my comments for March 11 meeting below.</p> <p>I Thank Councilman Walton for his response back to me.</p> <p>Boulder City Link:  <a href="https://www.bcnv.org/DocumentCenter/View/14296/Energy-Revenues-Brochure---FY25---Final">https://www.bcnv.org/DocumentCenter/View/14296/Energy-Revenues-Brochure---FY25---Final</a></p> <p>1) Regarding the information Councilman Walton sent, reference above link, the Process and Formula's for Lease Amounts are based on Solar Energy Leasing on Boulder City Land to Solar Companies however, this process is designed for Solar without the de-construction of our BC lands therefore IS NOT the same comparison or lease process that should apply to a Hydrostor Energy Plant or any application that proposes to de-construct our land in</p>



which all leasing parameters including the formula's for financial aspect of Leasing should be re-evaluated and raised dramatically higher. The Hydrostor Proposal is being treated as a Solar Lease in which they are not remotely comparable.

Solar Panels are placed on the surface of our land and the proximity is far away from the City Community Center and Residents where as Hydrostor Plant will Deconstruct our land digging a 2500' deep, 100 yds x 100yds x 100yds Cavern, the size of a Football Field, with potential severe impacts to the Human Environment, Protection of Species, the Historic Preservation, the Essence and Integrity of our Boulder City Registered National Historic Places and our Registered National Historic Places National Landmark of Hoover Dam. Hydrostor is not a Solar Energy Facility therefore by law is not permitted per the City Charter Limitations and the Eldorado Valley Act of 1958 law passed by Congress on March 6, 1958.

2) The Boulder City Document reads: "Boulder City purchased the Eldorado Valley from the Federal Government in 1995. The purchase, covering approximately 107,400 acres (167.8 square miles), was authorized by the Eldorado Valley Act of 1958 (Public Law 85-339) passed by Congress on March 6, 1958. The City purchased the land for \$1,277,630. Upon purchase, the City Charter was amended to limit the uses to be permitted within the newly acquired lands. They are:

Public Recreation

Solar Energy Facilities

Desert Tortoise Preserve

Other accessory uses, such as transmission lines, easements, roads, and similar rights-of-way, communication towers and other related governmental uses are also permitted. Additional uses can be approved by the voters. For example, the voters have previously approved a motocross track, the construction of wind towers, energy storage systems, and geothermal energy collection."

My comment on this is: (Per above statement in italics 2), Hydrostor is considered as "Additional Uses which can only be approved by THE VOTERS" per The Eldorado Valley Act of 1958 (Public Law 85-339) passed by Congress on March 6, 1958 and per the City Charter to limit the uses to be permitted. Boulder City Planning Commission and City Council are attempting to re-zone and re-code the laws to accommodate Hydrostor to bypass the current laws which in turn silence the peoples voice to be informed and to vote. Congress passed the Eldorado Valley Act of 1958 into law which clearly gives the orders, as it is illegal for Boulder

City to amend it and move forward without the peoples vote. This alone should Halt moving forward on this matter.

As Per Boulder City Ordinance 121.3

The City hereby agrees to be governed by the provisions of the Boulder City Act of 1958. In the event of any conflict, ambiguity or inconsistency between any provision of this Charter and the provisions of the Boulder City Act of 1958, the provisions of the Boulder City Act of 1958 shall control.

3) The Boulder City Document also reads: "During the option period, the lessee will be obtaining any necessary entitlements and approvals from outside government agencies, such as the Bureau of Land Management or the State of Nevada. "For energy projects, they are required to undertake a time-consuming environmental assessment under the National Environmental Protection Act ("NEPA") if the project will utilize federally controlled transmission corridors to deliver their power to the grid."

My comment on this is: I looked into the statement made in 3) above on the BC process. I have contacted Government Officials in seeking answers regarding Hydrostor proposal targeting Boulder City, NV land and process' with:

- "SHPO", Nevada State Historical Preservation Office- Robin Reed

- "NEPA"- National Environmental Protection Act - Jomar Moldano Director National NEPA

- "NRCS"- "National Resources Conservation Services"- Jennifer Cavanaugh National NEPA Specialist FPAC- NRCS, OR

- "CEQA"- Council of Environmental Quality (CAT-X Categorical Exclusion)- Susan G Bowman

-I have also reached out directly to Dean Tuel of Hydrostor with specific questions in which I am awaiting response back.

The Boulder City Document as stated above (see #3), "energy projects, they are required to undertake a time-consuming environmental assessment under the NEPA. In speaking directly with the Director of NEPA, he asked if there is Federal Funding involved. He informed me that if there is No Federal Funding to Hydrostor then there is no Federal Evaluation, ie: NEPA is not involved. I mentioned to him that Hydrostor has shown Private Funding in their proposal along with the fact that Boulder City, NV owns the land therefore it is not Federal Property and since there is no Federal Funding most likely may be the reasons for Hydrostar targeting Boulder City, NV - to bypass the Federal Governments involvement. The NEPA Director also

stated that the types of Permits and Licensing they file may determine what agencies may get involved otherwise there is No Federal Evaluation if there is no Federal Funding. This is extremely concerning due to our National Register of Historical Places, Historical Landmark Hoover Dam, and the impact to Human Environment and Protected Species.

I then contacted "CEQA", (Council of Environmental Quality, (which applies to state and local agency decisions to carry out or approve "discretionary projects... including, but not limited to, the enactment and amendment of zoning ordinances, the issuance of zoning variances, the issuance of conditional use permits, and the approval of tentative subdivision maps unless the project is exempt from this division" (Cal. Pub. Resources Code, § 21080). CEQA broadly defines "project" to include "the whole of an action, which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment" (CEQA Guidelines, § 15378). Therefore, CEQA may apply to a broader range of projects than does NEPA.)

CEQA guidance emphasizes the Categorical Exclusions must capture the entire proposed action and not to be used for a segment or an interdependent part of a larger proposed action. Examples of "Exceptional Circumstances" that prevent the use of Categorical Exclusions include where there are "potential effects on protected species or habitat, or on Historic Properties listed or eligible for listing in the National Register of Historic Places.

Under CEQA, Boulder City, NV may be considered an "Exceptional Circumstance" that prevents use of Categorical Exclusions including where there are "potential effects on protected species or habitat, or on historic properties listed or eligible for listing in the National Register of Historic Places". This Evaluation will prohibit Hydrostor in Boulder City, NV. which may Prohibit Hydrostor's deconstruction of Boulder City Lands.

Per Susan Bowman of CEQA - she stated she discussed with CEQA's Director for NEPA, with whom I spoke last week. He indicated that the reference you make to CEQA is for a law that applies only in California. The law is called the California Environmental Quality Act. Like NEPA (National Environmental Policy Act) the California law requires an agency to review environmental impacts of their actions before they move forward with the action. However, CEQA applies only to California agencies."

I then contacted "NRCS" - per Jennifer Cavannaugh FPAC-NRCS, OR .

She stated that the "Natural Resources Conservation Service" is a federal agency within the U.S. Department of Agriculture and therefore is only subject to NEPA and not CEQA. As such, I am unable to advise you on the applicability of CEQA, other than to say it is a California environmental protection law and therefore may not be applicable to projects in Nevada.

I then contacted "SHPO" - Nevada State Historical Preservation Office in which they have been notified of this Project and their response is pending.

If Hydrostor's Permits and License filings bypass NEPA, CEQA, NRCS, SHPO agencies and If Hydrostor submits CAT-X (Category Exclusions) and No Agency will enforce their process with an EIS or EA, and since Nevada is not Partnered with NEPA many other states are, and since CEQA is a California Environmental Protection Law then ...  
-WHO is going to Evaluate Hydrostor and future Projects in Boulder City, Nevada if NEPA or CEQA is not involved due to no Federal or Local Involvement"?  
-WHO is going to Evaluate Hydrostor's Permit's and Licenses to determine which Agencies may be involved for Boulder City Historic protection and Land Evaluations through the entire process?  
-What are the reasons the DOE (Department of Energy) placed a funding freeze on a \$1.8 Billion loan for Hydrostor's California Project on February 4th, 2025 that Hydrostor did not disclose at the Feb 19th Planning Commission Meeting?

Due to the Massive Land De-Construction and Hydrostor Project proposed, the City Council Members and Planning Commission should require Federal Funding from Hydrostor and to future Proposals of this magnitude to ensure Boulder City Land and all Protections are Evaluated with NEPA, CEQA, SHPO, NRCS agencies and to ensure the specific permits and filings cover every detail especially for massive deconstruction of land and for the protection and limited use of Boulder City Land that will impact Human Environment, Endangered Species, Historical Places and more.

4.) The Proximity of the Hydrostor Project in Boulder City, NV is invasively close to the Heart and Pulse of Boulder City National Registered Historic District of 541 business' and residents, community centers, National Register of Historic Places and National Landmark Hoover Dam, as well it's location is too close all Residents including my home as it will impact the Human Environment, Protected

Species and Historic Preservation and more.

\*Hydrostor location target is approximately 3 miles close to the Heart and Pulse of Boulder City Historic District and approximately 9 miles close to Hoover Dam. We all should be very concerned about seismic issues, noise, years of construction pollution and the valid concerns as stated by our neighbor engineers who also submitted public comments. This project will have impacts on us all in BC and significantly towards the Registry of National Historic Places and Historic Preservation of Boulder City, NV. The Hydrostor Project is not a compliment to the integrity of our Boulder City History and Design, it is a detriment. The proposed low annual revenue, (based on Solar Leasing), is not worth what they will be doing to our land and our environment at the location targeted.

\*The Hydrostor Ontario, Canada Plant location is utilizing an old established Salt Mine.

\*The Hydrostor California Willow Rock Plant location area surrounding the project boundary is largely undeveloped with very sparse residential development which gives ample distance of Communities, Residential and Human Environment concerns. The California Hydrostor Plant is approximately 8 miles to their Rosamund, CA Community Centers whereas the Boulder City targeted Hydrostor Plant location is approximately 3 miles close to the Heart and Pulse of Boulder City National Registered Historic District ie; Community Centers, Residents including my home, Business', the Human Environment, Endangered Species, etc., and it is approximately 9 miles close to Hoover Dam our Registered Historical National Landmark.

Hydrostor clearly exudes dis-regard and lack thereof to care about Boulder City, Property Owners, Business', our Environment and our Historic Presence by targeting this location in Boulder City and to bypass Federal Evaluation in pursuing Private Funding and City owned Land to de-construct our land to build a massive industrial plant which is not a fit for our Boulder City History and Charm as well as the many years of Construction effects on the Human Environment and Endangered Species. The False Clean Green Energy pitch is just that and lets not leave out the low annual lease amount factored from Solar Lease Formula in which Solar Panels leave our Land in tact, they don't de-construct it. This is not remotely close to a Solar Lease and regardless of how shiny, perfect and polished Hydrostor's presentation is, in my opinion, they are attempting to take advantage of Boulder City, NV in which the BC Committees / City Council's considerations are helping them to do so.

5) During the Feb 19th, meeting, planning commissioner Ms. Krumm made a personal comment in comparing

Hoover Dam to Hydrostor Energy Plant in reference to similarity of Hydrostor coming to Boulder City, she is proud and in favor of.

I'd like to remind the elected BC City Officials and Committee Members that Hoover Dam is a National Landmark Registered in the National Register of Historic Places alongside the fact that Boulder City and Lake Mead would not exist if it were not for Hoover Dam. As noted above, Boulder City is listed in the National Register of Historic Places which includes 541 business' and residents. Under the Historic Preservation Guidelines, Boulder City abides by maintaining the integrity of the history and our Historical Preservation. Hoover Dam, Boulder City, Lake Mead, even the Boulder Rifle and Pistol Club are traveling destinations people all over the world come to Boulder City, NV to enjoy and experience. The massive Hydrostor Plant will never be in this League of attractions let alone being charming or attractive at all aesthetically.

6) As a home owner living in Boulder City I find it a contradiction on BC Planning Commission and City Council attempt to change the BC charter limit laws and codes for Hydrostor who wants to de-construct our Land that were put into place specifically to limit companies like this. Why are BC elected City officials and committees O.K. with changing the Codes, Limits, and Laws for a Hydrostor massive energy plant to be located in the heart of Boulder City which will give zero energy and zero enjoyment to all tax paying residents but all the while O.K. with enforcing codes, (similar to HOA's), upon the BC Property Owner Resident in limiting them the enjoyment of their Property and Living?

If BC Council and Commission is O.K. to change codes, laws and zone limitations for Hydrostor, then they best be O.K. to change the code, laws and zone limitations for the Property Owner/Resident Tax Payers of Boulder City.

At what point will BC Planning Commission and City Council work towards not relying on Leasing BC Land for revenue and become self sustaining?

Bottom Line - Hydrostor is beyond the scope of leasing land let alone by law as it stands it is the Voters who decide. Per Ordinance 121.3 - The City hereby agrees to be governed by the provisions of the Boulder City Act of 1958. In the event of any conflict, ambiguity or inconsistency between any provision of this Charter and the provisions of the Boulder City Act of 1958, the provisions of the Boulder City Act of 1958 shall control.

I Oppose and Urge the Boulder City Council Members to  
Oppose the Hydrostor Energy Plant in Boulder City, NV.

Sincerely,

Paula Daniels  
797 Shirley Ln  
Boulder City, NV. 89005  
425.941.4561

Affirm\*

By checking the "Yes" option in the BC Portal to submit this comment, I agree that all the information above is true and accurate to the best of my comprehension through my own research and interpretation, and that I understand it will be included in the public record.

Affirm	Yes
Do you wish to sign up to receive future agendas and news items from the City of Boulder City?	No

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**From:** [noreply@civicplus.com](mailto:noreply@civicplus.com)  
**To:** [City Clerk](#); [Tami McKay](#); [Stacey Brownfield](#); [Teena Pickens](#)  
**Subject:** Online Form Submittal: Written Comment Form  
**Date:** Thursday, March 6, 2025 7:19:19 PM

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## Written Comment Form

### Meetings Public Comment Form

Please complete this form if you would like to provide your comment on an item to be discussed at a Boulder City Council, Committee or Commission meeting. Comments should be addressed to the body as a whole, not to an individual member. Thank you for your cooperation and participation.

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All written comments will be included in the meeting minutes, so we kindly request that they be expressed in a courteous manner.

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**PLEASE NOTE: Written comments must be received 1 hour prior to the start of the meeting so they can be distributed to Council, Committee and/or Commission members. We encourage you to send in comments early to allow members time to review.**

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First Name	Craig
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Last Name	Ullery
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Address	1617 Broadmoor Circle
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City	BOULDER CITY
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State	NV
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Zip	89005-3642
Meeting Date and/or Function	03/11/2025 City Council
Agenda Item: If unsure of the item, please view the agenda at <a href="http://www.bcnv.org/agendaportal">www.bcnv.org/agendaportal</a> . If your comment does not relate to a specific agenda item, please type "General Public Comment" below.	Regular Business Items 5A & B
Opinion	Oppose
Your Comment	<p>Dear Mayor &amp; City Council,</p> <p>The 3/11/2025 city council meeting Regular Business Items 5A &amp; B are related to the proposed Hydrostor "renewable energy" project, which was approved with 2 dissenting votes by the BC Planning Commission on February 19, 2025. The changes are to designate Boulder City land for, among other things, "renewable energy" purposes.</p> <p>It's incumbent to point out that Hydrostor made, at least, one misleading statement at the February 19th presentation to the BC Planning Commission. When questioned about the project's potential construction emissions versus those from a natural gas-fired power plant. Mr. Tuel mentioned "some documentation" on construction emissions with a range of 20% to 40% but did so in comparison to emissions from a full time natural gas-fired power plant. However, this is comparing apples to oranges since it's comparing the proposed Hydrostor's 500 MW 8-hour/day peaker plant operation to a full time (i.e. 24 hr/day) 500 MW natural gas-fired power plant rather than emissions from a 500 MW natural gas-fired 8-hour/day peaker plant. I'm hoping Mr. Tuel will clarify this on March 11th to the city council. In any event, I have requested copies of this documentation.</p> <p>The February 19th presentation was also the first time I'd heard mention of the construction of a "cavern" the size of a football field cubed. During a field trip in November to view the various potential Hydrostor locations, Mr. Tuel indicated a series of lateral tunnels connecting the two shafts, not a 30-story tall cavern. A series of lateral tunnels are also depicted in the Hydrostor facility literature and videos I viewed. Hopefully, Mr. Tuel can explain this</p>

discrepancy, too.

As we are learning about almost all "clean energy/renewable energy/green energy" projects, the projects are "environmentally friendly" only when the environmental costs of mining the materials, transportation, manufacturing and related waste disposal, construction, and end-of life disposal costs are not considered. For example, the energy required and the pollution emitted to create solar panels, electric vehicles, wind turbines, etc., are typically greater than the power they produce, energy saved and/or pollution they supposedly negate.

Case in point is the proposed Hydrostor project. Let's look at just one part of it.

As presented to the BC Planning Commission on February 19, 2025, Hydrostor indicated the proposed project involves, among other things, the drilling of two-2,000 foot or greater vertical shafts at least 8 feet in diameter (but likely greater since that's the final "lined" diameter) which end in lateral tunnels which will connect to a cavern the size of a football field cubed (100yds x 100yds x 100yds = 1 million cubic yards).

Since the cavern material to be excavated is likely to be granite, granite-like, or similarly dense impervious rock, 1 cubic yard of granite = ~4,725 lbs. (1)

1 million cubic yards x 4,725 lbs/yd = 4,725,000,000 lbs of cavern excavation material. That's 4 BILLION 725 MILLION lbs.

The largest dump trucks allowed on Nevada roads/highways/bridges are 80,000 lbs GVW, also known as a "Class 8" truck (2)

The maximum payload of a dump truck of 80,000 GVW is 44,350 lbs (3)

Assuming every dump truck is loaded precisely to 44,350 lbs (which practically never occurs):

$(4,725,000,000 \text{ lbs}) / (44,350 \text{ lbs per load}) = 106,539$  truck trips required for cavern material removal

Some assumptions regarding mileage and fuel use are required because it is unknown what each truck round trip entails in terms of distance and fuel use/mileage which is dependent on highway speed, whether the truck is loaded,

how it is driven, etc. Also complicating these assumptions are the fact that this doesn't include possible travel to the job site and back home, trucks idling a significant part of the time, etc. A 2024 document (4) indicates that a Class 8 truck has an average fuel economy of 6.5 - 7.5 mpg, which seems a bit high for dump trucks and it appears they're primarily referring to long haul freight and heavy transport trucks at steady highway speeds so, likely, not necessarily dump trucks. The document (4) further indicates average mpg can be affected significantly by load weight (which can see mpg drop by 1-2 mpg), route characteristics, weather conditions, vehicle age & maintenance, driver behavior, etc. Given the aforementioned, a "ballpark" average of 5 mpg is reasonable. Also a distance of 50 miles RT/load is reasonable since, even if the material is transferred to a buyer nearby, that buyer still has to truck the material to a processing facility (where crushing, screening, etc., require additional energy inputs with resulting emission outputs) and then trucked yet again further to a final use.

$(106,539 \text{ truck trips required for removal}) \times (50 \text{ mi/round trip}) / (5 \text{ mpg}) = 1,065,390 \text{ gallons diesel fuel consumed.}$

Again, the above estimate for cavern excavation material removal is very conservative because these vehicles are seldom loaded to maximum payload and doesn't consider power inputs (and resulting pollutant outputs) for crushing/screening/additional processing the material and then further trucking it for final placement.

And, this is just addressing the cavern's excavated material removal, not the energy to mine and transfer it to the surface, nor the energy required to construct two 2,000+ foot vertical shafts, plus the laterals from these shafts to the cavern, etc. While I'm not a drilling expert, it appears the proposed drilling/excavation operation alone will rival those historically performed at the Nevada Test Site. Which also begs the question: will explosives be required/used? Can we be assured the proposed construction won't incite or incur seismic activity from nearby faults?

In addition to the documentation request mentioned earlier, I have also requested copies of air quality and other environmental permits from Hydrostor to help characterize the real impact of construction of their California project which I'm looking forward to review. However, with 10 to 12 story tall industrial features which will be visible from certain areas in Boulder City, prevailing southerly winds most of the year funneling construction emissions into the

southern end of the city along with possibly significant noise impacts both pre- and post- construction, an enormous industrial facility of this magnitude being built practically on Boulder City's doorstep (and at the ridiculously low annual lease rate of only \$225,000 cited by at least one BC Planning Commissioner on February 19th), I recommend the city council reject the change of this land for "renewable energy" purposes.

This project is, quite simply, out of character for Boulder City's small town character and atmosphere.

Thank you,  
Craig Ullery  
1617 Broadmoor Cir  
Boulder City, NV 89005

- (1) <https://calculatorshub.net/construction/granite-weight-calculator/>
- (2) [https://www.superdumps.com/bridge\\_laws/?state=Nevada](https://www.superdumps.com/bridge_laws/?state=Nevada)
- (3) <https://www.bigtruckguide.com/semi-truck-weight-axle-and-gross-weight-maximums-5-axle/>
- (4) <https://nypul.com/what-is-the-fuel-economy-of-heavy-duty-trucks/>

Affirm	Yes
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