

Interim-Legislative Update

On the state legislative front, the only committee of interest to NAIOP that has met since the last government affairs newsletter has been Senator Dennis Nolan's Legislative Commission Subcommittee to Study Transportation Issues. That committee met on February 19th and the agenda continued to focus on providing information to legislators from both a national perspective and a statewide perspective on funding options, financing tools to get projects built, how the process works for the Nevada Department of Transportation to develop highway projects and how those projects get prioritized. But the agenda item that sparked the most discussion was when NDOT Director Susan Martinovich reported on the ten-year revenue projections and project costs of the transportation projects planned through 2016. When NDOT last reported to the 2007 Legislature, their projections had been that approximately \$270 million would be needed per year to bond in the 10 year span for an approximate \$3.8 billion needed for construction projects. The legislature was able to cobble together about a billion dollars to pay bonds using county dollars, room tax, and fees from rental car companies towards that \$3.8 need. But during the February meeting, Martinovich had to revise those estimates due to inflation and the increased cost of highway construction materials. The \$3.8 billion dollar number is now projected to be a \$6 billion dollar number with the agency having to find an additional \$450 million a year in revenue by 2016, or NDOT may have to consider delaying needed highway projects already planned that are designed to reduce congestion.

Legislators immediately began expressing their concern and frustration as to their ability to raise any additional revenues during the 2009 legislature considering the position that Governor Jim Gibbons has made in that he will not support any new taxes. Chairman Nolan, a Republican like the Governor stated quite candidly that they may have to increase taxes to pay for the badly needed highway construction over the objections of the Governor. It is important to note that any tax increase requires a two-thirds majority for passage which is also the votes needed to be veto proof. Many stakeholders to this process have said that if the right package of funding solutions is brought to the legislature and garners the necessary votes, the funding can be passed. But the devil is in the details and just what is that funding solution that will have the support of those being taxed, support that brings about a veto proof majority in both the Senate and Assembly? A new wrench being thrown into the mix becomes the Venetian Hotel initiative petition that looks at taking more room tax for transportation and education needs. All we can say is...stay tuned.

Clark County Water Reclamation District Rate Increase ~ Before the Board

On Tuesday, March 4, 2008, the Clark County Commission will hear agenda item #120 that proposes to increase sewer user fees as well as connection charges. These recommendations were determined by a 30-member Citizens Advisory Committee. Ralph Murphy, past chairman of the Governmental Affairs Committee served on this board representing NAIOP.

The Clark County Water Reclamation District Citizens Advisory Committee (CCWRD CAC) was established in July of 2007 in an effort to bring the citizens of our community together to help tackle the challenges we face in meeting wastewater related needs in Southern Nevada. Since that time, the CCWRD CAC has had the opportunity to review the District's five-year

Capital Improvement Program, including financing strategies, and has made the following recommendations:

1) The adoption of a Universal Sewer Service User Charge, per ERU, for all of the District's service areas:

- July 1, 2008 thru June 30, 2009 \$190.12
- July 1, 2009 thru June 30, 2010 \$202.01
- July 1, 2010 thru June 30, 2011 \$213.70
- July 1, 2011 thru June 30, 2012 \$226.08
- July 1, 2012 thru June 30, 2013 \$238.12

2) The acceptance of a Universal Connection Charge, per ERU, for all of the District's service areas (excluding Laughlin, which remains at \$1,600 until expansion is necessary):

- July 1, 2008 thru June 30, 2009 \$2,547
- July 1, 2009 thru June 30, 2010 \$2,692
- July 1, 2010 thru June 30, 2011 \$2,836
- July 1, 2011 thru June 30, 2012 \$2,987
- July 1, 2012 thru June 30, 2013 \$3,137

3) A separate connection charge for Clark County residents, in all District Service Areas, who convert from septage to the District's wastewater collection system (\$1,600 per ERU) for the fiscal years July 1, 2008 through June 30, 2013.

NAIOP Represented on Stormwater Stakeholder Working Group

The Nevada Division of Environmental Protection (NDEP) has issued one combined NPDES Stormwater Discharge Permit for the Las Vegas Valley Municipal Separate Storm Sewer System (MS4 permit) to Clark County, the Clark County Regional Flood Control District (CCRFCD), and the cities of Las Vegas, North Las Vegas, and Henderson.

In September 2005, the United State EPA conducted an audit of the MS4 permit from which collective and jurisdiction-specific deficiencies were identified. Nevada Division of Environmental Protection (NDEP) followed with a letter providing the co-permittees with direction to address these deficiencies. The four main areas addressed by NDEP are as follows:

- Construction site runoff management
- Post-construction runoff management
- Industrial site runoff management
- Operation & maintenance of treatment systems and controls

The permittees must identify solutions that are workable, effective in protecting the environment, and meet all legal requirements. They determined that a community stakeholder participation process is the best way to accomplish these goals and maintain our Stormwater Discharge Permit.

Stu Hitchen, NAIOP Government Affairs Committee member, represents NAIOP on the Stormwater Stakeholder Working Group and Terry Murphy, lobbyist for NAIOP, serves as the facilitator for the working group's process.

If you would like further information or are interested in following the progress of this group, please on to <http://www.ccrfcd.org/sswg.htm>.

Clark County Adopts New Shell Building Permit Process

Clark County recently adopted a new shell building permit process. By definition, a shell building is a special category of structure that when completed is not ready for occupancy. A shell building consists of all exterior walls, property line fire walls, and the roof structure. For multi-story shell buildings, it also includes all elevated floor assemblies, mezzanines, stairways and elevators. Shell buildings do not include the following as part of the scope of work:

- Tenant separation (demising) walls, corridors, hallways or interior partitions
- Toilet rooms (except for multi-story shell buildings)
- Suspended ceilings which are not part of the acoustical or fire-resistance-rated design
- Lighting, except for emergency or site lighting
- HVAC, except necessary heating for fire sprinkler elements only

A shell building shall not be legally occupied upon completion; however they must meet all minimum requirements for Public Works, Zoning, Sanitation, Water etc. before a Certificate of Completion may be issued.

Any mechanical, plumbing or electrical scope of work will be limited to “rough-in” designs for future tenant improvements only.

For a copy of the entire shell building permit guide, please e-mail kdempsey@strategicsolutionsnv.com, and she will provide it to you.

Clark County Hosts Public Meeting Regarding Administrative Code Changes

Clark County is extending an invitation to anyone interested in Administrative Code Changes. The meeting will be held on Monday, March 3, 2008 from 10:30 a.m. – 12:00 p.m. It will be held at Clark County Development Services, Building Division, located at 4701 W. Russell Road, Las Vegas, NV 89118 in Presentation Room A (which is located at the West Entrance).

The purpose of this meeting will be to discuss changes to the Clark County Administrative Code and to answer any questions raised on the topic.

If you have any questions or concerns regarding this meeting, please contact Gabrielle Schilling, Executive Assistant, at 455-2794 or by e-mail at gjs@co.clark.nv.us.

On March 3rd, Development Services' new Web site goes live!

Development Service's will launch a new website, which was designed with the customer in mind. The site will feature squares on the primary homepage which breaks down the services offered by the department. Development Service's is hoping this new feature will make for easier navigation.

Development Services' employees have spent countless hours on making this new Web site a useful tool for the customers.

The new site will be a continual work in progress, with changes happening on a regular basis in order to keep the site a dynamic, useful tool for the citizens and customers of unincorporated Clark County.

Development Services' Information Technology staff is planning on hosting several training sessions for customers on how to best navigate the site. Most likely those sessions will be in April 2008. The trainings will be B-Y-O-L-T - bring your own laptop!

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