

**CLARK COUNTY BOARD OF COMMISSIONERS
AGENDA ITEM**

Petitioner: Denis Cederburg, Director of Public Works

Recommendation:

Approve and authorize the Chair to sign a Remain In Place Facilities Agreement between Clark County and Nevada Power Company d/b/a NV Energy allowing NV Energy to remain in place existing and future facilities in the right-of-way that are no longer necessary, no longer in service, and will never be used again. (For possible action)

FISCAL IMPACT:

Fund #:	N/A	Fund Name:	N/A
Fund Center:	N/A	Funded PGM/Grant:	N/A
Amount:	N/A		
Description:	N/A		
Additional Comments:	N/A		

BACKGROUND:

Under Clark County Code 30.32, NV Energy (NVE) submits applications for encroachment permits to install new facilities to be used and those to be established as Remain in Place Facilities, as defined in the agreement, that are no longer necessary, no longer in service and not in use. The Electrical System Franchise Agreement between the County and NVE, dated January 18, 2005, does not address Remain in Place Facilities.

Contingent upon compliance to the County's discretion and determination, and performance of conditions outlined in the attached Remain In Place Facilities Agreement, NVE agrees that specific Remain in Place Facilities are no longer necessary, will no longer be in service for customers, and will never be used again. As a result, the County agrees to grant NVE existing and additional access to County right-of-way to maintain and establish Remain in Place Facilities, unless interference with a public works project occurs. NVE further agrees to maintain records of the Remain in Place Facilities currently mapped and/or known, and to frequently update records as new establishments are determined. The agreement further details the conditions, provisions, and requirements relating to both County and NVE.

The District Attorney's Office has reviewed and approved the agreement as to form.

Cleared for Agenda

03/16/2021

File ID#

21-334