

**AGENDA**  
**SOUTHERN NEVADA AREA COMMUNICATIONS COUNCIL**  
**BOARD OF DIRECTORS**  
**REGULAR MEETING**

**1:30 P.M. – AUGUST 16, 2023**  
**Las Vegas Valley Water District**  
**1001 S Valley View Boulevard, Mead 3**  
**Las Vegas, NV 89153**

**<https://protect-us.mimecast.com/s/zbiZCW6zLMsXMYYEi6KSKR?domain=teams.microsoft.com>**

TEAMS Meeting ID: 251 378 096 49  
Passcode: TtUH8Q

Call-In (Audio Only): 323-776-6758  
Conference ID: 264 159 132#

**ALL ITEMS LISTED ON THIS AGENDA ARE FOR ACTION BY THE BOARD OF DIRECTORS, UNLESS OTHERWISE INDICATED. ITEMS MAY BE TAKEN OUT OF ORDER. THE BOARD OF DIRECTORS MAY COMBINE TWO OR MORE AGENDA ITEMS FOR CONSIDERATION, AND/OR MAY REMOVE AN ITEM FROM THE AGENDA OR DELAY DISCUSSIONS RELATING TO AN ITEM ON THE AGENDA AT ANY TIME. COPIES OF WRITTEN MATERIALS PROVIDED TO THE BOARD MEMBERS IN ADVANCE OR AT THE MEETING MAY BE OBTAINED FROM JASON MANZO, SNACC OFFICE, 6000 EAST ROCHELLE, LAS VEGAS, NV OR BY CALLING (702) 455-7390.**

**COMMENTS BY THE GENERAL PUBLIC**

**NO ACTION MAY BE TAKEN:** At this time, the Board of Directors will hear general comments from the public on matters under the jurisdiction of the Southern Nevada Area Communications Council.

**ITEM NO.**

1. FOR POSSIBLE ACTION: Approve the August 16, 2023 agenda and the minutes from the June 7, 2023 Special meeting.
2. FOR DISCUSSION: Receive the Administrator's Report with the inclusion of the Monthly financial reports and budget variances for the month of May, June, and July 2023 and the system reports for the months of June and July 2023.
3. FOR DISCUSSION: Discuss and authorize the SNACC Administrator to conduct a study of the amount of time expended on the inspection, testing, remediation, and other related activities associated with building of a Bi-Directional Amplifier system for satisfactory interface to the SNACC network.
4. FOR POSSIBLE ACTION: Approve the agreement between the City of North Las Vegas and SNACC for the Brooks site.

**COMMENTS BY THE GENERAL PUBLIC**

NO ACTION MAY BE TAKEN: At this time, the Board of Directors will hear general comments from the public on matters under the jurisdiction of the Southern Nevada Area Communications Council.

**NEXT MEETING DATE/ADJOURN**

**AFFIDAVIT OF POSTING**

This is a public meeting. In conformance with the Nevada Open Meeting Law, this agenda has been posted in the following locations:

Clark County Government Center  
Clark County Water Reclamation District  
Clark County Courthouse Annex  
Las Vegas Valley Water District  
<https://notice.nv.gov/>

**PLEASE POST**

**Chairman:** Scott Mazick **Vice Chairman:** Chris Vasquez  
**Board Members:** Frank Milligan, Wendy Lotman, Brad Adams, Brian O'Neil,  
Terrance Holmes, Vince Albowicz, Isaac Henn, & Jeff Schell

**Southern Nevada Area Communications Council  
Agenda Item**

<b>Issue:</b> Approve the August 16, 2023 agenda and the minutes from the June 7, 2023.	<b>Date:</b> August 16, 2023
<b>Petitioner:</b> Jason Manzo, SNACC Administrator	<b>Agenda Item:</b> 1
<b>Recommendation - FOR POSSIBLE ACTION:</b> For the Board to approve the August 16, 2023 agenda and the minutes from the June 7, 2023 special meeting and/or take action as necessary.	

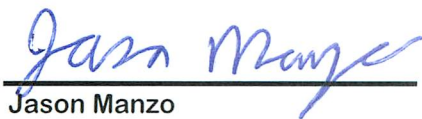
**Fiscal Impact:**

None

**Background:**

The Southern Nevada Area Communications Council operates an 800 megahertz (MHz) Public Safety radio communications system in the Clark County /Las Vegas urban area. This will be a reoccurring item.

**Respectfully Submitted:**



Jason Manzo

SNACC Administrator



# Southern Nevada Area Communications Council

## SPECIAL MEETING MINUTES

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Date: June 7, 2023

Location: Southern Nevada Area Communications Council  
6000 E. Rochelle Ave  
Las Vegas, NV 89122

Time: 1:30 P.M.

Board members present: Scott Mazick, Chair  
Frank Milligan  
Wendy Lotman  
Brad Adams  
Brian O'Neill  
Jeff Schell  
Vince Albowicz

### Call to Order

Public Comment: NONE GIVEN

Unless otherwise stated, items may be taken out of the order presented on the agenda, and two or more items may be combined for consideration. The Board may also remove an item from the agenda or delay discussion relating to an item at any time.

1. Approve the June 7, 2023 agenda and the minutes from the May 25, 2023 meeting. *(FOR POSSIBLE ACTION)*
  - Motion was made to approve; motion passed unanimously.
2. Receive the Administrator's report with the inclusion of the SNACC system report for the month of May 2023. *(FOR DISCUSSION):*

# SNACC ADMINISTRATOR'S REPORT

**June 7, 2023**

**Presented By Jason Manzo**

We are continuing to work with the City of Henderson and Clark County Department of Aviation with their migration from their XTS/XTL radios to their new APX radios.

We are waiting for the last of the Microwave equipment to ship. We have been told it should be shipping in July 2023.

We are waiting for the materials to arrive to replace the grounding wires that were stolen from one of our sites.

A reminder email regarding TDMA was sent out to all users on May 25, 2023, by Daniela Soto. This letter was originally sent out on July 6, 2022, which says as follows:

*July 6, 2022*

*Greetings SNACC Customers,*

*The Southern Nevada Area Communications Council ("SNACC") Board of Directors has voted to have the SNACC radios on the system upgraded to be Time Division Multiple Access ("TDMA") ready by June 30, 2024. This is a reminder to make sure your agency radios are TDMA ready (Feature installed and/or programmed into all radios) by this date.*

*Please do not hesitate to contact SNACC if your organization needs guidance on how to upgrade your radios, replace radios to be TDMA compliant by this date, or to start discussions for a potential alternative plan.*

*If you have any questions or concerns, please contact me at (702) 455-7390.*

*Respectfully,*

*Jason Manzo*

*Enclosure(s):*

*CC: Jose A. Suarez*

*Daniela Soto-Leon*

***As of 6/1/2023 we have:***

- 7,287 radios on our system that are TDMA ready.
- 2340 XTL/XTS series radios that need to be replaced.
- 589 APX radios that need the TDMA upgrade feature.

***System Report for the month of MAY 2023:***

1. Airtime: 3,287
2. Push-To-Talks: 2,369,701
3. Buses: 335 (9.22 Minutes)

***These Reports can be found on: <http://SNACCOnline.com>***

These reports can be found on the SNACC Website: <http://SNACCOnline.com>

**3. Approve the Nevada Public Agency Insurance Pool agreement, effective July 1, 2023 – July 1, 2024.  
(FOR POSSIBLE ACTION):**

- Motion was made; motion passed unanimously.

**4. Approve the agreement between SNACC and Nevada Gaming Control Board, effective July 1, 2023 – June 30, 2025.**

- Motion was made; motion passed unanimously.

**COMMENTS BY THE GENERAL PUBLIC:**

**NONE GIVEN**

**NEXT MEETING DATE/ADJOURN:**

Next SNACC meeting is on August 16, 2023, at the Las Vegas Valley Water District at 1:30 PM.  
Meeting adjourned at 1:50 p.m.

Respectfully submitted:

Scott Mazick, Chairman  
Attachments

**Southern Nevada Area Communications Council  
Agenda Item**

<b>Issue:</b> Receive the Administrator's Report with the inclusion of the SNACC monthly financial reports and budget variances for the months of May, June, and July 2023 and system reports for the months of June and July 2023.	<b>Date:</b> August 16, 2023
<b>Petitioner:</b> Jason Manzo, SNACC Administrator	<b>Agenda Item:</b> 2
<b>Recommendation - FOR DISCUSSION:</b> For the Board to receive the Administrator's Report with the inclusion of the SNACC monthly financial reports and budget variances for the months of May, June, and July 2023 and system reports for the months of June and July 2023.	

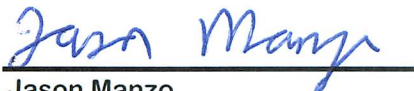
**Fiscal Impact:**

None

**Background:**

The Board gave the request to the SNACC Administrator, in August 2015, to have the SNACC Budget presented in his Administrator's Report on a monthly basis. This was requested to inform the Board on what the monthly SNACC expenses are and to show what is currently available. The Administrator also includes any current system issues, deficiencies, and/or updates. On October 18, 2017 the Board agreed to have the Strategic Plan updates included in the Administrator's Report. Since there was a meeting two weeks ago, the May financials and budget variances will be provided at the next meeting.

**Respectfully Submitted:**



**Jason Manzo**

SNACC Administrator

# SNACC ADMINISTRATOR'S REPORT

## AUGUST 16, 2023

Presented By Jason Manzo

We received the last of our new microwave equipment on July 18<sup>th</sup>. Aviat is working on deploying the equipment to the sites to begin replacing out older equipment.

On Sunday July 9<sup>th</sup> we had a power outage at SNACC HQ. ATS-2 transfer switch did not engage causing the second floor to lose power. It was discovered that the control board needed to be replaced which happened the next day. We tested the transfer switch on July 20<sup>th</sup> at 5:30. ATS-2 transfer switch worked correctly but the microwave DC battery bank did not hold, and we lost some sites for about 5 minutes. We worked that day to put together a temporary 48-volt battery bank for the microwave. On July 21<sup>st</sup> we then tested the temporary 48-volt battery bank at 5:00 by turning off the power to the microwave and the battery bank prevented the microwave from losing power. Part of the microwave upgrade project is all new DC battery banks for the sites.

The grounding has been repaired at the site that was vandalized.

SNACC installed our Quartey security patches on July 11<sup>th</sup>, 2023.

### **BUDGET VARIANCES**

#### **May 2023**

1. Overtime - \$860.20 – 11.5%
2. Cleaning/custodial – Mr. Janitorial - \$700 – (-28.7%)
3. Electricity – NV Energy and Boulder City Utilities - \$796.25 -5%
4. Capital lease interest– Motorola Lease Agreement - \$21,44314 – 44.7% - P25 contract interest.
5. Capital lease principal – Motorola Lease Agreement - \$269,847.77 – 50.5% - P25 contract.
6. Print/Production – Konica Minolta - \$158.39

#### **June 2023**

1. Cleaning/Custodial – Mr. Janitorial - \$700 – (-54.4%)
2. Minor Equipment – HD Supply - \$1,170.24 – 8.8%
3. Electricity – NV Energy and Boulder City Utilities - \$1,980.70 – 12.3%
4. Vehicle Maintenance - \$2,818.40 – (-26.8%) – fuel for vehicles and generators and preventative maintenance.
5. Telecom –\$513.26 – 5.2% - Verizon/landlines etc.

#### **July 2023 – Fiscal Year 2024**

1. Overtime – \$1,437.89 – 19.2%



2. Call Back - \$223.74 – 8.9%
3. Vehicle Maintenance - \$3,532.79 – 17.7% - fuel for vehicles and generators and maintenance
4. CC Agreement, ERP, IT Support - \$3,211.00 – 6.5% - FY 24 – 1<sup>st</sup> quarter

**SYSTEM REPORTS:**

***System Report for the month of June 2023:***

1. Airtime: 2,959.7
2. Push-To-Talks: 2,136,489
3. Busies: 91 (4.00 Minutes)

***System Report for the month of July 2023:***

1. Airtime: 3,231.9
2. Push-To-Talks: 2,230,811
3. Busies: 431 (13.41 Minutes)

**FUND 2520.000**

**Southern Nevada Area Communications Council**

**SNACC BUDGET REPORT: May FY 2023**

<b>CATEGORY</b>	<b>BUDGET</b>	<b>ACTUALS YTD</b>	<b>May ACTUALS</b>	<b>% REMAINING</b>
Annual Radio Fees and Buy Ins Billed	2,805,138.00	(2,929,216.72)	(4,138.20)	
Cost Recovery Billed (Console SUA II and Maintenance)	420,082.00	(477,288.37)		
Interest	46,404.00	(283,710.37)	(13,102.92)	
<b>TOTAL REVENUES</b>	<b>3,271,624.00</b>	<b>(3,690,215.46)</b>	<b>(17,241.12)</b>	<b>-</b>
Salaries & Benefits	482,673.00	370,835.44	34,339.47	23.2%
Overtime	7,500.00	5,933.83	860.20	20.9%
Call Back	2,500.00	1,274.09		49.0%
Professional services	1,780.00	200.00		88.8%
Cleaning/Custodial	2,720.00	3,500.00	700.00	-28.7%
Equipment maintenance and repair	12,500.00	12,452.00		0.4%
Console SUAll	230,568.00			100.0%
Console maintenance	174,002.00	208,848.40		-20.0%
Infrastructure SUAll	298,881.00	510,392.17		-70.8%
Infrastructure maintenance	495,526.00	540,229.87		-9.0%
Site rentals	14,466.00	7,303.02		49.5%
Office space (Water Reclamation)	12,000.00	12,000.00		0.0%
Business liability insurance	23,000.00	34,179.60		-48.6%
Operating and cleaning supplies	705.00	221.45	8.31	68.6%
Office supplies	5,900.00	116.83		98.0%
Minor equip (tools, cables)	13,264.00	6,870.06		48.2%
Computers and supplies	4,500.00			100.0%
Electricity	16,000.00	13,129.51	796.25	17.9%
Radios Subscription	-	52,500.00		0.0%
Capital lease interest	47,996.00	47,995.73	21,443.14	0.0%
Capital lease principal	534,586.00	534,586.09	269,847.77	0.0%
Travel/Training	10,000.00	1,164.37		88.4%
Vehicle Maint.	20,000.00	22,537.60		-12.7%
Telecommunications	9,881.00	5,466.77	511.83	44.7%
Print/Reproduction	2,100.00	2,106.84	158.39	-0.3%
CC Agreement, ERP, IT Support, etc.	47,391.00	40,770.00	9,826.00	14.0%
Capital Projects	3,487,500.00	1,041,695.07	962,268.77	70.1%
<b>TOTAL EXPENSES</b>	<b>5,957,939.00</b>	<b>3,476,308.74</b>	<b>1,300,760.13</b>	<b>41.7%</b>

Appropriated EFB	1,690,402.00			100.0%
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Beginning FY fund balance	4,770,226
Fund balance as of report date:	5,421,597
Estimated FY23 ending fund balance:	2,083,911

**FUND 2520.000**

**Southern Nevada Area Communications Council**

**SNACC BUDGET REPORT: June FY 2023**

<b>CATEGORY</b>	<b>BUDGET</b>	<b>ACTUALS YTD</b>	<b>June ACTUALS</b>	<b>% REMAINING</b>
Annual Radio Fees and Buy Ins Billed	2,805,138.00	(2,929,372.54)	(155.82)	
Cost Recovery Billed (Console SUA II and Maintenance)	420,082.00	(477,288.37)		
Interest	46,404.00	(283,710.37)		
<b>TOTAL REVENUES</b>	<b>3,271,624.00</b>	<b>(3,690,371.28)</b>	<b>(155.82)</b>	<b>-</b>
Salaries & Benefits	482,673.00	397,619.28	26,783.84	17.6%
Overtime	7,500.00	5,943.19	9.36	20.8%
Call Back	2,500.00	1,485.19	211.10	40.6%
Professional services	1,780.00	200.00		88.8%
Cleaning/Custodial	2,720.00	4,200.00	700.00	-54.4%
Equipment maintenance and repair	12,500.00	14,925.00	2,473.00	-19.4%
Console SUAll	230,568.00			100.0%
Console maintenance	174,002.00	208,848.40		-20.0%
Infrastructure SUAll	298,881.00	510,392.17		-70.8%
Infrastructure maintenance	495,526.00	540,229.87		-9.0%
Site rentals	14,466.00	7,303.02		49.5%
Office space (Water Reclamation)	12,000.00	12,000.00		0.0%
Business liability insurance	23,000.00	34,179.60		-48.6%
Operating and cleaning supplies	705.00	221.45		68.6%
Office supplies	5,900.00	116.83		98.0%
Minor equip (tools, cables)	13,264.00	8,040.30	1,170.24	39.4%
Computers and supplies	4,500.00			100.0%
Electricity	16,000.00	15,110.21	1,980.70	5.6%
Radios Subscription	-	52,500.00		0.0%
Capital lease interest	47,996.00	47,995.73		0.0%
Capital lease principal	534,586.00	534,586.09		0.0%
Travel/Training	10,000.00	1,164.37		88.4%
Vehicle Maint.	20,000.00	25,356.00	2,818.40	-26.8%
Telecommunications	9,881.00	5,980.03	513.26	39.5%
Print/Reproduction	2,100.00	2,106.84		-0.3%
CC Agreement, ERP, IT Support, etc.	47,391.00	40,770.00		14.0%
Capital Projects	3,487,500.00	1,041,695.07		70.1%
<b>TOTAL EXPENSES</b>	<b>5,957,939.00</b>	<b>3,512,968.64</b>	<b>36,659.90</b>	<b>41.0%</b>
Appropriated EFB	1,690,402.00			100.0%
<b>Beginning FY fund balance</b>	<b>4,770,226</b>			
<b>Fund balance as of report date:</b>	<b>4,690,689</b>			
<b>Estimated FY23 ending fund balance:</b>	<b>2,083,911</b>			

**FUND 2520.000**

**Southern Nevada Area Communications Council**

**SNACC BUDGET REPORT: July FY 2024**

<b>CATEGORY</b>	<b>BUDGET</b>	<b>ACTUALS YTD</b>	<b>July ACTUALS</b>	<b>% REMAINING</b>
Annual Radio Fees and Buy Ins Billed	3,076,431.00	(2,926,736.51)	(2,926,736.51)	
Cost Recovery Billed (Console SUA II and Maintenance)	425,767.00			
Interest	94,820.00			
<b>TOTAL REVENUES</b>	<b>3,597,018.00</b>	<b>(2,926,736.51)</b>	<b>(2,926,736.51)</b>	<b>-</b>
Salaries & Benefits	520,730.00	37,800.48	37,800.48	92.7%
Overtime	7,500.00	1,437.89	1,437.89	80.8%
Call Back	2,500.00	223.74	223.74	91.1%
Professional services	1,780.00			100.0%
Cleaning/Custodial	2,400.00			100.0%
Equipment maintenance and repair	19,400.00			100.0%
Console SUAll	243,165.00			100.0%
Console maintenance	214,826.00			100.0%
Infrastructure SUAll	298,865.00			100.0%
Infrastructure maintenance	525,704.00			100.0%
Site rentals	14,466.00			100.0%
Office space (Water Reclamation)	12,000.00			100.0%
Business liability insurance	43,000.00			100.0%
Operating and cleaning supplies	705.00			100.0%
Office supplies	5,900.00			100.0%
Minor equip (tools, cables)	13,264.00			100.0%
Computers and supplies	4,500.00			100.0%
Electricity	16,000.00			100.0%
Radios Subscription	105,000.00			100.0%
Capital lease interest	27,162.00			100.0%
Capital lease principal	555,421.00			100.0%
Travel/Training	10,000.00			100.0%
Vehicle Maint.	20,000.00	3,532.79	3,532.79	82.3%
Telecommunications	9,881.00			100.0%
Print/Reproduction	2,100.00			100.0%
CC Agreement, ERP, IT Support, etc.	49,354.00	3,211.00	3,211.00	93.5%
Capital Projects	3,298,000.00			100.0%
<b>TOTAL EXPENSES</b>	<b>6,023,623.00</b>	<b>46,205.90</b>	<b>46,205.90</b>	<b>99.2%</b>
Appropriated EFB	1,345,367.00			100.0%
Beginning FY fund balance	4,688,162			
Fund balance as of report date:	5,191,176			
Estimated FY24 ending fund balance:	2,261,557			

# Southern Nevada Area Communications Council Agenda Item

<b>Issue:</b> Discuss and authorize the SNACC Administrator to conduct a study of the amount of time expended on the inspection, testing, remediation, and other related activities associated with the building of a Bi-Directional Amplifier system for satisfactory interface to the SNACC network.	<b>Date:</b> August 16, 2023
<b>Petitioner:</b> Brian O'Neal, SNACC Board Member	<b>Agenda Item:</b> 3
<b>Recommendation - FOR DISCUSSION:</b> For the Board to Discuss and authorize the SNACC Administrator to conduct a study of the amount of time expended on the inspection, testing, remediation, and other related activities associated with the building of a Bi-Directional Amplifier system for satisfactory interface to the SNACC network.	

**Fiscal Impact:**

**Background:**

BDA (BI-Directional Amplifier) testing and coordinating with vendors takes time away from day to day operations at SNACC.

**Respectfully Submitted:**



Brian O'Neal (Aug 14, 2023 14:43 PDT)

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**Brian O'Neal**  
SNACC Board Member


**Southern Nevada Area Communications Council  
Agenda Item**

<b>Issue:</b> Approve the agreement between the city of North Las Vegas and SNACC for the Brooks site.	<b>Date:</b> June 7, 2023
<b>Petitioner:</b> Jason Manzo, SNACC Administrator	<b>Agenda Item:</b> 4
<b>Recommendation - FOR POSSIBLE ACTION:</b> For the Board to approve the agreement between the city of North Las Vegas and SNACC for the Brooks site. and/or take action as necessary.	

**Fiscal Impact:**  
None

**Background:**  
This renewal agreement is between the City of North Las Vegas and SNACC to continue housing equipment at the Brook's site.

**Respectfully Submitted:**

  
\_\_\_\_\_  
**Jason Manzo**  
SNACC Administrator

## RADIO COMMUNICATIONS LICENSE AGREEMENT

This Radio Communications License Agreement (the "Agreement") is hereby entered into this \_\_\_\_\_ (the "Effective Date"), by and between the Southern Nevada Area Communications Council ("SNACC") and the City of North Las Vegas (the "City").

### RECITALS

- A. The City owns a radio communications tower on certain real property located at 1630 W. Brooks Avenue, North Las Vegas, Nevada (the "Property").
- B. Due to the continued growth of the City, the City has paid SNACC an additional fee for each radio to be operated by the City's public safety operators on SNACC's system pursuant to the Interlocal Agreement between the City and SNACC dated July 19, 1997 (the "SNACC Agreement").
- C. As contemplated by the SNACC Agreement, SNACC would like to expand its radio communications system to provide better radio coverage for the City's public safety operators in the most efficient and economic method possible by using appropriate City facilities to locate additional radio antenna and communications equipment.
- D. In accordance with the terms of the SNACC Agreement, the City desires to grant SNACC a license to come onto the Property to construct, install and maintain certain radio antenna and communications equipment on the Property pursuant to the terms of this Agreement.

### AGREEMENT

NOW, THEREFORE, for and in consideration of the mutual covenants contained in this Agreement and for other good and valuable consideration, the receipt and sufficiency the parties hereby acknowledge, SNACC and the City agree as follows:

1. Grant of License. The City grants to SNACC a revocable, non-exclusive license for ingress and egress the Property and to permit use of the Property for the following purposes:
  - 1.1. To inspect the existing radio communications tower on the Property and determine if the existing structure is structurally sound and sufficient for **all** necessary antennas and equipment for the expanded radio operations contemplated by the SNACC Agreement.
  - 1.2. To replace or modify the existing radio communications tower on the Property, at SNACC's sole cost and expense, so that it continues to meet the needs of the

City's public safety operators, as well as SNACC. When the radio communications tower improvements are complete, they will become the sole property of the City.

1.3. To design and construct at SNACC's sole cost and expense, an additional communications equipment shelter at this site. This shelter will be located on the Property east of the driveway within the fenced walls.

1.4. To design and construct, at SNACC's sole cost and expense, an additional backup generator at this site for their use. This generator will be located west the driveway, south of the City's shelter and within the fenced walls.

2. Approvals for Design and Construction.

2.1. SNACC agrees to apply and obtain all necessary approvals from the City for the design and construction of the improvements to the radio communications tower and all antenna placements on the Property. The City anticipates that SNACC can be granted three (3) radio transmission antennas and one (1) receive antenna on the Property.

2.2. SNACC agrees to apply and obtain all necessary approvals from the City for the design and construction of the shelter on the Property to ensure that the shelter design is aesthetically pleasing and the same design as the existing shelter at the site if available. The SNACC shelter shall be of the same manufacturer, color and style as the one currently on the Property. The size of the SNACC shelter shall not exceed 14.5' x 24.5'.

3. Term of License. The term of this contract is ten (10) years from the August 12, 2023. SNACC may renew this Agreement for one successive five (5) year term upon written notice sent no more than ninety (90) days and no fewer than thirty (30) days before the expiration of the term. The City shall have the automatic ability to terminate the Agreement upon prior written notice to SNACC if the City incurs any expenses related to the License or SNACC's use of the Property.

4. Termination of License.

4.1. If SNACC breaches any term of this Agreement and does not remedy the breach within five (5) days of after receiving written notice of such breach, the City may terminate this Agreement after thirty (30) days prior written notice to SNACC. Upon such termination, all rights and obligations of the parties hereunder shall cease, except for those set forth in Section 4.2.

4.2. Upon termination of this Agreement, SNACC will have one hundred and eighty (180) days to remove all equipment and antenna installed by SNACC and the Property will be returned to its original condition with the exception that the tower will remain City property. SNACC will remove all antennas from the tower or whatever is mutually agreed upon by the parties at that time. All radio equipment installed by SNACC at the Property will remain the property of SNACC.



9. Background Check for Access. The City reserves the right to demand that each employee, agent or subcontractor of Services Provider having access to the Property must first submit to a background check performed by the City's Police Department, and must satisfactorily pass such background check, as determined by the City in its sole discretion, before having any access to the Property. If the City elects to perform a background check, the City will pay any expenses related to the background check.

10. Nevada and Ci Law. The laws of the State of Nevada and the North Las Vegas Municipal Code govern the validity, construction, performance and effect of this Agreement, without regard to conflicts of law.

11. Assignment. Assignment of this Agreement by SNACC without the prior written consent of the City is void and a breach of this Agreement.

12. Non-Waiver. The failure to enforce or the delay in enforcement of any provision of this Agreement by one of the parties is not a waiver of such provision or right unless such party expressly waives such provision or right in writing.

13. Partial Invalidity. If any term of this Agreement is held by a court of competent jurisdiction to be invalid, void or unenforceable, all remaining terms of this Agreement not held invalid, void or unenforceable shall continue in full force and effect.

14. Attorney's Fees. In the event any action is commenced by either party against the other in connection herewith the prevailing party shall be entitled to its costs and expenses, including reasonable attorneys' fees, as determined by the court, including without limitation, fees for the services of the City Attorney's Office. This Section 13 shall survive the completion of the Event until the applicable statutes of limitation expire.

15. Entire Agreement. This Agreement constitutes the entire Agreement between the parties regarding the License and supersedes all prior representation agreements and understandings of the parties. No addition to or modification of this Agreement shall be binding unless executed in writing by the parties hereto.

16. Time of Essence. Time is of the essence in the performance of this Agreement and all of its terms, provisions, covenants and conditions.

*[Remainder of this page intentionally left blank.]*

**IN WITNESS WHEREOF**, the City and SNACC have caused this Agreement to be executed as of the day and year first above written.

City of North Las Vegas,  
a Nevada municipal corporation

Southern Nevada Area Communication  
Council

By: \_\_\_\_\_  
Ryann Juden, City Manager

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

Attest:

By: \_\_\_\_\_  
Jackie Rodgers, City Clerk

Approved as to form:

By: \_\_\_\_\_  
Micaela Rustia Moore, City Attorney