



TO: SOUTHERN NEVADA DISTRICT BOARD OF HEALTH **DATE:** April 27, 2017

RE: *Approval of a Memorandum of Agreement between the Southern Nevada Health District and the City of Henderson*

PETITION #11-17

That the Southern Nevada District Board of Health *approve a Memorandum of Agreement between the Southern Nevada Health District (Health District) and the City of Henderson for SNHD staff to provide technical assistance to support the Environmental Protection Agency Assessment Grant (CFDA 66.818, FAIN 99T45001) awarded to the City of Henderson.*

PETITIONERS:

- Deborah M. Williams, MPA, MPH, CHES, Manager, OCDPHP** *AMW*
- Michael D. Johnson, Ph.D., Director of Community Health** *[Signature]*
- Andrew J. Glass, FACHE, MS, Director of Administration** *[Signature]*
- Joseph P. Iser, MD, DrPH, MSc, Chief Health Officer**

DISCUSSION:

The goal of this grant awarded to the City of Henderson is to catalyze reinvestment and redevelopment of the Boulder Highway Corridor through the identification, assessment, and clean-up/re-use planning of sites that have been impacted by hazardous substances and/or petroleum. Additionally, this project will help improve health outcomes for areas that may have been impacted by these contaminants. Health District staff will assist with prioritization of sites based on a number of factors including health outcomes.

FUNDING:

No funding is included in this Memorandum of Agreement.

**MEMORANDUM OF AGREEMENT
BROWNFIELDS COALITION ASSESSMENT**

**COALITION PARTNERS: CITY OF HENDERSON
CITY OF HENDERSON REDEVELOPMENT AGENCY
SOUTHERN NEVADA HEALTH DISTRICT**

This Memorandum of Agreement (MOA) is entered into by and between the City of Henderson (COH), the City of Henderson Redevelopment Agency (RDA), and the Southern Nevada Health District (Health District) (individually referred to as “Party” and collectively as “Parties”).

RECITALS

WHEREAS, NRS 277.180 authorizes public agencies to contract with one or more other public agencies to perform any governmental service activity or undertaking which any of the public agencies entering into the contract is authorized to perform; and

WHEREAS, Health District is the public health entity organized pursuant to Nevada Revised Statutes, Chapter 439; and has jurisdiction over all public health matters within Clark County, Nevada; and

WHEREAS, COH is the recipient of grant funding received from the Environmental Protection Agency’s (EPA) EPA Assessment Grant CFDA 66.818, FAIN number 99T45001, Date of Award September 12, 2016, awarded to COH under the Brownfields Program (the “Grant”). The Grant is for a total of \$550,000, with \$275,000 allocated to Hazardous Substances, and \$275,000 allocated to Petroleum. The Grant period is July 1, 2016 through June 30, 2019.

WHEREAS, the Grant award to COH resulted in implementation of a Cooperative Agreement between COH and EPA, which was accepted by the COH City Council on October 18, 2016 as agenda item CA-10, with the purpose of reporting Grant related activities to the EPA, and compliance with statutes, regulations, and terms and conditions of the award.

WHEREAS, activities funded by the Grant through the Cooperative Agreement may include the following: site identification; development of site selection criteria; environmental site assessments; implementation of institutional controls; planning (including cleanup and redevelopment planning) relating to brownfields sites; outreach; and other eligible activities.

WHEREAS, the RDA is a redevelopment agency formed, existing and exercising its powers pursuant to the provisions of the Community Redevelopment Law, NRS 279.382 et seq. and is responsible for implementing the Redevelopment Plan for the Eastside Redevelopment Area, which was adopted by the City of Henderson City Council pursuant to Ordinance 2432 for the purpose of, among other things, alleviating blight, including the environmental contamination of buildings or property, within the designated redevelopment area, which includes a portion of the Boulder Highway Corridor; and

NOW, THEREFORE, in consideration of the mutual promises herein contained, and the above recitals, the Parties hereby agree to the following:

AGREEMENT

1. **Purpose.** The purpose of the Grant award is to allow COH to conduct an assessment of sites along the Boulder Highway Corridor in Henderson, Clark County, Nevada that have been impacted by hazardous substances and/or petroleum (Program). The Program will engage the Henderson community to create a comprehensive brownfield inventory, prioritize revitalization opportunities, perform environmental site assessments, and conduct remedial action/reuse planning activities.
2. **Roles.** City of Henderson, acting through its Community Development and Services Department is the Lead Coalition Member. RDA and the Health District are each a Coalition Partner (collectively “Coalition Members”).
3. **Responsibilities.** To best serve the purpose of the Grant award described herewith, the following responsibilities are delineated:
 - 3.1 **COH as Lead Coalition Member Responsibilities:**
 - a. COH is responsible to EPA for management of the Cooperative Agreement between the EPA and COH for reporting Grant related activities to the EPA, and compliance with statutes, regulations, and terms and conditions of the award. COH will report Grant related activities including, but not limited to, the activities of the Coalition Members.
 - b. COH will provide timely information to the Coalition Partners regarding the management of the Cooperative Agreement and gather their input on key tasks outlined in the work plan over the period of performance.
 - c. COH will be responsible for selecting contractors and/or consultants and managing all related contracting activities, and will be the primary point of contact between the Coalition Partners and the contractor(s).
 - d. COH will be the primary point of contact to the EPA on the Grant project.
 - e. All media communication must go through the COH Community Development and Services Department.
 - f. COH may retain consultant(s) and contractors consistent with 2 CFR Part 200 Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, to undertake various activities funded through the Cooperative Agreement and may award sub-grants to other coalition members for assessment projects in their geographic areas consistent with 2 CFR Part 200 Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards.
 - g. COH will procure consultant(s) in compliance with 2 CFR Part 200 Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, in addition to and in accordance with any applicable Nevada Revised Statutes and COH procurement policies. COH will issue the Request for Proposals (RFP) or Requests for Qualifications (RFQ) and will be responsible for receipt of the submitted

proposals and selection of award contracts. COH will select the consultant(s) best suited to complete the Work Plan outlined in the EPA Brownfield Assessment Grant with full disclosure to Coalition Members of all consultants and their RFPs or RFQs.

3.2 RDA and Health District Coalition Member Responsibilities:

- a. RDA and Health District may assist in prioritizing sites based on a number of factors including, but not limited to, redevelopment potential, health outcomes, and likelihood of environmental contamination. The end-goal promoted by prioritization of sites includes, but is not limited to, facilitating transit oriented and mixed-use redevelopments by remediating sites where contamination is suspected and which may be associated with health disparities.

- b. The Coalition Partner will perform other duties as requested by the COH in furtherance of achieving Grant deliverables.

**CITY OF HENDERSON
CLARK COUNTY, NEVADA**

ATTEST:

ROBERT A. MURNANE, P.E.
City Manager

SABRINA MERCADANTE, MMC
City Clerk

APPROVED AS TO CONTENT

APPROVED AS TO FUNDING

JOSH M. REID
City Attorney

CAO
Review

Jim McIntosh
Finance Director

APPROVED AS TO CONTENT:

Stephanie Garcia-Vause
Director of Community Development and Services

**CITY OF HENDERSON
REDEVELOPMENT AGENCY**

ATTEST:

ROBERT A. MURNANE, P.E.
Executive Director

SABRINA MERCADANTE, MMC
Secretary

APPROVED AS TO FORM:

APPROVED AS TO FUNDING:

JOSH M. REID
General Counsel

CAO
Review

RICHARD A. DERRICK
Treasurer

APPROVED AS TO CONTENT:

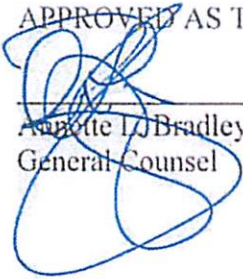
Mark Hobaica
Redevelopment Manager
for **ROBERT C. HERR, P.E.**
Director of Public Works, Parks and Recreation

SOUTHERN NEVADA HEALTH DISTRICT

By: _____
Andrew J. Glass, FACHE, MS
Director of Administration

Date

APPROVED AS TO FORM:

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Annette L. Bradley, Esq.
General Counsel