

**Commission for Cultural Centers and Historic Preservation
September 9, 2019
Meeting Minutes**

Video conferenced:

Room 4412, Grant Sawyer Building, Las Vegas
Room 2134, Nevada Legislative Building, Carson City
and
Conference Calling

1. Call to order by Chairman Robert Ostrovsky, (*the Chair*) at 1:00pm.

2. Roll Call:

Commissioners:

Robert Ostrovsky, Chairman (Board of Museums and History, Governor's Appointee)

Present via Phone

Robert Stoldal, *Vice Chair* (Board of Museums and History) **Present Via Phone**

Judy Michaels Simon (State Council on Library and Literacy) **Present arrived 1:22pm**

Patricia Olmstead (At-Large, Governor's Appointee) **Present Via Phone**

Bill Marion (Nevada Humanities) **Present Via Phone**

Gail Rappa (Nevada Arts Council) **Present Via Phone**

E'sha Hoferer (Native American Representative) **not Present**

Chair determined a quorum was present.

Staff Present:

Rebecca Palmer, Historic Preservation Office
Craig Burkett, Senior Deputy, Attorney General's Office
Robin Reed, Historic Preservation Office
Kristen Brown, Historic Preservation Office
Carla Hitchcock, Historic Preservation Office

Public:

John Eckman, Goldfield Historical Society,
Jolene Supp, City of Wells
Marla McDade Williams, Strategies 360
Dennis Little, Douglas County Historical Society
Janice Beerwinkle, Douglas County Historical Society
Frank Dressel, Douglas County Historical Society
Michele Berney, Fallon Community Theatre
Mike Berney, Fallon Community Theatre
Todd Perlmutter, Hotbed Entertainment Group
Seth Dunlap, Hotbed Entertainment Group
Lara Mather, Historic Fourth Ward School (on phone)

3. Public comment:

The Chair asked for any public comment.

McDade Williams stated that she was here on behalf of the Reno Sparks Indian Colony and though it is not on the agenda, she is here to make an appeal to the Commission to consider having a future agenda item related to NRS 383.440 which relates to repatriation of prehistoric Native American human remains and related funerary objects. Legislation was enacted in 2017 with the intent that regulations be adopted to help guide the process through the state office of historic preservation as it relates to Native human remains and to date no regulations have moved forward. She understands that the state office of historic preservation has done internal policies and procedures and that they believe that what is missing is true consultation with Nevada tribes as these issues move forward. That is her purpose here today. She thanked the Chairman.

The Chair thanked her for her comment and stated that the Commission would take the comment into consideration.

4. Approval of minutes from previous meetings.

4a) May 10, 2019

Motion to approve minutes as submitted: *Vice Chair Stoldal*; second by *Commissioner Rappa*.
No Commissioner comments.

Motion passed 5 Yea, 0 Nay

4b) May 16, 2019

Motion to approve minutes as submitted: *Vice Chair Stoldal*; second by *Commissioner Marion*.
No Commissioner comments.

Motion passed 5 Yea, 0 Nay

5. Status report from the Attorney General's Office concerning the Commission for Cultural Centers and Historic Preservation's action against Eli Mizrachi, ECT Holding L.L.C., King George L.L.C., and Does I-XX.

Burkett thanked the Chair for giving him time to update the Commission on the ongoing litigation involving the Huntridge Theater for the last five years. Since the consent judgement was reached, the AGs office has been taking action to cause the Huntridge Theater to be rehabilitated. The AGs office believes at this time that that best course of action is to file a motion for a permanent injunction seeking two things: that the owners of the building are prevented from destroying the building and secondly that the owners are compelled to rehabilitate the building through the appointment of a Special Master. That is the present strategy that the AGs office has adopted. The Motion is prepared and completed. Mr. Mizrachi declined to accept the offer proposed by the Commission (settlement amount of \$389,925 with continuation of existing covenants) and made no counter offer. *Burkett* stated that the AGs office is aware that an offer has been made by another potential purchaser/buyer by the name of Hot Bed Entertainment. *Burkett* noted that the CEO and Founding Partners were in the audience and would like to explain to the Commission what they would like to do if they were to purchase the building. Their presentation wasn't in his status report.

The Chair thanked *Burkett* for the report and asked what is the timing for the filing for the next motion.

Burkett stated that we are ready to file the motion now. Once it is filed there will be an opposition from either Mr. Mizrachi or his counsel which would be ten legal days and then five days to file a reply. Then there would be a hearing before the same judge as the case is already open which would be two months down the road. That judge would have the authority to appoint a Special Master. Once that is done then the Special Master would get counsel together to try to get agreement on the process to begin the rehabilitation. If Mizrachi refuses to participate and deposit funds into account to rehabilitate the building, there is a provision in the motion that would allow the Commission to take out a loan against the property to pay for the rehabilitation which would take time. The whole process could take a couple of years otherwise the lawsuit cannot be resolved.

The Chair opened the floor to any Commissioner who might questions.

Vice Chair Stoldal thanked *Burkett* for his patience and efforts and that the *Vice Chair* supports the AGs proposal to move forward with a permanent injunction. He would like to suggest a third reason for the motion, and that is the Covenants. That they continue and that they be extended for the period of time that the owner hasn't lived up the them.

Burkett stated that there is a provision in the motion to extend the Covenants.

Vice Chair Stoldal asked if the filing of the permanent injunction amounts to a lien on the property and would that inhibit the sale of the property?

Burkett stated that it would not. The property sale could go on regardless of any action that this Commission takes.

Vice Chair Stoldal what was the next step in the process needed for *Burkett* to file the motion with the judge?

Burkett stated that there is nothing needed at this time as the Commission's previous direction was to proceed with the lawsuit. As this is an action item, if the Commission wanted to go in another direction and ask the AG to reconsider the approach they could.

Vice Chair Stoldal stated that he supports the motion and would like to see it filed as soon as possible.

Commissioner Marion stated that he assumed that the deal that the City of Las Vegas had to purchase the property and then turn it over to the Dapper group has fallen through the cracks.

Burkett stated that they are not privy to the conversations that the City has had but in the last month Brad Jerbic, the city's attorney, has informed him that the City is still waiting and willing to consider that offer again. However, Mr. Mizrachi rejected the deal is what he has been informed.

Commissioner Marion stated that he agrees with *Commissioner Stoldal* that the motion is a good idea.

The Chair asked if any other Commissioners had comments. None were heard. *The Chair* asked members of the public in Carson City from Hotbed Entertainment to come to the table and speak to the Commission.

Palmer asked them to come to the dais so that the Commissioners can see them.

Dunlap introduced himself and Perlmutter. He stated that they came about this property about 4 or 5 months ago when they were doing a search for their entertainment destination business. Their business is to go rehabilitate historic buildings in neighborhoods that will fit their concept of the destination. They recognized the significance of the

Huntridge and were able to work with the owners and get the property under contract. They had dropped a proposal in New Orleans and when the Opportunity zones were developed realized that their business model served the community well in these zones. Neighborhood destination, historic rehabilitation, and sustainable job growth with 150 jobs for the performing arts. In working with *Burkett*, they uncovered a lot of complications with the building. First and foremost, they are historic preservationists attracted to the significance of the building. They see the historic theater which they would maintain and reopen as a theater as a music venue and then with the other structures, that is where they would apply adaptive reuse for a restaurant, bar, retail. All of this anchored by the show, which is an immersive, live performance which would be an ideal fit for Las Vegas. He asked *Perlmutter* to discuss the concept and the job creation aspect of the proposal.

Perlmutter stated that he worked with the Blue Man Group, he owns a restaurant and music venue in New York. He described the team development.

The Chair asked if there were any questions from the Commissioners.

Vice Chair Stoldal thanked them for appearing and stated that there are two significant issues at this point. The first is the current legal situation with the property owner and the second was the sale of the property. He asked about the adaptive reuse and other neighborhood structures that the Commission could look at to see the concept realized?

Dunlap stated that this concept is a new one and he and his wife own the building in New Orleans and met the group through a recent relationship as a landlord of the building and the impact of the opportunity zones. He wished there were completed examples of the realized concept, but they are still examining multiple markets. The Huntridge is the most historically and architecturally significant property they are looking at while working through these markets. The Huntridge is the best venue to prove the concept.

Vice Chair Stoldal stated that he understands and supports the concept and the only way to prove the concept is to move forward. The only complexity is the Covenants that have been on the property for quite a while, beyond that it the process is simple. The real complexity comes from working with the property owner. The numbers that are publicly available for the purchase are in the \$4 million plus and there are some numbers out there, provided with some expertise, that the cost to rehabilitate the building are almost double what the suggested sale price would be. This has held back a number of prospective buyers. Not really asking a question just stating that this is probably the biggest hurdle. He is glad they are talking to the AGs office but should really be talking to *Palmer* about the requirements of the Covenants on the property.

Dunlap stated that they were trying to take the appropriate steps in good faith and with the most amount of transparency. They are in support of the Covenants and the rehabilitation but what they are not certain of yet, and their investors are not either, is if they will be on the hook for some of the financial issues due to the history of this building.

Commissioner Rappa stated that she loved the concept, but she asked if their idea would be to approach the Commission in the future for funding. How does the Commission feel about that?

The Chair stated that the Commission can only fund governments and non-profit corporations and this would likely be a profit-making venture. As such, it would be ineligible to receive funding from this Commission.

Commissioner Marion stated that the Chair had answered his question. Given that they are going for Opportunity Zone tax credits, this is for-profit enterprise.

Dunlap stated that that was correct.

The Chair asked if there were any additional Commissioner questions. None were heard. *The Chair* stated that they had heard the timeline for the Commission's legal action and they will need to discuss this with the property owner and it will likely come up in any buy/sell or other agreement. The Commission has millions of dollars invested in various buildings around the state and has maintained good relations with the owners by being fair but firm. This is the one stumble along the way. The Commission has all along wanted to maintain the Huntridge as an important part of the neighborhood and as a functioning cultural center. *The Chair* wished them success and a sale that would conclude to everyone's satisfaction.

Commissioner Simon asked if the permanent injunction, as described by the AGs office will not prove to be a barrier to the sale of the property.

The Chair stated that yes, that is the advice the Commission received from the AGs office.

Burkett stated that the issue could be part of the negotiation for the sale of the property.

Perlmutter stated that they have been as above-board as possible during the process and in doing their research they have been told by the current property owner that the Covenant will go away if they, Hotbed Entertainment, preserve the building. That has been the source of some confusion during this deal process.

The Chair asked if *Burkett* wanted to comment on that statement.

Burkett stated that he believed that *Perlmutter* was trying to communicate that they agree to abide by the terms of the Covenant that exists on the property.

Palmer stated that she had one update to this agenda item. Her staff will be travelling down to the Huntridge on November 14. We intend to keep up our inspections because it was deemed necessary at the beginning of the settlement on the first and fourth quarter of every year regardless of whether we could gain access to the building even with adequate notice.

The Chair asked if there was a time in the event Commissioners wanted to attend.

Palmer stated that the staff in the audience identified 9:00am. We have not yet noticed the property owner yet, but they will be doing that now. She hoped that he would be able to join us this time.

Commissioner Simon stated that she attended one of the inspections and she believed, based on *Palmer's* reports since that time, that the building has deteriorated since her visit. She stated that the owner was not cooperative, and she is supportive of the inspections.

Commissioner Marion asked *Palmer* when was the last time that the office was allowed in the building.

Palmer stated that they were looking for affidavit that she made stating when the last time they were allowed in the building. She could not find the document but stated she would send the information to *Commissioner Marion* as soon as the meeting closes.

Commissioner Marion stated it was likely quite a while.

Palmer stated that her staff member who performed the last inspection was coming forward.

Brown stated that she believed it was when *Commissioner Simon* was with her.

Commissioner Simon stated that her pictures taken are dated October 11, 2017.

Brown stated that they would confirm the date when they return to the office. The last couple of visits she did not get inside the building.

Commissioner Marion thanked *Brown* and stated that he would like to go on that visit as well.

The Chair closed Agenda Item #5 and he thanked *Perlmutter* and *Dunlap* for attending and wished them luck.

6. Discussion and award of all or a portion of the \$63,793 in reverted funds from CCHP 17- 10 (Neon Museum), \$300 in interest, and \$25,907 of administrative surplus totaling \$90,000.

The Chair introduced the agenda item and indicated that the funding does come with strings attached as far as deadlines for expending the funds go. *The Chair* asked *Palmer* to explain the deadlines.

Palmer explained that the \$63,793 came from the original award to the Neon Museum to rehabilitate the concrete shell of the La Concha Lobby that serves as their lobby. In discussions with that grantee, it became clear that the estimate used to create the application and thus the award amount, was significantly lower than the work would actually cost. She can't explain how this happened, but the estimate was so much lower that they would not be able to accomplish their goal to rehabilitate the roof. In discussions with that grantee, *Palmer* recommended that they would be better off if they were to come back with a more accurate estimate and seek funding in the FY19-20 grant cycle. The individual who conducted the inspection of the roof indicated that it had at least two years of life left before replacing it. The staff felt that it wouldn't compromise the integrity of that fantastic concrete shell by waiting a year or two years, assuming that they were to get an award. And that is an assumption that they were willing to make a bet on. They chose to decline the entire award of \$63,793 dollars. In addition, her ASO found \$300 in interest has accrued on the proceeds awaiting distribution and \$25,907 from administrative costs that staff felt would not be needed in the current grant cycle. *Palmer* stated that all five of the grantees have representatives in the two rooms.

The Chair asked that all the grantees have existing and on-going projects.

Palmer stated that all were eligible to ask for this additional funding because they had received an award in this grant cycle.

The Chair asked about the deadlines for expending the funds.

Palmer stated that all the proceeds for the FY17-18 cycle must be spent by May 31, 2020 and all projects must close and be completed by May 1, 2020. Staff withholds 10% of the total award until we see the final product.

The Chair asked *Palmer* how she noticed the applicants so that the Commissioners can know who these five came forward.

Palmer stated that she sent a letter to all the grantees, except the Neon Museum, that there would be additional funding available. She gave them a deadline of July 12 with a description of projects they could use the funding for with an emphasis on anything that could be considered an emergency or could not have been anticipated when they put in

- their grant application. This was to include an estimate of the costs needed to complete the project.
- The Chair* stated that he hadn't intended to hold a hearing on each request but to open the meeting to any comments the Commissioners might have.
- Vice Chair Stoldal* stated that his normal filter in grant hearings is to apply the statement at the bottom of the review form where the Commission will look at things that are emergencies (roof, foundation, windows) where if they didn't fund it quickly, more damage to the historic integrity of the building would occur.
- The Chair* asked *Palmer* for a brief description of the City of Wells request.
- Palmer* stated that their scope of work was to set the precast caps on the parapet which are now sitting on a pallet in the front of the building. She asked *The Chair* if staff could ask, on behalf of the Commissioners, if this work item will complete the masonry work on the building and if the top of the parapet wall will be protected from water infiltration if the project isn't funded.
- Supp* the membrane is up on the roof so there is some protection to the parapet but not on the very horizontal top of the parapet. What was the other question?
- Palmer* stated that if this work item is funded, would this complete the masonry work on the building?
- Supp* stated that yes, this would complete the masonry work in its entirety. The City of Wells will fund the missing windows, one in the front and three in the back, as they are currently covered in plywood and that isn't adequate protection from the snow. They will be installing the windows this fall.
- The Chair* asked if this request was part of the original application or was it an add to the project?
- Supp* stated that yes, it was part of the original application. However, when they pulled the tarp off of the building, they found that the south side had shifted and they were required to do masonry work on the south side as they worked up to the parapet. So far, the City has had a \$140,000 CDBG grant, \$177,000 CCCHP grant, plus the City's in-kind contribution of about \$40,000 in staff time.
- The Chair* asked if they only received a portion of the request, would they be able to do any of the project, or is this a one-time cost?
- Supp* stated the clearly they could do a portion of the project, but when they have a man-lift out in Well, Nevada which isn't the hub of activities, there are a lot of up-front costs. If they only get a portion of it, then they will only do a portion of the project and will cover the rest with plastic for the winter.
- Vice Chair Stoldal* stated that he still feels that Wells is the hub.
- Supp* stated that she brought pictures, but she didn't realize the separated logistics, so they are at a disadvantage.
- Vice Chair Stoldal* stated that he understands the logistics, but the request is large so it will be challenging. He looks forward to seeing you in the next major grant hearing to continue to work on this major building.
- Commissioner Marion* stated that *Supp* had said they would find some way to secure the building if they only received a portion of the funding and then asked if they received the entire requested amount, would that fully secure the building from the elements?
- Supp* stated correct. They have the membrane roof on, and all the masonry work is done.

Commissioner Marion asked if this would fully secure the building?
Supp stated that that was correct.

The Chair asked for a representative from the Fallon Theater to introduce themselves and describe their short request.

Berney stated that the roof was in worse shape than they thought. There was \$6,800 for a roof patch, but the letter from the contractor indicates that the roof needs to be replaced. The bid was \$61,750 but they could reduce the request down to \$54,950 to remove the amount they were awarded for the roof repair.

The Chair asked if they are experiencing any damage to the interior due to the roof issues?

Berney stated that they have had leaks onto the stage during live performances.

The Chair asked if the patches will be successful?

Berney stated that they will likely be successful, but the roof itself needs replacement. They will work with whatever the Commission gives them but is it worth spending \$6,800 dollars as they will be coming back again anyway.

Vice Chair Stoldal asked *Berney* if the Commission didn't fund this request, does he see this as enough of a priority that they would apply for funding in the next grant cycle? Or is there another project that would be higher priority?

Berney stated that the roof was their number one issue, but that there was a need for a structural engineer to evaluate the building as well. There are also a few other things, but the roof is number one.

Vice Chair Stoldal stated that if a structural engineer is going in to do an analysis that it is likely that the analysis should be done before the Commission spends a significant amount of money on the roof. What is the cost of the feasibility study?

Berney stated that he didn't remember. He thinks his name was Ellis out of Reno and he looked at the building and had a couple of suggestions. He thinks a full-blown one would be \$15,000-20,000 but another committee member handled that.

The Chair asked for a representative of the Fourth Ward School and for a description of the request.

Mather stated that while she loves the building and considers its needs to be urgent, what she has heard so far lead her to believe that her proposal isn't an emergency. There is water penetration in the fourth and third floors, but the roof and foundation are stable. The entire exterior of the building needs to be rehabilitated so they have started at the southeast corner of the building and they are working clockwise around the building as funds are available. With the original CCCHP they have made it around the south side of the building near the Mansard roof. They are finding additional deterioration. Can she do something with a partial award, absolutely. They can keep going with whatever funds are available.

Commissioner Simon stated that she had visited Virginia City and it was good to see the work on the exterior progressing.

The Chair stated that what he understands is that they will continue working on portions of this building and any portion of the money will get you a little further along.

Mather stated absolutely. She supports historic buildings all over the state so that she is happy to step back to support those that are in more dire circumstances. She could take a little less with the idea that she will get a little more next grant cycle.

The Chair asked for a representative from Douglas County High School.

Palmer stated that while they were coming up, she asked, if *The Chair* approved, to describe the history of how they arrived at this number. The \$8,820 is what will be necessary to pay for the redesigned project. We discovered while working closely with the grantee as the Commission requested that to make the project both feasible and consistent with the Secretary of the Interior's Standards, we hired a very well respected structural engineer by the name of Mel Green out of Southern California to come in and take a look at the existing steps to come up with a proposal that would both meet the needs of the grantee to ensure steps are structurally sound and the requirements of the Secretary of Interior's Standards for Rehabilitation. We think we have gotten to that point, but in coming up with the estimate for the cost it is now greater than the original award. They were awarded \$26,580 but the estimate is now \$8,820 more.

The Chair asked for the representative from Douglas County to address the Commission.

Little introduced himself.

The Chair stated that this would finish the project, which was already funded, but turned out to be more expensive. Is that right?

Little stated yes.

Vice Chair Stoldal asked about the different numbers found in the Douglas County letter which states that the additional amount requested is \$10,890. Is the request that number or the \$8,820?

Palmer stated that the staff had their structural engineer look at the proposal from the Douglas County contractor and there is one item in the proposal that staff believes is not consistent with the Secretary of Interior's Standards which is the application of Cortec on the concrete. Staff felt that, consistent with the Commission's policy to adhere to the Secretary of Interior's Standards, this portion of the request could not be funded.

Vice Chair Stoldal asked what the situation is right now with the steps. Are they blocked off, is the public still using them? They seem dangerous.

Little stated that they are rapidly approaching the issue of public safety where they feel that some of the concrete on the top steps is starting to exfoliate and may cause a slip or fall. They monitor that greatly and look at in daily to ensure that there is no public hazard at the moment, but they are rapidly approaching that point.

Commissioner Marion asked about the Cortec. Is that something that they would go ahead and do for the structural integrity and it is just a matter that we are not able to fund that portion.

Little stated that yes, he understood that this portion is there responsibility and his board would kick in with what they do best, fund raising.

Commissioner Marion asked *Palmer* in a corollary to this, does the application of Cortec affect the historical integrity of the building?

Palmer stated that it is staff's and the structural engineer expert they hired opinion that Cortec not be applied to the concrete. If the grantee were to accept the award, the office would

not permit the application of Cortec. We don't feel that the Cortec is compatible with the concrete they are using and could affect the integrity of the steps.

Commissioner Marion asked *Little* if they could do this work without applying Cortec?

Little stated that an alternative application would need to be found.

Commissioner Marion then asked *Palmer* if they would need to have the alternate application approved.

Palmer requested that the question be passed to Robin Reed, historical architect, who has worked more closely with the structural engineer about application of materials on top of the concrete.

Reed stated that the structural engineer felt that Cortec would not be compatible with the Sika products that would be applied to the concrete. Cortec is a rust inhibitor and he felt that the Sika products would perform adequately on their own with no added material underneath them. If there is another product that Douglas County would like to consider, she would have Mel Green look at the proposal and see if it is appropriate.

Commissioner Marion asked *Little* if they were not allowed to put Cortec or another substance on the concrete, are they fine with that.

Little stated that if Cortec were not acceptable under the program, most definitely.

The Chair stated that the last applicant was Goldfield High School, coming forward in Las Vegas.

Eckman introduced himself. Thanks to CCCHP and other funding sources, they have almost completed the structural stabilization of the building. The next step is weatherization of the building. The first is the roof and second are the windows in importance. The roof is the most important, but the windows are cheaper. Most of the windows need reglazing. They are now needing to shovel the snow out of the building when it does get in.

The Chair asked if they only got partial funding, where would they spend it or could they?

Eckman stated that yes, they would be able to use it. Since the storms tend to come from the North and the South, they would do the north and south facing windows first. There are 80 windows overall. The south face has 22 windows and the north face has 22 windows. Those are the most important but will start with the top floors since if they get snow, the melted snow drips down into the second and first floors. They will focus on the top floor first.

The Chair asked if they could focus on one window at a time?

Eckman stated that yes, they calculated that each window will cost \$750 dollars. They hope they get more than one window, but that is the cost.

The Chair asked for the long term, how much longer will this project take?

Eckman stated that the stabilization is complete, the weatherization will take about 5 years, and then they can turn their attention to the interior which will take about 5 years. All of this is dependent on funding, of course.

The Chair asked that in ten years they could be ready for occupancy?

Eckman stated that yes, they could be ready for partial occupancy in ten years. The project has taken ten years, so another ten years will give them partial occupancy.

Vice Chair Stoldal stated that he drove past the building about 6-8 weeks ago and he can see the hours of time the community has volunteered. When he saw the building years ago,

it was leaning one way with boulders that seemed to be pushing it over. A tremendous amount of work by the community and certainly with some funding by this group. He stated that *Eckman* indicated that the windows were boarded up or covered up, but he saw a number of windows that didn't appear to have anything in them and they were exposed to the elements. Please explain what he saw.

Eckman stated that when the school was closed in 1953, the kids started breaking the windows, so the County put boards over all the windows in the 1960's and 1970's. Over the years, the boards started to come off and what you see now are those windows that were damaged and have had plywood or plastic placed on the inside of the window. The building is 50 feet tall so it is hard to get to the outside of the building, so they put the barrier on the inside that has been done by volunteers to seal windows.

Vice Chair Stoldal how many windows on the north side?

Eckman stated that there are 22.

Vice Chair Stoldal so there are 22 windows on each side?

Eckman stated no, due to the room arrangement, there are 22 windows on the north and south side, but there are more than 12 on the east face, but they have already repaired six of them. On the west face, there are 18 windows.

Vice Chair Stoldal asked if they were requesting funding to just put up more boards and plastic or to repair the windows.

Eckman stated that the volunteers can replace the boards and plastic as they deteriorate, but the funding would be to do a final repair because the glass is gone and wooden frames, being exposed to rain and snow, are beginning to sag. Repairing the window with something like that is difficult. The sash needs to be removed, the glass replaced, and then returned. In the long run it is cheaper to do a final repair rather than to do a partial repair.

Commissioner Marion said that he had been doing the figures and he said that there are 22 windows on each of the north and south sides. So, \$33,000, which is half of what they are asking for, would do full repairs on both those two sides?

Eckman stated that that is correct.

Commissioner Marion asked what would be in place to inhibit current or future generations of kids from throwing rocks at those windows?

Eckman stated that the times have changed. There was a time when the members of the community thought that the school was of no use. In fact, they just received a grant to do the front steps and they just learned that in the 1970s the balusters and newel posts still existed, and the kids started tearing them apart. The sheriff deputies stationed across the street said they just let them do it since the building was going to fall down anyway. This is not the 1970's and we no longer expect any type of vandalism will be perpetrated on that building.

Commissioner Marion asked if they would have some kind of educational program that would mitigate that from happening?

Eckman stated that yes, they are considering that. In fact, every year they have begun to celebrate the birthday of Goldfield and every year they go to the schools and instruct the school kids how important the historic structures are in the history of Goldfield.

Chairman Marion stated that he echoed *Vice Chair Stoldal's* statement. He was just in Tonopah and Goldfield two weeks ago and he loves the historic buildings. He thanked the organization for its efforts.

Commissioner Rappa asked if this were a project that could be done before winter? With a May 2020 deadline, can they begin soon?

Eckman stated that they can begin work as soon as the funds became available. The wind-driven moisture mainly affects the north and the south and they could have the windows done before those fronts come in.

The Chair recessed the meeting for a break at 2:30pm

The Chair reopened the public meeting at 2:42pm

The Chair asked *Commissioner Marion* to give the Commission his ideas.

Commissioner Marion stated that they had a small amount of money to give since this is new money and isn't the big grant session. He likes things to get done rather than partially done. With just \$90,000 his recommendation would be to fully fund the El Rancho Hotel roof repair, fully fund the Douglas County High School step rehabilitation, \$33,000 towards the Goldfield High School so that we can get at least half of that building done, which leaves \$15,930 and he would encourage Fallon Theater to come back for the full funding in the next go round, and then they apply the full \$15,000 to the Fourth Ward School.

The Chair asked *Vice Chair Stoldal* for his recommendation.

Vice Chair Stoldal said that the two he took off the top were Douglas for \$8,820, Goldfield for \$33,000, and Wells for \$32,250 which left him with \$15,900. Then he went over his notes. Fallon felt they had enough money to continue the repair but not enough money to do the feasibility study. So, he left Fallon with zero with the remainder of \$15,900 going to Fourth Ward. However, he could be talked into something for Fallon. So, it is Douglas \$8,820, Wells at \$32,250, Goldfield \$33,000, and Fourth Ward at \$15,900 would be his recommendations at this point.

Commissioner Simon stated that she agrees, she would like to see some of the projects get completed, which would be El Rancho and the Douglas High School steps for \$8,820. Other than that, she could be persuaded. She was impressed with the bad roof on the Fallon Theater. But she doesn't know if they have the total funds to do the roof replacement, so she is a bit at a loss about that. She would like to see some money go toward Goldfield High. She liked the fact that you gave us the \$750 per window estimate so that whatever we give would be inspirational to that community and to that project.

Commissioner Rappa stated that she was going to agree with that, Wells and Douglas should be fully funded. However, she is a little concerned about not giving Fallon anything but she is still a little unclear what they can get done if they give them partial funding especially if it is a patch work issue. She wasn't certain on that one. She appreciates that the Fourth Ward is willing to step back, especially if they are going to come forward in October for a larger sum of money. Perhaps we can eliminate that from the total. Then perhaps distribute the money more evenly.

Commissioner Olmstead stated that her top three were Douglas High School, Goldfield High School, and El Rancho so that they can do what they need to do and then anything left from there could go to the other entities.

The Chair stated that it looks like Douglas there is no question at \$8,820, Wells it looks like \$32,000 and everyone is in agreement there, the only difference between him and everyone else's is that he heard that they wanted to come back in the next cycle to get the whole roof done but in order to do that they needed to get some structural or engineering studies done with numbers such as \$15,000 the only difference is that he would give them that money to fund the study so if they got that this would reduce Goldfield to \$25,000 and Fourth Ward to \$10,000. He appreciates that Fourth Ward is willing to step back and he hears Goldfield willing to do the same thing. It is a really long-term project that we need to continue to put money into. The only difference is Fallon really. He was trying to remember where everyone was on Fallon.

Vice Chair Stoldal stated that he really like the idea of a structural feasibility study. He doesn't know what will come up during the next full session but doing something like that now is a good idea. However, we didn't really have a good estimate as to what such a study would cost as he was giving us a best guess. *Vice Chair Stoldal* asked *Palmer* if they could move this money over to a feasibility study?

Palmer stated that the Commission determined a number of years ago that feasibility studies, structural reports, Historic Structure Reports, and current condition assessments were all eligible for funding because they would result in construction.

Vice Chair Stoldal asked *Palmer* if she had any idea what such a feasibility study for Fallon would cost. Is it \$10,000 or \$15,000?

Palmer stated that we don't have any current estimates on what such an analysis might cost. However, one option might be that we could use our structural engineer to come in and perform that analysis. He is already on contract with us already, if you wanted to put \$15,000 towards that, he could be reimbursed through the grantee.

Vice Chair Stoldal stated that they had already locked down Douglas County and Wells, although they don't have a complete number for locked down for Goldfield but one of the numbers is \$33,000. So, if we gave Fallon \$15,000 that would leave \$900 dollars for Fourth Ward. What if they reduced Fallon to \$10,000 or \$12,000, would we still be in the ballpark for a feasibility study?

Palmer stated that yes you are. We had this structural engineer come out to look at a brand new state park, Walker River State Park, which they had acquired 9-mile house which its predecessor reported was lived in temporarily by Mark Twain when he visited is an unreinforced masonry building and the small report cost approximately \$5,000. We would want something a little more detailed and complex for the Fallon. But yes, you could easily get that for \$12,000.

Commissioner Rappa was double-checking that if we do Douglas and Wells at the full amount and Fallon at \$12,000 with \$20,000 each for Goldfield and Fourth Ward, does that come to about \$90,000 or \$91,000?

Vice Chair Stoldal stated that his challenge with that though is that Goldfield is more of an emergency than Fourth Ward. He would move Goldfield to \$30,000 and Fourth Ward to \$10,000.

Commissioner Rappa stated that that seemed fair.

Commissioner Marion is concerned about leaving Goldfield at \$30,000 unless we knew they could come up with the additional \$3,000. Otherwise what we will do is have one side finished and another side with six windows not finished. Those windows will be on the ground floor, as the applicant said, it is the upper floors that allow more snow in. It is going to weird if we have half of one side done and not the whole thing done. He is fine with \$15,000 or \$10,000 going to Fallon for structural study, but if we do Goldfield, we should fund the windows for two full sides.

The Chair asked if that was two full sides or one.

Commissioner Marion said that it was two full sides. There are 22 windows on each side and that comes to \$16,500 for each side. To do both sides fully would be \$33,000.

The Chair thought it was \$60,000 to do two sides?

Commissioner Marion stated that it was \$60,000 to do the whole building but it is \$33,000 to do the two sides.

The Chair asked *Eckman* if that was correct.

Eckman stated that it was.

Vice Chair Stoldal that the numbers he would like to propose are \$8,820 for Douglas, \$10,000 for a study for Fallon, \$32,250 for Wells, \$33,000 for Goldfield, with the balance going to Fourth Ward with a special Scout honesty category.

The Chair stated that they had a proposal from *Vice Chair Stoldal*, and he asked if there were any comments from the Commissioners.

Commissioner Marion stated that he would support that.

Commissioner Simon stated that she supported that.

Commissioner Rappa stated that she supported it but asked what the balance is going to Fourth Ward?

Vice Chair Stoldal stated that there was about \$7,000 and change.

Commissioner Rappa stated okay.

Palmer asked *Vice Chair Stoldal* to repeat those numbers.

Vice Chair Stoldal stated \$8,820 for Douglas, \$10,000 for Fallon, \$32,250 for Wells, \$33,000 for Goldfield, \$5,930 for Fourth Ward. He wondered if they could add an asterisk to that, which would be that any of these applicants were unable to expend these funds, they would go to Fourth Ward.

Commissioner Rappa stated that she would second that motion.

The Chair asked if *Vice Chair Stoldal* would like to make a motion.

Vice Chair Stoldal made a motion to approve the following distribution:

\$8,820.00	Douglas County High School	Douglas County Historical Society
\$10,000.00	Fallon Theater	Fallon Community Theater, Inc.
\$32,250.00	El Rancho Hotel	City of Wells
\$33,000.00	Goldfield High School	Goldfield Historical Society
\$5,250.00*	Fourth Ward School	Fourth Ward School Foundation-

*Any remaining funds not used by other grantee would be reassigned to the Fourth Ward School.

Commissioner Marion seconded the motion.

Motion passed 5 Yea, 0 Nay

The Chair thanked the applicants and wished they could fund all the projects fully, but they can't. But hopefully there will be a more robust funding cycle next time which they will discuss in just a minute. He is proud that some of these projects are getting there. As *Commissioner Marion* said, it is a milestone. He thanked all of those who visited today and travelled to one of these locations to answer their questions and make your proposals.

7. Review and approval of two draft documents required for the Commission for Cultural Centers and Historic Preservation grant cycle for fiscal years 2019 and 2020.

7a) Commission for Cultural Centers and Historic Preservation Information, Application Form and Instructions.

The Chair asked *Palmer* for a description of the documents with an emphasis on any changes that were made since the last grant round.

Mather thanked the Commission for what they had granted the Fourth Ward School which they will use for repairs. She asked if the Commission needed the grantees on the line for the remainder of the meeting.

The Chair stated that no, unless they wanted to make public comment on the remainder of the items on the agency, they were free to leave.

Mather thanked the Commission again.

The Chair asked *Palmer* to continue.

Palmer stated that the draft was not significantly changed from the application last cycle although this agenda item also contains a tracked changes version to see what exactly was changed. She also noted that in the tracked changes version there are comments on items with a "Staff Recommended" change. These are just recommendations that the staff feels can be made, but the Commission can decide to either take or not.

Vice Chair stated he had a procedural question concerning the page titled *CCCHP Grant Program Application Checklist* on page 3. He made a number of comments on this page. For example, bullet point 5 asks the question "have you labelled the photographs in your application". What are we asking them to label (the date, the photographer, the location) what should be on the photographs that would be on the label? At bullet point 7 the questions are also about photographs. He is wondering why all the questions about photographs are not in the same location. For this minutia type changes, can those be simply sent up to SHPO or do we need to vote on these things?

The Vice Chair stated that it is an action item that the Commission is going to vote on, if he has time to note the changes and have the staff make them.

Palmer stated that *Burkett* can enlighten us but her understanding that if the changes are discussed, the Commission can make a motion to accept the document with the changes that you described.

Burkett stated that that was accurate.

Palmer stated that combining the items about photographs certainly makes sense. If the Commission agrees to the "Staff Recommendations" that is exactly how the changes would look.

Vice Chair stated that there are a few more. For example, on the application form page, page two, it says that "Part One is the application cover page that provides the Commission with a quick and concise overview." We can remove the word quick. The comments range from that type of comment to more substantive types of comments that are meant to clarify. For example, on the last bullet point on the CCCHP application it asks, "Do you have one copy of the audit?" But on copy of what audit? Is an audit required to be part of a grant submission? Is that a requirement of a grant application? Would it be possible for him to send these questions to staff and if they felt that a change was needed, they could make that?

The Chair asked *Palmer* if she had an answer to the question about the audit?

Palmer stated that an audit has always been required since she started working with the program. She can do some research to see if there is an IRS requirement for an audit or whether this was a state requirement but it has been a required element of our grant process in the past.

Vice Chair Stoldal stated that was his question. As he goes up that list some of the things in parentheses are required, others are not. Near the bottom, there are things that are required and other things that the applicant might not know are required or not required. Either we put a statement at the top of the page that all of the things below are required or something else.

Commissioner Marion stated that as a public relations firm, they respond to RFPs frequently. This is simply a checklist. This corresponds to the requirements set out in the RFP. All this is doing is making certain that I am not leaving something out that I was supposed to put into it. This isn't a checklist that gets submitted with the application.

Vice Chair Stoldal asked why some are required, such as photographs of all major rooms.

Commissioner Marion stated that for example, photos of all major rooms would not be needed if the request for rehabilitating a sign since you would not be doing any interior renovation. That would be required if you were submitting a proposal that was doing rooms.

The Chair asked if it would be good enough to ask staff to reorganize this list into what is required and what other items the Commission may consider. He is trying to remember the discussion on audits. The Commission has granted some very small awards to small non-profits that didn't otherwise have an audit. They are so expensive, and we waived that requirement. *The Chair* asked *Palmer* if there is a way to reorganize the list into required items and items that they should be prepared to submit if they have them.

Palmer stated that yes, we can reorganize this list into required elements and elements that would be helpful to include for Commission review. She stated that the Commission has the ability, if it chooses, to waive other requirements that are not required by law or the requirements of the General Obligation Bond funded program as well.

The Chair stated that if the other changes were clerical in nature, *Vice Chair Stoldal* could work with the staff to edit as he doesn't believe that they are substantive changes in any way. Reordering the list is more substantive and does require action and can be part of the motion. He asked if other Commissioners had questions about this document?

Commissioner Rappa stated that she agreed with *Vice Chair Stoldal* about the order. Having completed these applications in the past, anything that can be done to reduce the confusion is a good thing. The second list of not required but highly recommended should be worded so that it doesn't look like the Commission isn't dismissing them and she wouldn't use the word optional. Something that lets the applicant know that if they have this information, they should include it.

The Chair stated that he would accept a motion to approve Item 7a with proposed changes by staff along with the suggest changes made at today's hearing.

Motion to approve Item 7a with proposed changes by staff along with the suggest changes made at today's hearing: *Vice Chair Stoldal*; second by *Commissioner Rappa*.

No Commissioner or Public comments.

Motion passed 5 Yea, 0 Nay

**7b) Commission for Cultural Centers and Historic Preservation Grants Manual
General Administrative Guidelines Fiscal Year 2019-2020 with all attached
documents.**

The Chair asked *Palmer* to give an introduction.

Palmer stated that 7b is the actual grant manual with all of the attached documents. 7b consists of two parts. The first one is the proposed manual with all of its parts. The second part is the tracked changes version with only the attachments that have been modified. Those that were not included in the second piece of 7b were not modified from the last grant cycle.

The Chair asked *Palmer* if she would classify any of these changes as substantive?

Palmer stated that no. However, you will note that there are places in the margins where there are “staff recommended” changes the Commissioners should note.

The Chair asked the Commissioners if they had any questions about the proposed changes to the grant manual.

Commissioner Rappa asked why *Palmer*’s name is removed as grants manager?

Commissioner Simon said that was her questions as well. Please don’t say that it is because *Palmer* is leaving.

Palmer stated that she will be present, however we are considering a reorganization of the State Historic Preservation Office and one of the changes that will occur is that we are hoping to have a position dedicated to the grants and projects that her division manages so that there will be a dedicated staff person for the CCCHP instead of her trying to do it when she has a few free moments. She is still around, at least for today, but she is assigning this task to *Carla Hitchcock* who is sitting in the audience and is more than capable of managing the administration of this grant program on a daily basis.

The Vice Chair stated that on page 6, the dollar figure in the last paragraph has been reduced from \$2,950,000 to \$2,850,000.

Palmer stated that actually the original number was \$950,000 which was the award from the grant cycle FY17-18. This is the problem with tracked changes, it is hard to see what it actually should be. That is why she included both documents so that you can see what the clean version looks like. If you turn to page 6 in that version, you will see that it is \$2,850,000 which is the proposed sale of bonds for the FY19-20 cycle minus the *de minimis* amount allowed for administration.

Vice Chair Stoldal asked what was it two years ago?

Palmer stated that in FY17-18 the amount was \$950,000.

Vice Chair Stoldal asked what happened to the \$100,000?

Palmer stated that it was \$950,000 with the total bond sale being \$1,000,000 with \$50,000 used to cover administrative costs, the 5% *de minimis*. We have returned \$25,000 of that in this reverted \$90,000 award.

The Chair stated that the difference then is the proposed administrative costs that were taken out, is that correct?

Palmer stated that that is correct. The total bond sale for FY17-18 was \$1,000,000. We are allowed to use 5% for administrative costs so the awards totaled \$950,000.

Vice Chair Stoldal stated that his confusion was that he thought they had received \$2,950,000 last time when in fact we only received that million. So, we have gone up substantially.

The Chair asked if there were any other questions? None were heard. *The Chair* stated that he will accept a motion to approve 7b.

Motion to approve Item 7b: *Vice Chair Stoldal*; second by *Commissioner Simon*.

No Commissioner or Public comments.

Motion passed 5 Yea, 0 Nay

8. Discussion and scheduling of application submission deadline and grant hearing for CCCHP grants for fiscal years 2019 and 2020.

The Chair asked *Palmer* to describe what she thinks is the optimal schedule for her staff and for those seeking grants.

Palmer stated that on May 16, the Commission meet and requested that staff come up with a draft schedule for the FY19-20 cycle. Staff has done that using guidance provided by the Commission. The Commission expressed the desire that the applicants should have more time to prepare applications and did suggest the end of February as a potential due date. Staff followed that guidance and then built in time for Commission review and staff review of the applications and came up with what she thinks is a reasonable grant cycle schedule.

The Chair stated that he didn't have the document.

Palmer stated that it is labelled Agenda Item 8 and should be in their packets but is also located on the table in the meeting room.

Commissioner Marion stated that it was also online.

Palmer stated that for those who do not have copies, it is also online on our website as Agenda Item #8. She proposed October 1 for when applications would be available either on our website or in hard copy. Staff would make that announcement to all parties who requested to be on our mailing list. She was recommending Friday, February 28, 2020 to have applications due in the office or postmarked. The Commission requested that the applicants have as much time as possible so that we can get really good estimates for grant applications. The Commission had suggested the end of February, so she went with that date. Monday, April 27, 2020 is a proposed date by which staff would send all of the applications to the Commissioners. This would afford both her staff and staff from her sister agencies who would like to participate in the Commission's activities in Libraries, Arts, Humanities, and Museums to participate as well. That should be sufficient time, an entire two months, all of March and most of April, to review applications. Given the fact that there is \$3,000,000, or a little less, but three times what we had previously available. Given the trends, there will likely be more applications so staff will need sufficient time to review those. The Commission had suggested a possible grant hearing in June 2020.

The Chair stated for everyone's information that when the do establish a hearing date, given the \$3,000,000, will likely take two days. We will send out a Doodle much later to determine your availability. *The Chair* asked for comments on the proposed schedule.

Vice Chair Stoldal stated that they had February 28, 2020 and April 27, 2020 as specific days, he would like to get two specific days in June. If we can get to April, we can get to June.

He hopes *Palmer* and Commissioners can lock down those two days as soon as possible.

The Chair asked if someone would like to make a motion to approve Agenda Item 8.

Motion to approve Item 8: Vice Chair Stoldal; second by Commissioner Simon.

No Commissioner or Public comments.

Motion passed 5 Yea, 0 Nay

9. Public Comment:

The Chair asked for public comment.

Berney thanked the Commission and stated that the Commission does a great job.

The Chair thanked *Berney* and the Commissioners for taking time out of their day to help these applicants in these communities who work hard, and Commission appreciates their efforts, more than they can probably imagine.

10. Adjournment at 3:24 pm.