

OUTLINE OF PUBLIC HEARING CONDUCTED IN THE NEVADA STATE ASSEMBLY CHAMBERS, 54TH SESSION, BY THE COMMITTEE ON STATE, COUNTY, AND CITY AFFAIRS, FEBRUARY 24, 1967: 49

Chairman Hilbrecht opened the hearing at 11:00 a.m. and introduced the members of the Committee present: Bud Garfinkle, Hal Smith, Joe Dini, Howard McKissick, Clinton Wooster, and Bryan Hafen. He announced that the purpose of the hearing was to allow presentations to be made by those interested in the urban renewal legislation, namely--AB 141, AB 229, AB 242, AB 309, and SB 259.

He outlined the procedure the committee would follow stating that the introducers of the bills would be heard first, then the spokesmen for the various groups represented, and the others who wished to be heard.

The purpose of the hearing, he stated, was not to count those in favor of and those in opposition to the pending legislation, but to receive information on the various points of view in order that the committee could report the bills to the assembly accordingly.

Senator Coe Swobe was introduced as the sponsor of Senate Bill 259.

Senator Swobe stated that in conjunction with Senator Slattery this legislation had been introduced in the Senate this date. The summary of the bill is that it requires voter approval of urban renewal projects. The intent of the bill is that the people of the community should be able to vote on any project approved by the governing body of the community at a regular or special election.. When asked how this bill compared with AB 141, Senator Swobe explained that it pertained to specific projects only and was not an urban renewal approval or disapproval election measure.

Assemblyman Paul May, the sponsor of AB 141, stated that he had prepared a statement for the presentation of this measure. He read the statement, copy of which is appended to this outline. He stated that an amendment to AB 141 was being prepared that would exclude from the bill any projects for which contracts had been consummated with the federal government 90 days prior to enactment. Mr. McKissick suggested consideration be given to exclusion of any projects prior to July 1, 1967.

Chairman Hilbrecht clarified that AB 141 was a one-time vote measure only and differed from SB 259 requiring project-by-project voter approval.

Chairman Hilbrecht in introducing Mr. Curtis Blyth of the Nevada Municipal Association explained that Mr. Blyth's association had requested the committee to introduce AB 229, 242, and 309. He explained further that introduction by a committee did not signify the committee's approval of the bill but merely placed the bill in a position for consideration.

Mr. Blyth stated that AB 229 had been drawn to assure the right to ballot. Action under urban renewal law, if done by ordinance rather than resolution, would allow the people to call for an election if they so desired. Ordinance actions are subject to referendum. He said that the "Rose Garden" plan was done by resolution and no election was involved.

His association supported AB 242 so that ad valorem taxes levied for urban renewal development would go in a special fund to pay off any indebtedness resulting from the project.

The purpose of AB 309 was to give the city an opportunity to cancel out delegated urban renewal powers if deemed advisable. Under the present act the powers delegated to the urban renewal agency cannot be revoked and the association felt that the city should have the authority to revoke the delegated powers by cancelling them out.

Chairman Hilbrecht introduced City Manager Clay Lynch of North Las Vegas who in turn introduced Mr. Ken Reynolds, a spokesman for the group opposing AB 141. In the presentation it was developed that the City of North Las Vegas has already contracted for the "Rose Garden" development with the federal government. The effect of AB 141 even with amendment could jeopardize the project and invalidate the contractual obligations. Mr. Reynolds stated that there are 211 property owners in the area and that of them only 78 are qualified electors who live in the area. He stated that the property in the area is so poor that it could not stand code enforcement. He stated that AB 229 and 242 were not opposed but that AB 141 could have detrimental effects on the progress begun to use federal funds to improve the "Rose Garden" area of North Las Vegas.

City Manager Lynch presented the committee with the Assessor's Certified List of Freeholders supporting the "Rose Garden" development. Also an opinion survey showing support of the Cartier Avenue urban renewal plan was submitted.

Mr. L. L. Boozer was introduced and also supported Mr. Reynolds position saying the intent of AB 141 seemed to be "to stop Rose Garden". He favored the progress of and continued development of the Rose Garden project.

Mrs. Elsie Chesley presented the committee with a petition opposing AB 141 but also supporting AB 229, 242 and 309.

Mr. Bill Turner, of the North Las Vegas Improvement group, spoke in opposition to AB 141 stating it would stop the development of a blighted area and stated that the proposed amendment would have to be studied before he would express any approval of it.

Mr. Clay Lynch stated that the City Council of North Las Vegas had authorized him to express their opposition to AB 141. He stated that required elections were delaying in nature and that he felt that properly handled public hearings would perform the function of allowing the peoples affected to be heard.

Mr. J. W. Garehime was introduced and identified himself as the President of the North Las Vegas Taxpayers Association. He spoke at length in support of AB 141 stating that when the Federal Government and Local Governments become "married" in the development of urban renewal projects that the locality should have the opportunity to vote on the proposal. He said that he was not opposed to the "Rose Garden" program if it were legal and met with the total approval of the community involved. He stated further that a community could be likened as an entity to the human body. He said that if within a community a part of it was objectionable that the total community should find the remedy within itself in preference to seeking outside areas of assistance. He stated that by allowing a total community vote AB 141 was affording the people the safeguards they should have before the so called federal, local marriage is effected.

Mrs. Dorothy Ames and Elsie Denning, both resident in areas affected by North Las Vegas urban renewal projects, stated that they supported AB 141 on the ground that a vote of the people whose property was directly affected should be had prior to forcing those people to give up their property. The plight of those of lower income or pension status who have maintained their homes being forced to relocate without sufficient compensation was accented in their presentations.

Nevada State Senator Alleman stated that if the committee took any action favorable to AB 141 that would prevent completion of the Rose Garden project that they should take some of the Las Vegas Taxpayers money to go and view this area.

Mr. Ralph Kraemer appeared before the committee to present his position as an engineer and developer in relation to urban renewal. He submitted reprints from The National Observer of August 23, 1965 of articles supporting referendum approval for urban renewal projects and outlining the voter disapproval of urban renewal projects that have been submitted to the voters. In opposition to urban renewal were the relocation problems encountered in effecting replacement of the people having business or home properties in the areas affected. He submitted copies of the Final Relocation Report issued by the Urban Renewal Agency of the City of Las Vegas covering the Madison School Project (Nevada R-6). He quoted from the report: "One of the major problems encountered in the relocation of mobile home occupants was the refusal to admit racial minority groups to other trailer parks throughout the city; hence, the Agency was forced to refer displaced persons to the one constructed trailer park accepting minority race families. The problem encountered was the prohibitive rent, about which all displaced families complained. Even though our policy is to relocate families to accommodations priced within their means, we had no alternative but to refer the displacees to the only available trailer park, regardless of the rental rate."

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Mr. Kraemer stated that the original intent of federal legislation establishing urban renewal over the years had become twisted and misused.

Chairman Hilbrecht reminded the speaker of the germane issues being considered and asked that the presentations be kept as nearly as possible to those issues.

Mr. Kraemer concluded his presentation by stating that the legislature would be at great fault if the people were deprived of the opportunity to vote on the approval or disapproval of urban renewal developments.

The Director of the Urban Renewal Agency of Reno, Nevada, Mr. Griswold, was introduced. He stated that they were opposed to AB 141 because of the delaying actions it would entail and also because of the increased project costs that it would lead to. It would also lead to the possible amendment of contracts already consummated. He further stated his opposition to AB 229 in that it required the ordinance petition process and that an alternative could be the use of the public hearing for presentation of the views of interested parties. He stated that the idea here seemed to be an expression of "no confidence" in the elected and appointed officials whose purpose it was to facilitate accomplishment with as little delay as possible. He stated that they were in favor of AB 309.

Mr. Lattimore, City Manager of Reno, supported the position stated by Mr. Griswold.

Mr. George Ogilvie of Las Vegas stated the City of Las Vegas had no serious objection to AB 141 if the amendment suggested by Assemblyman May would support North Las Vegas' presentation. He said he supported the ordinance over resolution proposal and most certainly the power of rescission of authority granted to urban renewal agencies.

Mayor Hampton of Henderson, Nevada was introduced and stated that he had no observation other than that he was opposed to AB 141 as such.

Mr. Robert Sloan asked to be heard. He stated that he represented the people of Reno who had voted against urban renewal and that the position of his group was a matter of public record. He stated they were not in favor of AB 141 but that they did favor AB 259.

Chairman Hilbrecht thanked all of the people who had come so far in many cases to make their presentations and had given the committee the benefit of their viewpoints.

The meeting was then concluded.

(NOTE: All of the petitions and reports presented to the Committee at the hearing are on record with the official Committee Records and are available for reference or study from the Committee Secretary.)

Mr. Chairman,
Members of the Committee on State, County and City Affairs,
Distinguished Guests:

Let me personally thank each of you for taking the time away from your homes and businesses and at your own expense appearing here for this public hearing today on AB 141. With your permission, Mr. Chairman, I shall address my remarks to the members of the committee for they, representing, a cross section of the entire Assembly, shall have the responsibility of deciding whether AB 141 be voted out of committee with a "do pass", a "do not pass" or a "no recommendation" vote, or even with the responsibility of letting the bill die in committee.

AB 141 was drawn originally as having two basic objectives, the first of which being to hold completely all of those urban renewal projects underway within the State of Nevada until such time as the participating agencies in Nevada communicate with the Federal Government and ask them for a release from their contractual obligations. The second objective was that which would, upon passage of this bill, require all future urban renewal activities in the state first be referred to a vote of the people on a city by city basis.

Today, however, I am prepared to offer an amendment to this bill which would require that only those projects started within the last 90 days be subjected to communication with the Federal Government and thusly in no way affecting any urban renewal projects that have been under for a period longer than 90 days.

Nevertheless, this legislation is no longer an urban renewal bill as such but has turned into a much more important decision that you members of the committee will be obliged to concern yourselves with and that is - at what point do you draw the line with respect to what issues do the people have a right to vote on directly. Constitutional changes require a vote of the people. Mergers, bond issues and several others of prime importance to the voters of the state as a whole require their approval.

I submit to you that an item as controversial, as final in its effect on the lives of the people involved, and as encompassing as urban renewal activities can only be settled by a vote of the people. I would only ask each member of this committee to look around this room and ask yourself - can you fairly in your own heart - make a decision that you truly believe will represent a majority of the voters you represent.

As the sponsor of AB 141, I hereby ask for a "do pass" recommendation from the committee.