

MINUTES

GOVERNMENT AFFAIRS COMMITTEE
& CLARK COUNTY DELEGATION
WEDNESDAY, MAY 4, 1977

Members Present: Chairman Murphy
Mr. Craddock
Mr. Jeffrey
Mr. Mann
Mr. May
Mr. Robinson
Mrs. Westall

Members Absent: Mr. Jacobsen
Mr. Moody

Clark County
Delegates Present: Mr. Banner
Mr. Bennett
Mr. Chaney
Mr. Demers
Mr. Dreyer
Mr. Harmon
Mrs. Hayes
Mr. Hickey
Mr. Horn
Mr. Kissam
Mr. Price
Mr. Ross
Mr. Schofield
Mr. Sena

Clark County
Delegate Excused: Mrs. Brookman

Senators Present: Senator Ashworth
Senator Neal

Guests Present: See attached

In the absence of the chairman of the Clark County Delegation, Mr. May, vice chairman of the Government Affairs Committee, called the meeting to order in Room 214 at 7:15 p.m. Mr. May explained that the purpose of the meeting was to explain to the Clark County Delegation and the Government Affairs Committee the first reprint of SB 503 which enlarges the boundaries and city commission of

Las Vegas and to try to reach a consensus on the bill. He introduced Andrew Grose, Research Director of the Legislative Counsel Bureau.

Mr. Gross enlarged upon his summary of the provisions of SB 503 which is attached as Exhibit A, emphasizing the changes between the original bill and the first reprint. The first three sections of the bill are unchanged, guaranteeing to North Las Vegas, Henderson and Boulder City the current percentages of the three distributive taxes: liquor, cigarettes and city-county relief tax.

Section 4 has been amended out. Half of what it repealed was already repealed in another bill and the other half would have repealed the prohibition on cities in Clark County soliciting annexation. This has been removed so that the prohibition will remain.

Section 5 is a substantive section which expands the Las Vegas city commission from four to eight members with eight wards, each having an advisory council. The change between the original and first reprint is that all details on the advisory council in the current version are left to ordinance of the city commission.

Sections 6, 7, 8 and 9 are charter amendments necessary to keep the charter internally consistent with the change from four to eight on the city commission.

Section 10 prohibits the City of Las Vegas from levying a utility franchise tax any higher than that existing in Clark County now (1% of gross receipts). This would allow the city to levy a tax equivalent to but not greater than the county.

Section 11 is significantly changed in the first reprint. Originally there were two entities voting: (1) the city and (2) all areas proposed for addition. Now there are two entities for the purpose of determining whether this bill will become effective: (1) the city and (2) Winchester and Paradise, plus a couple pockets of unincorporated areas outside of any of the four unincorporated towns. For the bill to become effective, the two entities will each have to vote for it. Additional questions are whether Sunrise Manor and East Las Vegas will come in. They will be treated individually and they can come or not depending upon the vote just in their area. They will not figure in determining whether there is a majority for or against.

Mr. Grose called attention to the necessity for a couple amendments to Section 11, page 8, line 6 which should read "A or Area B," not "A and Area B." Line 8, after the word question, the words "is negative" should be inserted. The area north of Lone (?) Mountain is not part of Sunrise Manor and should not be included as shown on map.

(Pointed to areas on map)

Mr. Demers asked why Curtis Park and the northwest quadrant were included. Senator Ashworth replied that the only thing that would lend to not putting them in is the tax base, but under the guidelines of contiguity that were used, as well as density and services, it was felt they should go in.

Continuing with his explanation, Mr. Grose stated Section 12 is a legal description. The legal description could be made to fit that of Sunrise Manor or it could simply be stated that the area under question will vote with Sunrise Manor.

Section 13 is transitional, setting up two-year terms so the four new commissioners can be staggered, two and four, two and four.

Section 14 is an expression of legislative intent that property and equipment should follow services, whatever is transferred, liabilities as well as credits. Logically, if this were to pass, city and county could work this out by inter-local agreement and whatever they couldn't work out would be a problem for the legislature in two years.

Section 15 is different from the first version. This represents language on the merger of the fire departments as expressed in AB 613.

Section 16 comes out of SB 601 and is a guarantee to the people of Sunrise Manor that those served by the North Las Vegas water system will not be treated differently from residents of the city in rates or hookup fees.

Section 17 was added to the first reprint. It is an attempt to "grandfather" the zoning that now exists in the area that would be added into Las Vegas zoning system so it could not be changed except by normal rezoning procedures provided by the City of Las Vegas.

Section 18 has also been added in the first reprint. It is the main item that came out of the public hearing in Clark County: an open-ended moratorium on incorporation of new cities in Clark County or on annexation to existing cities, except by 100% petition.

Section 19 is time phasing. There is a technical problem in this section also; i.e., two different effective dates are given for Section 11.

Senator Ashworth suggested that if this section must be amended, consideration should be given to making it a provision of the bill that it become effective on passage and approval, eliminating the possibility of any annexation occurring between the end of the session and July 1 when the rest of the bill will become effective.

Mr. Demers asked whether the boundary lines are set in conjunction with the unification movement going on in Las Vegas or whether the bill supersedes the movement. He also questioned whether this bill overrides the unification.

Mr. Grose replied that the Select Committee that developed SB 503 chose the petition boundaries from the three choices of petition boundaries, SB 601 boundaries and other boundaries. He stated this bill would override the unification movement, especially if Senator Ashworth's suggestion for timing were adopted in Section 19.

Mr. Dreyer expressed concern about Section 11, Subsection 15, because a vote in Sunrise Manor is dependent upon the vote in Winchester and Paradise which he considers could be unconstitutional. Therefore, it is his intent to introduce an amendment stating the legislative intent that if the people of Sunrise Manor vote "yes," they will be annexed. He reiterated that the way the bill reads all four entities have a right to vote but the only way the bill becomes effective is for the City of Las Vegas, Winchester and Paradise to unanimously vote "yes," which eliminates Sunrise Manor even if it votes "yes," if one of the other votes "no."

Mr. May pointed out another problem: Sunrise Manor is contiguous to Las Vegas and should those people indicate a willingness to consolidate, it could occur, but what provision is made for an entity like East Las Vegas which may vote "yes" but lacks contiguity to the city.

Mr. Price stated Mr. Dreyer had the legislative intent drawn up in the form of an amendment which he requested. In response to Mr. Jeffrey's question, he answered that they are requesting a form of dual majority, that Winchester and Paradise would be able to vote yes and no as would Sunrise Manor and East Las Vegas.

Answering Mr. Demers question as to whether amendments should be by committee or by an individual, Mr. May restated the committee intent to reach a consensus.

Mr. Demers stated his belief in the concept of annexation but voiced his concerns for the residents of the northwest quadrant which lacks many services, such as sewers, gutters, street lights, etc., but who traditionally oppose annexation, especially if it means a tax raise of \$400 - \$600 per resident. He suggested the forces for annexation offer the residents something. Mr. May suggested he bring such an amendment.

Mr. Schofield expressed concern with Section 18, and the possibility of a severability clause within the verbage of that section, line 20, "may be incorporated or territory annexed to an existing city," similar to one just passed out of the Assembly. He stated he felt such an amendment should be included because of the constitutionality question raised by SB 601 of the 59th Session.

Robert Broadbent, Clark County Commissioner, raised several questions. (1) If annexation passes, what mechanism is designed to deal with problem of small, uncontiguous, unincorporated, legally-formed towns; (2) Opposition from town boards as

to the A and B areas proposed in SB 503, as expressed in their mailograms, attached at Exhibit B; and (3) Constitutionality of Sections 1,2 and 3 of present bill.

Mr. Broadbent further stated that the main objective of enlarged cities, consolidation or annexation or whatever was to get all urban services under one government, providing better services at a lower cost. Under the present bill, he doubts this would be accomplished, and suggested putting all urban services under one government and, hopefully, providing better services at lower cost or forgetting the whole thing.

Mr. May reminded the committees that in '1969, '71, '73, '75 and again in '77 some form of annexation has been brought before the Legislature; therefore, he feels the people in the county must decide, they must vote.

Mr. Mann wondered if a consolidation would reduce the workload of the county commissioners to which Mr. Broadbent, replied, "Yes," with all of the county, but if just part come in, the commissioners will still be providing urban services.

Senator Ashworth summarized the activities of the unification forces, calling attention to the numerous studies that have been made, all concluding that there is a need for metropolitan government in southern Nevada. He pointed out that whatever is done, a certain group of public officials in Clark County will try to obstruct while others will challenge in court. He mentioned that they have tried to compromise, to be sensitive to the needs of those with legitimate problems. Now the citizens must look at the alternatives and responsibilities that will happen if the legislature doesn't do something. He reminded them they had proposed annexation in 1967 and the governor vetoed it. Since that time there have been successive actions on the same projects but the fact remains there are two forms of government in Clark County doing practically the same thing: city charter and county. Las Vegas can't tolerate the whipsawing as evidenced by the consolidation of the police and fire departments. The alternatives are elimination of annexation or removing the moratorium and allowing annexation or the formation of new cities. Annexation will affect the budgets of the cities and, if a moratorium is not put on, new cities will be formed, or the legislature will have the problem again 1979. Last time the people objected because they didn't have the chance to vote. These fears have been eliminated. He asked the legislators to search their minds and give the people a chance to vote.

Mr. Mann raised the question of 100% annexation, 100% of those owning property, those living there or what. Mr. Grose said it would be 100% of the record owners of property, that this was an exception to take care of developers.

Mr. Price gave his opinion that the whole consolidation is caused by the City wanting the \$8 - \$10 million generated by the Strip, that the same people who are leading the annexation movement are the ones who've been leading the battle year after year. He said to Senator Ashworth, "You say, when it happens . . . I would say, if it happens." He said the things that were objected to at the last Session were not just a vote of the people, but also the constitutionality of the issue and objected to being considered an obstructionist. He urged the proponents not to stack the vote for those who are trying to get the Strip in the first place, but if they want annexation, consolidation, unification or whatever, they take their chances, good and bad.

Ken O'Connell, resident of University Crest, formerly of Las Vegas, asked for the right to vote to join the city.

Mr. Horn commented that compromise is changing the nature of the consolidation beast.

Mr. Jeffrey questioned Section 10, page 7, line 3, the utility franchise tax repeal, wondering how much repeal will cost, how many employees will have to be cut because of the repeal, how much of a cut in services will result and whether this would cause a tax in the next session. He stressed that he wants to be realistic and present a true picture to the voter.

Mr. May read from the fiscal notebook, "Imposition of a public utility franchise tax will be prohibited except at the rate of 1% on electric current. This will result in net revenue reduction of approximately \$2 million to be offset by increased revenues from other sources (business licenses) and/or cost savings.

Mr. May announced the Clark County Caucus would continue in the morning, one half hour after A.M. adjournment, in the Assembly Lounge. He announced there would be no Government Affairs meeting in the morning, but rather before the 4:00 p.m. Session. He adjourned the meeting at 8:16 p.m.

Respectfully submitted,

Harriet M. Krauff

Assembly Attache

GOVERNMENT AFFAIRS COMMITTEE

GUEST REGISTER

DATE: 5/4

NAME, ADDRESS & PHONE NO.	REPRESENTING	TESTIFYING ON BILL NO.
Tan Moore	Clear Co	
Andy Gross	L.C.B.	
Norman & Blacklock	Clark Co Dist Ct.	
Steve & Anne	North Las Vegas	20
R.W. Sumner	CU	
James Cochran	LUCC	7
Kolmf	RESIDENT NARRADES VALLEY	
Bruce Stranding	CITY OF NV	
Tom Stewart	city of NV	
Ed Kishney	Pol Action Comm 77-73	
Red Broadbent	Clark County	

SUMMARY
S.B. 503
1977 NEVADA LEGISLATURE

Note: This summary reflects amendments to the bill made 4/19/77. These amendments are not yet in the printed bill thus there are differences between this summary and the bill.

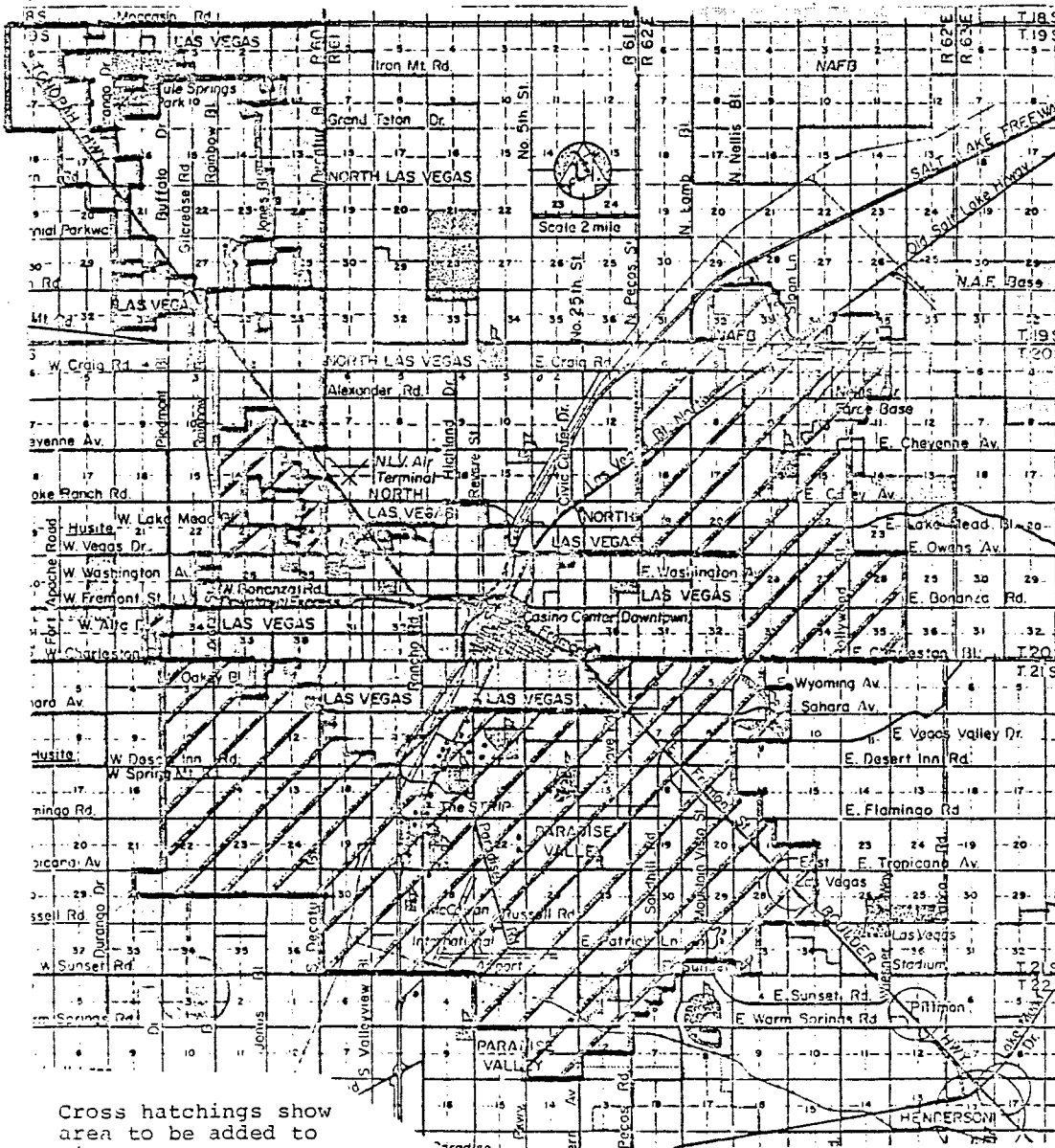
- Section 1 - Guarantees continuation of the current percentage of the liquor tax to North Las Vegas, Henderson and Boulder City.
- Section 2 - Guarantees continuation of the current percentage of the cigarette tax to North Las Vegas, Henderson and Boulder City.
- Section 3 - Guarantees continuation of the current percentage of the city-county relief tax to North Las Vegas, Henderson and Boulder City.
- Section 4 - This section has been removed by committee amendment.
- Section 5 - Amends the Las Vegas charter to create eight wards and to mandate that each ward shall have a five-member advisory council. This section has been amended to end at the first sentence thus leaving all details of the councils to ordinance.
- Section 6 - Amends the Las Vegas charter consistent with the previous section.
- Section 7 - Amends the Las Vegas charter to make exception to 4-year terms for some commissioners elected pursuant to an expanded board of commissioners.
- Section 8 - Amends the Las Vegas charter to provide for the staggered election of an eight-member city commission.
- Section 9 - Amends the Las Vegas charter to allow exceptions to 4-year terms as required by transition provisions.
- Section 10 - Repeals the utility franchise tax from the Las Vegas charter leaving a 1 percent levy which the county currently has.
- Section 11 - Sets an election on the expansion of Las Vegas city boundaries at the September 1978 primary. Provides the wording of the ballot question.

Provides that a majority vote is required in the city of Las Vegas and in the area to be added in order for the area to be added.
- Section 12 - Legal description. This description is shown at the end of this summary.
- Section 13 - Provides that two of the new commissioners will serve initial 2-year terms.
- Section 14 - Provides that property will be transferred from the county to the city if the election is successful. The property will be that used to provide municipal services to the area added to the city. In the bill, this section implies that property may be transferred. This has been amended to reflect the intent that property will be transferred.

Section 15 - A lengthy amendment has been adopted to provide:
 1) guarantee of the right of any county employee whose function is taken over by the city to transfer to the city at an equivalent level, 2) benefits will be those prevailing in the city, 3) all sick leave, annual leave and retirement rights transfer intact, 4) duties and responsibilities will not be diminished, 5) transferred employees shall acquire civil service status, and 6) all of these protections apply only to those employees in county employment when the act is passed.

Section 16 - Protects the portions of the North Las Vegas water system located in Sunrise Manor and guarantees equal treatment in rates and hookup fees (added by amendment) to non-North Las Vegas residents.

Section 17 - Provides for the time phasing of the various sections. In particular, it provides for which sections become effective upon a successful election and when they become effective.



Cross hatchings show area to be added to city.



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7023843579 MGM IDMT LAS VEGAS NV 253 05-03 1106A EST

SENATOR KEITH ASHWORTH
CARSON CITY NV 89701

DEAR CLARK COUNTY DELEGATION MEMBER,

IN OUR LETTER TO SENATOR ASHWORTH ON MARCH 25 1977 A COPY OF WHICH WAS PROVIDED TO YOU, THE UNDERSIGNED ASKED THAT ANY ANNEXATION REFERENDUM REQUIRE " A MAJORITY IN EACH OF THE AFFECTED UNINCORPORATED TOWNS." YOU HAVE BEFORE YOU AN AMENDMENT TO SB 503 WHICH APPEARS TO ADDRESS THIS ISSUE, BUT ACTUALLY ACHIEVES JUST THE OPPOSITE RESULT. WHILE PROPOSING THAT SUNRISE MANOR IN EAST LAS VEGAS BE VIEWED AS ONE VOTING ENTITY, AND WINCHESTER AND PARADISE AS ANOTHER, THE AMENDMENT WOULD ALLOW EITHER OF THE AREAS TO BE ANNEXED SHOULD THE REFERENDUM SUCCEED IN THAT AREA ONLY. THUS, INSTEAD OF REQUIRING THE CONSENT OF ALL OF THE UNINCORPORATED TOWNS AS WE REQUESTED, THE AMENDMENT MAKES ANNEXATION OF MUCH OF OUR AREA POSSIBLE EVEN IN THE EVENT OF THE REFERENDUMS DEFEAT ON AN OVERALL BASIS.

entity each is by their staff

MORE IMPORTANTLY, THE AMENDMENT WILL MAKE THE REFERENDUM AN IMPOSSIBLE QUESTION FOR OUR VOTERS. THE RESIDENTS OF SUNRISE MANOR, FOR EXAMPLE, WILL BE ASKED TO VOTE FOR THEIR OWN ANNEXATION WITHOUT KNOWING WHETHER OR NOT PARADISE AND WINCHESTER WILL BE ANNEXED AS WELL. MANY PERSONS WITH STRONG FEELINGS FOR OR AGAINST "UNIFICATION" OF ALL THE TOWNS INTO THE CITY OF LAS VEGAS WOULD FEEL QUITE THE OPPOSITE ABOUT A PARTIAL ANNEXATION. THE WHOLE QUESTION WILL BE TOTALLY OBSCURED IF THIS AMENDMENT IS ALLOWED.

OUR RESIDENTS HAVE BEEN ENCOURAGED THAT SB 503 PROVIDES FOR REFERENDUM. PLEASE DO NOT ALLOW THIS LATEST AMENDMENT TO MAKE THE REFERENDUM AN IMPOSSIBLE QUESTION

JEAN TURNBAUGH CHAIRPERSON SUNRISE MANOR ADVISORY COUNCIL
BERNICE RIGGS CHAIRPERSON EAST LAS VEGAS ADVISORY COUNCIL
MARY HABBART PRESIDENT PARADISE VALLEY IMPROVEMENT ASSN
FRED KIRSCHNER CHAIRPERSON WINCHESTER ADVISORY COUNCIL
DART ANTHONY CHAIRPERSON CITIZENS AGAINST ANNEXATION

1110 EST
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