

WORK SESSION 8:00 AM

MEMBERS PRESENT

Mr. Dini, Chairman
Mr. Bergevin
Mr. Bedrosian
Mr. Getto
Mr. Craddock
Mr. Jeffrey
Mrs. Westall
Mr. Fitzpatrick
Mr. Marvel

Mr. Dini called the meeting to order and informed the committee that he would like them to consider taking action on several bills which had been previously heard.

A.B. 718 - Increases salaries of county officers in Pershing Co.

Mr. Dini said that this bill needs a technical amendment deleting the treasurer from the pay schedule since they do not have a treasurer.

Mr. Bergevin moved to AMEND & DO PASS, MR. MARVEL SECONDED.

MOTION CARRIED; AMEND & DO PASS, Mr. Fitzpatrick voted in opposition.

S.B. 49 - Extending the powers of the Elko City-County Civic Auditorium Authority.

Mr. Dini said that a new amendment # 754 takes care of the previous problems.

Mr. Getto moved to AMEND & DO PASS, Mr. Jeffrey SECONDED.

The discussion in committee was to the effect that they would get the bill in print and if it was not satisfactory they could have a day to look it over and put it on the Chief Clerk's desk

A.B. 728 - Provides for local authorities to inspect installation and maintenance of mobile homes.

Mr. Jeffrey said that he had obtained the amendments which will Delete Lines 16 thru 27 on Page 3, and takes care of the City of Las Vegas' objections to allow more stringent regulations on the local level if necessary. He also told Mr. Fitzpatrick that there would be virtually no effect on local governments.

Mr. Marvel moved AMEND & DO PASS, Mr. Getto seconded.

MOTION CARRIED UNANIMOUSLY -- AMEND AND DO PASS A.B. 728

A.B. 755: Provides for representation of various occupations on state board of health and state environmental commission.

Mr. Bergevin moved for INDEFINITE POSTPONMENT, Mr. Marvel seconded.

Mr. Fitzpatrick said that he would have to vote against the motion because as a matter of philosophy he felt that these boards should include people with practical experience.

THE MOTION FOR INDEFINITE POSTPONMENT CARRIED with Mr. Jeffrey and Mr. Fitzpatrick in opposition.

S.B. 388: Allows deputy commissioner to conduct public hearings upon direction of public service commission of Nevada.

Ms. Westall moved for indefinite postponement saying, "If they really need a deputy, why don't they pay a little bit more and get a real one?"

Mr. Jeffrey said that he felt that part of the problem is that if you create another commissioner you either have another commissioner doing the same thing the three commissioners are doing now and nobody is coordinating this kind of work.

Ms. Westall asked why somebody should earn \$30,000 to do what someone is currently paid \$19,000 for doing.

The committee discussion centered on the advisability of adding yet another layer of bureaucracy and the budgetary concerns.

After Mr. Dini said that he thought the proper motion would be to re-refer to ways & means since Senate Finance had given the PSC \$800,000 in their budget and this would be best handled through that committee, Ms. Westall withdrew her original motion and moved to re-refer to Ways and Means without a recommendation. Mr. Fitzpatrick seconded.

Mr. Craddock moved to amend the motion to recommend DO PASS. Mr. Bergevin seconded.

THE VOTE ON THE AMENDMENT CARRIED WITH 3 IN OPPOSITION: (Mr. Bedrosian) (Mr. Fitzpatrick and Ms. Westall)

THE MOTION TO DO PASS AND RE-REFER TO WAYS AND MEANS CARRIED WITH THE SAME VOTE AS ABOVE.

S.B. 299: Permits local governments to establish trust funds with respect to certain employee group insurance.

Mr. Jeffrey said that he had talked with Sam Mamet and there does not seem to be any reason to hold up the bill for amendment. If one does seem to be required it can be added on the floor.

Mr. Marvel MOVED TO DO PASS, Mr. Jeffrey seconded. Carried unanimously.

S.B. 299 - DO PASS

A.B. 665: Permits allowances for cost of living and county payment of employee contributions to retirement for certain county officers.

Initially Mr. Getto made a motion to indefinitely postpone which he withdrew and moved to amend & do pass and subsequently moved to DO PASS, SECONDED BY MR. JEFFREY.

The discussion concerning the amendments centered about the lack of time left to obtain amendments and the latitude in the "caps".

Mr. Bergevin said that he felt that there was enough room in the "caps" and noted that this is permissive anyway.

MOTION CARRIED, Ms. Westall and Mr. Fitzpatrick opposed.

S.B. 299 DO PASS

A.B. 606: Provides for financing of certain municipal assessment districts without issuance of bonds.

The committee clarified that this is permissive only.

Mr. Craddock moved DO PASS, Mr. Marvel seconded.

MOTION CARRIED UNANIMOUSLY: DO PASS A.B. 606

Mr. Jeffrey told the committee that A.B. 590 took care of the problem of streets that have not been dedicated.

Mr. Bergevin said that he would like an opportunity for his people to read 749 and submit their ideas prior to putting it on the floor.

MR. DINI DECLARED A 1-MINUTE RECESS TO ALLOW THOSE TESTIFYING ON A.B. 137 to BE NOTIFIED.

A.B. 137: Provides for collective bargaining by state employees.

Mr. Bob Gagnier, Executive Director of SNEA, told the committee that he did not think anything could be added to previous testimony and urged amend and DO PASS.

Mr. Roger Laird, representing the Department of Personnel, cited several points in the amendments with which his agency did not agree. One had to do with the administrative judges having binding arbitration powers and also they had wanted to exclude certain levels of classified employees, mainly high administrative types.

Mr. Gagnier mentioned that he did not necessarily feel that the amendments said what Mr. Laird represented, but that if his reading was correct, he would certainly agree to rephrase.

Mr. Daykin informed those present that to correct the broad scope of the bill would be no problem. He said that he would draft new language which would allow the latitude, with guidelines, to express a policy to allow the administrative judge's decision to be final and binding on interpretation of rules or agreements reached under rule, however if he were to be used as an arbitrator his decision would only be advisory. Also to be included will be the permissive may exclude certain management employees.

Mr. Bedrosian moved AMEND AND DO PASS, Mr. Jeffrey seconded.

MOTION CARRIED UNANIMOUSLY--AMEND AND DO PASS A.B. 137.

A.B. 17-Extends jurisdiction of public service commission of Nevada over certain water companies.

JANET MCDONALD, from the Public Service Commission

appeared to assist the committee with A.B. 17. It was discussed and determined that this was certainly an area of serious abuse and she related case history which verified some of the problems attendant with land development and small water companies.

She was questioned about the best way to approach this situation and she agreed to get back to the committee in detail about how this might be worked out to solve the problems of those individuals caught in this trap. She mentioned that Mr. Hardy feels that the authority exists with the County now but is not exercised. She also felt that presumptions regarding land developers could be structured to serve the purpose of this bill.

Mr. Dini said that perhaps this bill does not answer the problem, but appointed a water sub-committee composed of Mr. Getto, Mr. Craddock and Mr. Bedrosian and Mr. Jeffrey to look for some solution; either through amendment or resolution.

Mr. Dini said that while this bill in its present form may not be the answer, the people need some protection from unscrupulous developers or well owners who control the water in small subdivisions. He appointed a sub-committee on water consisting of Mr. Getto, Mr. Bedrosian, Mr. Craddock and Mr. Jeffrey, to get together with Ms. MacDonald and see what could be done to straighten out this bill.

A.B. 765: Amends charter of City of North Las Vegas to require same charges for water services provided to areas within and outside of city.

Mr. Craddock, as the introducer, explained to the committee that residents outside the city of North Las Vegas were in the position of being "ripped off" because they were charged more for water than city residents even though technically the water traveled farther for many of the city residents. He also alleged that in the past through a questionable billing practice people were heavily overcharged. He claims that while it is currently acceptable, there is no control over who may be on the City Council in the future and this bill would provide a safeguard for those who lived outside the city.

Helen G. Pivoda, Administrative Assistant to the North Las Vegas city Manager made a prepared presentation (see attached) in opposition to the bill and said that she would supply information concerning the amount charged Nellis Air Force Base for the contract the City had to supply their water.

Mr. Craddock and Ms. Pivoda argued back and forth regarding what the city charges and Mr. Craddock admitted that Ms. Pivoda's statement that the city has equalized the rates to customers now was valid although he still felt that this legislation is needed so that they will "have the protection of law."

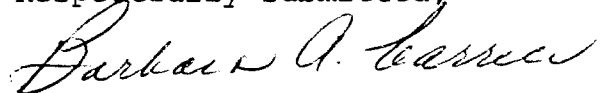
Mr. Dini declared the discussion on this bill ended for the purpose of this hearing.

A.B. 766: Authorizes counties and cities to submit advisory questions to registered voters within their jurisdictions

Mr. Bedrosian moved a DO PASS ON A.B. 766, Mr. Jeffrey Seconded. The MOTION CARRIED UNANIMOUSLY. DO PASS A.B. 766.

There being no further business, Mr. Dini declared the meeting adjourned.

Respectfully submitted,



BARBARA A. CARRICO, STENO.

Wednesday, April 25
Room 214, 9:00 A.M.

To: Assembly Committee on Government Affairs

From: Helen G. Pivoda, Administrative Assistant to
City Manager and Lobbyist for City of North Las Vegas

Subject: A.B. 765 - Proposing to amend Charter of City of North Las Vegas
to require same charges for water services provided to areas within
and outside City.

Chairman Dini and members of the Government Affairs Committee: Thank you
for recognizing me to speak on AB 765 which proposes to amend the Charter of
North Las Vegas to require same charges for water services provided to areas
within and outside the City.

First of all, let me say that the City of North Las Vegas under its present
Ordinance No. 587 setting forth a schedule of water rates does apply to
customers both inside and outside the City limits with the exception of
Nellis Air Force Base (see page 4, paragraph (2) of this ordinance).

This uniformity of rates had not been possible in the past for several
reasons, including the fact that residents inside the City limits did not
have meters, which they now have.

Without digressing too far, let me give you a brief history of extension of
City water services into areas outside of the City limits.

In June of 1965, the City was approached by Nellis Air Force Base to provide
water to the base. We entered into an agreement to provide bulk water
delivered to the Air Force property lines where the Air Force connected to
City lines and transmitted the water through their Air Force owned and main-
tained water lines. The City has a flat rate per gallon agreement to this
effect, which agreement has been amended from time to time.

The reason I am citing this agreement is to substantiate the City's position
that the proposal contained in AB 765 stating: "the amount of the charge for
water and water connections to any area outside the City must be the same
as the amount charged for providing those services to areas within the City"
is too broad an application and does not take into consideration existing
agreements based on different cost factors and circumstances.

This proposed Charter amendment would circumvent the normal procedure taken
by the City Council in establishing water rates through consideration of
testimony, presented at public hearings, of both cost-benefit statistics pre-
sented by the City staff and the benefit testimony presented by the consumers.
This authority to establish water rates, of course, is delegated by the State
Legislature to the City Council by a Special Act, the North Las Vegas City
Charter.

To further delegate the City Council's authority (to set water rates) to the
people would result in an undesirable divestment of the Council's authority
to carry out their discretionary contractual and regulatory powers.

In the instance of extending City water services to Sunrise Manor, the City had no cost-benefit history of providing such service. The metered services, along with cost of water lines, was funded by the City and did provide a methodology of securing a history of water usage and cost.

Unfortunately, during the era between December, 1969, when the City annexed adjacent areas, including Nellis Air Force Base and Sunrise Manor (which was the subject of court action for over a year and resulted in the opinion and decision that the annexation for technical reasons was invalid), a lot of misunderstanding was created between Sunrise Manor and the City. It was the general feeling of those residents that the City was "arbitrarily and capriciously" charging more for water outside the City limits than inside the City limits. This feeling was further compounded by a series of Legislative proposed consolidation of County and City governments, which were subsequently found unconstitutional and ultimately voted down by the people approximately two years later.

During the time that North Las Vegas annexed Sunrise Manor to its corporate limits, the City provided other municipal services, such as police and fire protection. To facilitate fire protection, fire hydrants were installed as well as the water lines, at an additional substantial cost.

The City of North Las Vegas regrets that the extension of water service to Sunrise Manor resulted in this wide chasm of misunderstanding. The City owned water utility is not a "profit oriented" enterprise, and the City's constant goal is to provide adequate potable water at minimal cost. North Las Vegas, along with other entities in Clark County, has entered into an agreement with the State of Nevada Colorado River Commission for a Southern Nevada Water Project to bring water to the area from Lake Mead through a proportionate share of the repayment of a bond issue to underwrite the costs of developing additional water.

As evidenced by the water rates ordinance presented to you, the City now has been effective in equalizing the rates to customers both inside and outside the City limits. It is the City Council's intent to continue this philosophy as long as costs remain equal.

However, the City Council does not believe its Legislative delegated Charter authority to set water rates should be limited or given to the people per se and therefore reluctantly opposes this amendment to the North Las Vegas City Charter.

Attachment: Ordinance 587



AB
765

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HELEN G. PIVODA
Administrative Assistant to City Manager

Date April 26, 1979

Handwritten initials

To: 2200 Civic Center Drive City Hall 702/649-5811
 North Las Vegas, NV 89030 Ext. 264 ment: City Manager

From: Clinton E. Stay Department: Acting City Engineer

Subject: Water Rates - Nellis Air Force Base

The minimum monthly charge to Nellis Air Force Base for water is \$70.00 for up to 200,000 gallons per month. Consumption over 200,000 gallons is at the rate of \$0.35 per thousand gallons. Since March of 1978 they have used exactly 200,000 gallons per month.

Nellis Air Force Base receives their water from us on one six inch meter and they maintain all Base water lines. The Base also receives an average annual 23,298,000 gallons from their own well fields and 67,702,000 gallons from the Southern Nevada Water Project.

N.A.F.B. receives a cheaper rate on water from us up to 1,667,000 gallons per day. Above this use the cost would exceed regular rates. Two local laundries use between 2.5 and 3.5 million gallons of water per month and pay a cheaper rate than Nellis Air Force Base. Also, churches pay regular rates with 50% discount.

Respectfully submitted,

Clinton E. Stay
Clinton E. Stay
Acting City Engineer

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