

**MINUTES OF THE
SENATE COMMITTEE ON GOVERNMENT AFFAIRS**

**Eighty-second Session
March 13, 2023**

The Senate Committee on Government Affairs was called to order by Chair Edgar Flores at 3:36 p.m. on Monday, March 13, 2023, in Room 2149 of the Legislative Building, Carson City, Nevada. The meeting was videoconferenced to Room 4412 of the Grant Sawyer State Office Building, 555 East Washington Avenue, Las Vegas, Nevada. [Exhibit A](#) is the Agenda. [Exhibit B](#) is the Attendance Roster. All exhibits are available and on file in the Research Library of the Legislative Counsel Bureau.

COMMITTEE MEMBERS PRESENT:

Senator Edgar Flores, Chair
Senator James Ohrenschall, Vice Chair
Senator Skip Daly
Senator Pete Goicoechea

COMMITTEE MEMBERS ABSENT:

Senator Lisa Krasner (Excused)

GUEST LEGISLATORS PRESENT:

Senator Fabian Doñate, Senatorial District No. 10

STAFF MEMBERS PRESENT:

Jered McDonald, Policy Analyst
Suzanne Efford, Committee Secretary

OTHERS PRESENT:

Hillary Schieve, Mayor, City of Reno
Nic Ciccone, City of Reno
Ryan Sheltra
Alexis Motarex, Associated General Contractors of America, Nevada Chapter
Christine Saunders, Progressive Leadership Alliance of Nevada
Bill Schrimpf
Noé Orosco, Silver State Voices

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Sylvia Villanueva
Annette Magnus, Battle Born Progress
Margo Pisczovich
Toni Harsh
Marlene Lockard
John Carlo
Chris Giunchigliani
William Mantle
Andrew Diss
Nick Vander Poel, City of Fernley
Jennifer Berthiaume, Nevada Association of Counties
Neal E. McIntyre, Mayor, City of Fernley
Aaron Mouritsen, Deputy City Attorney, City of Fernley
Joanna Jacob, Clark County
Suzanne Groneman, Sustainability Program, City of Reno
Marco Velotta, Comprehensive Planning Section, Office of Sustainability,
Department of Community Development, City of Las Vegas
Yazmyn Pelaez, Nevada Conservation League
Jaina Moan, The Nature Conservancy
Nick Christenson, Sierra Club
Cynthia Moore, Nevada Environmental Justice Coalition
Doug Thornley, City Manager, City of Reno
Cynthia Esparza, Chief Equity and Community Relations Officer, City of Reno
Jared Horn

CHAIR FLORES:

We will open the hearing on Senate Bill (S.B.) 12.

SENATE BILL 12: Makes various changes to the Charter of the City of Reno.
(BDR S-354)

HILLARY SCHIEVE (Mayor, City of Reno):

I am uniquely qualified to speak on S.B. 12 because I have served as Mayor and in the at-large role in the City of Reno. I have a distinctive perspective because I am living it.

Before ward-only voting, as Mayor I could get my entire City Council to show for ribbon cuttings, community initiatives and public meetings. I am lucky if

one council member attends. It is usually the at-large council member who shows up.

I have seen the negative impacts of ward-only voting. I am often told "not my ward, not my problem." Instead of uniting the City, this has divided it. I understand the reason why the at-large position was originally implemented. It sounded like a great idea, but it has become incredibly divisive.

When I was the at-large member, I knew firsthand the importance of that role. Constituents would reach out frustrated that their council members would not meet with them. They did not feel represented. This can happen due to political differences. Maybe that is why this feels so disjointed. Some council members even have auto replies on their emails stating they will not meet with people on certain issues.

When it comes to resource allocation or projects in specific wards, it has become territorial, inequitable and divisive. Council members do not show up for one another in the same way they used to. This should not be about politics; it should be about people. To accomplish the goals of our community, we need to thrive together. We must work together. We must have a shared vision. Decisions cut across ward boundaries.

What I am about to say is going to be unpopular. Eliminating the at-large seat is not about better access for residents. It is about less expensive and easier races. The at-large position is crucial and is important to a citywide perspective in collaboration with a ward perspective.

NIC CICCONE (City of Reno):

The Charter of the City of Reno is its constitution. From January 2022, the change to the Charter has been a public process. It went through the Reno City Charter Committee, the Reno City Council and now it is here before you at the Nevada State Legislature.

The Charter Committee is composed of seven appointments from the Reno City Council and six from the Legislature. The Council is composed of the mayor, one at-large member and five ward-based council members.

This is the third time the City of Reno has come before a public Body to consider this proposal. There are the three changes to the Charter in S.B. 12.

The main ones are in sections 30 and 31 of the bill, sections 1.050 and 2.010 of the Charter, which retain the at-large position. Sections 1 through 17 and sections 19 through 29 of the bill change gendered language to gender-neutral language. Section 18 of the bill, section 6.010 of the Charter, adds green infrastructure projects to local improvements.

This has gone through a public process from the beginning of 2022. However, I mention only Charter Committee meetings from March 2022 through June 2022. For the first few meetings, the Committee was trying to get its bearings, understand the Charter and determine the role of its members.

Many different topics were discussed at the Committee meetings: what would 2024 look like with the elimination of the at-large position in favor of the sixth ward; the process of redistricting for the 2020 realignment based on the census; the City's housing challenges and initiatives; what do elected offices look like; what does filling those vacancies look like; and newspaper and multilingual noticing requirements.

Many other topics were discussed, not just the three the Committee chose to put forth in this bill. Other topics discussed were repealing the change to six wards and adding a chief equity officer into the Charter. The chief equity officer was not added, but the City created the Office of the Chief Equity and Community Relations Officer.

After going through that process, the Charter Committee met with the Reno City Council. The Committee submitted a report to the Council which included the recommendations I mentioned. On August 10, 2022, the Council directed staff to submit a bill draft request to the Legislature to amend the Charter of the Reno City.

The first change which takes up most of the pages in this bill is gender-neutral language. This is a major step for the City to be more inclusive no matter how people choose to identify.

The second change is in the Council structure. Mayor Schieve gave a good perspective from having served in the at-large position and as the Mayor. The combination system has the benefits of ward-specific identities. The City has five wards. A resident in a specific ward can contact the representative of that specific ward. However, because of this hybrid system, there are

three representatives individuals can contact: the mayor, the at-large representative or their specific ward council member. Residents of the City of Reno have three representatives no matter where they live. The Charter Committee said the at-large position was a way for residents to decide who they want to represent them as a citywide voice.

The third change to the Charter in S.B. 12 is green infrastructure. Green infrastructure is a range of measures using plant or soil systems; permeable pavement or other permeable surfaces or substrates; stormwater harvest and reuse; or landscaping to store, infiltrate or evapotranspire stormwater and reduce flows to sewer systems or to surface waters. The idea is to address urban heat islands which larger cities also face.

SENATOR GOICOCHEA:

If S.B. 12 passes and eliminates the sixth seat on the Council, will the City have to redistrict the other wards?

MR. CICCONE:

Could you help me understand that question? If we keep five positions, the at-large position and the mayor, would we have to redistrict?

SENATOR GOICOCHEA:

I am assuming you are going to end up with six wards, but maybe you are not. You will only have five wards and the mayor and delete the sixth ward seat.

MR. CICCONE:

If the City removes the at-large position, it will create a sixth ward. Depending on what the Legislature does, the sixth position could be eliminated. I am not sure what that looks like.

SENATOR GOICOCHEA:

I am not sure it is up to us to eliminate the position. If you go to six wards, will you have to redistrict all six wards?

MR. CICCONE:

Yes, the City would have to redistrict.

SENATOR GOICOECHEA:

Would the green infrastructure projects be regulated by ordinance? How is that going to work?

MR. CICCONE:

I am not the expert when it comes to local improvement law. As I understand it, this would mean that for different projects or improvements, the City could attempt to place a special assessment district to go forward with a project.

SENATOR DALY:

Would the City be able to do the green infrastructure projects with or without section 18 of this bill? There is nothing prohibiting the City from doing this now.

MR. CICCONE:

Yes, that is correct. Nothing prohibits the City from doing these projects.

SENATOR DALY:

The main issue is the at-large member versus wards. I remember the issues that came up when we were switching back and forth. Reno and Sparks and many other cities in the State had ward-only primaries, but they had citywide general elections. That system showed the flaw in citywide elections. Someone could win in his or her ward but lose in the citywide election. It was not about campaign financing; it was about each individual ward choosing its representative.

I do not want to argue with the honorable Mayor of Reno, but I have not seen disagreements among council members in Sparks or Reno. Sparks has ward-only elections. I have heard many comments from people on the ward versus at-large versus the City, et cetera. Many people want to have their individual representative. We fought long and hard to get ward-only voting.

I have some concerns. Are you really seeing arguments between representatives and not showing up and saying, "not my ward, not my problem"? I have not seen that before.

MR. CICCONE:

The City's elected body could better speak to that. The Charter Committee identified that as a problem. When the City switched to ward-only voting, people were used to having those additional representatives and voting for them

in the general election. From the Charter Committee's perspective, having this additional position is the hybrid between the two systems.

SENATOR DALY:

How many people were on the Charter Committee? How many were there for the vote on these changes?

MR. CICCONE:

I do not remember the exact number. Perhaps, there were 8 out of the 13 on the Committee.

SENATOR DALY:

Based on the emails I received, the vote was not unanimous.

Has there been any discussion about having the criminal prosecution side of what the city attorney does be elected but having the civil side appointed? That is a compromise from strictly appointed versus strictly elected. I have seen issues where city attorneys have used that elected position to do what they want. No one can do anything about one's position. The City of Sparks had to amend its charter to allow it to get outside counsel because the city attorney was challenging it on being able to do that.

MR. CICCONE:

I am not able to speak to that because we just went through the public process through the Charter Committee. That was not identified by the Committee.

MAYOR SCHIEVE:

I felt strongly about this for a long time. You bring up a good point. It is confusing about who the city attorney represents. Does he represent the citizens, his office or the council? Sometimes, city attorneys have ulterior motives—they do not represent the council, or they do not represent the constituents. It gets convoluted. I share your interest.

I have served in the at-large position. I have seen it firsthand. The City is not big enough to have specific wards in that sense. But it is frustrating to see that downtown is like a city inside a city. Everyone should be rooting for Reno.

For example, Ward 3 might need affordable housing and maybe another ward does not want any growth. Affordable housing could be detrimental to the other

ward because there is no invested interest or maybe it is political. Another council member has great interest, but he or she was not elected by the community in that ward. That is problematic, and it has divided the City of Reno. People are not getting fair representation. It is about politics and not people.

We all know this because we sit in these seats. We all get elected. It is easier to get elected when you do not have to raise as much money. That is what I hear behind the bar and the comments from politicians, and it is wrong. We need at-large representation. They represent the council, and the mayor represents the community. Any description of an at-large representative will tell you that.

SENATOR DALY:

I appreciate that. I will reach out to City Council members and see who calls me back.

It might be different in Sparks because there are five council members rather than six. I heard the argument both ways when it switched from at-large with citywide voting to ward-only voting. There is always a trade-off when that happens.

I respect the Charter Committee process but because it did not bring up the issue of the city attorney, I am interested in looking into that. Maybe something will address that.

SENATOR OHRENSCHALL:

Mayor Schieve, you discussed some of your ceremonial roles and that the at-large council person sometimes helps and participates. Are there any clearly outlined duties the at-large council member has in those ceremonial roles, or is that something someone does because one wants to?

MAYOR SCHIEVE:

The at-large member is the intermediary in the council. The mayor represents the entire community. The at-large member has distinctive duties, and the mayor works on many different procedural and ceremonial initiatives in which the at-large person does not participate.

SENATOR OHRENSCHALL:

The population has skyrocketed in southern Nevada. As the number of constituents increases for each city council member or county commissioner, it is difficult for them to return all their phone calls. If the at-large council member were to be given a ward, what would the population be per council member versus retaining the at-large member. How might that affect constituent response time?

MR. CICCONE:

If Reno installs a sixth ward, that would be roughly 38,000 constituents each. With five wards and the at-large position, each member represents 55,000, which is higher than some cities in the State.

SENATOR OHRENSCHALL:

If nothing changes and the sixth councilman begins running a ward, there would be about 38,000 constituents per council person. However, if this changes and the at-large person and the five wards remain, there would be about 55,000 constituents per ward.

MR. CICCONE:

That is correct.

RYAN SHELTRA:

I support S.B. 12. I am a native of Nevada. I have lived in the City of Reno most of my life and reside in Ward 5. Preserving the at-large member seat is good. We must have more than one person representing us. When we disagree with a ward representative, we still have the at-large council member and the mayor to go to. I have done that on multiple occasions and not necessarily because I disagree with my council member. It is nice having a second point of contact.

Reno is a growing city. People should not be provincial and focus on only one small part of the City. We need to see the bigger picture. Sometimes, our council members vote against what is good for Reno because they are fearful of not getting reelected. The council must work together. That is the purpose of the at-large seat. He or she can help build consensus to that goal.

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ALEXIS MOTAREX (Associated General Contractors of America, Nevada Chapter):
The Associated General Contractors of America, Nevada Chapter (AGC), represents the commercial construction industry in northern Nevada. The AGC opposes only section 18 of S.B. 12. It is neutral on the rest of the bill.

Green infrastructure projects are not defined in the bill and could be subject to interpretation. This could potentially add to the cost of building in Reno at a time when costs are skyrocketing for many other reasons. As confirmed by Mr. Ciccone, this does not need to be in statute. The City is already looking at implementing measures to address urban heat islands.

We respectfully ask that this language be deleted from the bill because of its ambiguity, its potential to cause confusion, slow growth and increase costs.

CHRISTINE SAUNDERS (Progressive Leadership Alliance of Nevada):
While the Progressive Leadership Alliance of Nevada (PLAN) supports updating the gendered language in the Charter, it cannot support maintaining the at-large City Council seat. As a member of the Nevadans Count coalition, PLAN spent hours drawing maps accurately representing Reno communities in the five districts without breaking up communities of interests. It was difficult.

Ward 5 stretches from the California border to the University of Nevada, Reno (UNR). However, the neighborhood right next to UNR where many students reside is in Ward 4 alongside the North Valleys and Stead. It is clear the system does not represent the residents of Reno, not to mention that many of the City Council members have not been elected. They might be more responsive if they were accountable to the community rather than appointed. The at-large seat is more likely to be beholden to his or her donors than the interests of the community.

Progressive Leadership Alliance of Nevada urges you to maintain the implementation of the six wards and increase representative democracy.

BILL SCHRIMPF:
I am representing myself as a citizen of the City of Reno. I was born and raised in Reno, and I am active in the community. I worked as a poll worker in the 2020 general election.

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Senate Bill 12 would change laws scheduled to take effect on January 1, 2024, related to the implementation of the sixth ward and the elimination of the redundant and problematic at-large role. Significant parts of S.B. 12 would change the law in a way that will worsen political representation of the people. This topic received 2 minutes and 15 seconds of airtime at the City Council level.

I thank this Committee in advance for the indulgence of a more nuanced and thorough conversation. This Committee and the 120-day Legislative Session are not the places to have these discussions since most of this conversation should have already occurred and been part of the record but, unfortunately, here I am.

Regarding transparency and public notice, I am not an attorney, but from what I can tell, the Charter Committee was properly noticed regarding public meeting laws. I am talking about actual engagement in the redistricting process that took place before the review Committee began its work. The City did a wonderful job getting input from the community. It had three public meetings. In one of those meetings, there was a presentation in which the sixth ward was mentioned. In the other two meetings, it was brought up in public comment and questions.

The Reno City Charter is existing law. The Charter Committee did not provide a reason to counsel; counsel did not provide a reason to City staff; and City staff did not provide a reason to this Committee for changing the Charter. More importantly, the City has neglected to engage the community in a meaningful way to ask if existing laws regarding representation should be changed. If the City had complete engagement and active communication regarding this fundamental governance matter, I would not be here today taking up your time.

Noé Orosco (Silver State Voices):

I am the program manager at Silver State Voices which leads the Nevadans Count coalition. The coalition's goal was to ensure all Nevadans responded to the census and participated in the redistricting process that followed. The coalition opposes S.B. 12.

The coalition is pleased to see that the bill replaces gendered language with gender-neutral language and authorizes green infrastructure projects. The coalition's opposition is strictly against the bill's provisions to keep the at-large council member.

Although at-large elections have shown to improve diversity in gender representation, particularly in city and school district elections, they tend to work best in smaller, more homogeneous cities. Where at-large elections fall short is the representation of racial and ethnic communities. It can weaken the representation of these groups.

There was, and still is, a movement combating legal barriers that prevent Black, Indigenous, and People-of-Color voters from exercising their right to vote. I am sure this Committee understands the movement I speak of. I say this in hopes this Committee can understand why we must remove these regressive voting practices.

On paper, this bill seeks to take us back to 2017. In practice, it will take us back to 1964 because at-large districts were common until the passage of the Voting Rights Act of 1965. In fact, between the passage of the Voting Rights Act of 1965 and 2006, there were 322 lawsuits raising violations of section 2 of the Voting Rights Act of 1965. Of those, 145 involved challenges to at-large districts. That is 45 percent of all lawsuits filed during that period.

The coalition recognizes that without this bill, the City is required to redistrict before the 2024 general election. The coalition has the utmost faith that the City is more than capable since it was the most responsive jurisdiction to incorporate the coalition's feedback. The coalition monitored the City of Henderson, the City of Las Vegas, the City of North Las Vegas, the City of Reno, Clark County School District, Washoe County School District, Clark County, Washoe County and Carson City Board of Supervisors, and State and congressional redistricting processes.

As it stands, the coalition is opposed to S.B. 12, and it urges you to vote against it.

SYLVIA VILLANUEVA:

Although I am on the Reno City Planning Commission, I am here testifying in a personal capacity. I speak only on behalf of myself.

I am specifically testifying in opposition to eliminating Reno's Ward 6 seat and maintaining the City Council's at-large seat. I am neutral to the other provisions of the bill.

In 2017, the Legislature approved eliminating Reno's at-large seat and moving toward ward-only representation. Backtracking now, before the 2017 legislative changes have gone into effect, would undermine the fundamental principles of representative democracy.

According to Truckee Meadows Annual Report, the region's population is projected to hit 500,000 by 2024 with the largest population in the City of Reno. Ward 6 would allow for more direct and equal representation. By direct and equal representation, I mean that regardless of whether a specific neighborhood or community within a city turns out to vote in greater numbers than another, the individual wards would have representation proportional to their population allowing the goals of democracy to be met.

This is particularly relevant in Reno. The Truckee Meadows Annual Report's race demographics depict the population as 78 percent white compared to 20 percent for all other races. It is no surprise that the last two at-large council members were appointed. Citywide campaigns create economic disadvantages and racially inequitable challenges for candidates to win in citywide contests despite having strong support within their neighborhoods and wards.

ANNETTE MAGNUS (Battle Born Progress):

Battle Born Progress opposes S.B. 12 as written and hopes this Committee does too. Battle Born Progress is delighted to see that the bill calls for gender-neutral language and allows the City of Reno to participate in green infrastructure projects. However, it is disheartened to see the bill does not create a sixth ward but maintains the at-large council member position. This is not best for the community.

During the 2021 Special Session, this Body created maps intended to best represent communities across the State with their unique priorities and needs. Redistricting can be a good thing if done the right way and not in a way that sets up a particular section of the economy to fail. This bill is not beneficial. Battle Born Progress urges this Committee to oppose S.B. 12.

MARGO PISCZVICH:

I am a native Nevadan. I was born in White Pine County, but I have lived in Reno since I was eight years old. In 2017, the Legislature passed A.B. No. 36 of the 79th Session which allowed a sixth ward in the City of Reno.

I recommend an amendment to S.B. 12 to retain the sixth ward. I am neutral on the other two changes. I agree with the previous testifier who spoke about sewer problems and the green infrastructure. However, I do not care about that one way or the other.

Reno is the only city with an at-large person except for the mayor who is at-large. The City of Henderson is now going to be the last city to have wards. One gentleman said these wards or districts came about because of the civil rights movement and the voting rights bills in federal elections. Of course, they were stopped all over. All states now use districts or wards, including legislatures.

The residents had no reason to expect the City of Reno might consider changing the plan in less than one year. There was no public outreach or engagement. There was a slim 5-3 majority vote in the Charter Committee. Five of its members were absent. To say there was a unanimous vote is not correct. There was no public comment on this item.

I agree with Mayor Schieve that there is a lot of partisan politics in the City of Reno. This was not a transparent action by the City. The public meeting was held, but it was intended to rebrand the entire City. The legislative action that would alter the plan for City representation, supposedly on behalf of the public, was without any public buy-in or any indication of public need. This was a waste of time and money.

I am shocked that our elected representatives or their appointees make these decisions without consulting the public. We need to have the sixth ward in place. This must be done quickly because elections will be coming up and there is no map. That is one of the reasons I am suggesting the deletion of that part of the bill.

There was a woman on Channel 4 News who said, "It seems like they are wanting to change the whole law to satisfy the needs of two people. Our council is divided." There is no question about it. However, I have never had a problem calling anybody in any ward in the City. People are responsive, but there is division in these wards. An at-large seat is not going to change it.

TONI HARSH:

I am a resident of the City of Reno. I served on the Reno City Council from 2000 to 2004. There was discussion at that time that the at-large seat should be eliminated and the City should move to a sixth seat to be closer to the residents. The City serves its residents, not just the voters. The at-large person at that time was Pierre Hascheff. He was amenable to stepping down to allow better representation for the City.

Reno City Council members are nonpartisan representatives. I promised Mills Lane when I was elected that I would return all my phone calls and I did. I do not know what other Council members do, but I had a great time returning those phone calls because I could learn my constituents' interests.

There were 15 members on the Charter Committee. I reviewed its minutes and not many members showed up at the meetings. Members were supposed to call ahead if someone was not going to be there so they could ensure a quorum for a meeting. I would be concerned about this Committee.

Only eight Committee members were in attendance when the vote was taken on the changes in S.B. 12. It was a 5-3 vote. A small number of people attended the discussions leading up to this.

I will read into the record comments made by one of the members that explains it well:

The position would ensure the equity is being accounted for in decisions made within all departments of the City. Chair Marshall also agrees with member leaders that having the additional ward would create a significantly lower-cost race as compared to the high-cost race of an at-large member. Chair Marshall also said that it has been more progressive during the time that at-large positions became more common across the jurisdictions. But in the world today, it is not as progressive; times have changed.

The time for that sixth ward is overdue.

MARLENE LOCKARD:

I am representing myself today on S.B. 12. I am opposed to the section of the bill that does away with the sixth ward. Considerable input, time and research

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was given at the time the previous legislation was approved to create the sixth ward. There has not been adequate discussion to go back now.

I am surprised, as a citizen of Reno since I was four years old, there has not been public discussion on why the change and reverse of opinion. I urge this Committee not to consider the bill.

JOHN CARLO:

The young gentleman from Las Vegas and I am opposing this bill. I would like the Legislators to take into account the scripture from Genesis, chapter 1 in verse 26. And this is in regards to gendered language, and this is coming from the Bible. The Bible has been in existence for thousands of years. It has gone untainted. It has gone preserved to this very day, the Masoretic text; and we see that this is the way God speaks. And now in our modern day, we have people that are changing science, they are changing ...

There are certain absolute truths in this world. But this is what the Bible says, Genesis 1:26: "And God said, let us make man in our image after our likeness and let them have Dominion over the fish of the sea and over the fowl of the air and over the cattle and over all the earth and over every creeping thing that creepeth upon the earth. So God created man in his own image and the image of God created He him, male and female created He them."

And so we are now creating laws, trying to create laws that go against God. And we are taking this restorative justice thing way too far. You guys need to respect the people of Reno; and people are going to be looking. This is the capital of our State, and you guys are making history. You guys, people are going to be looking at Reno and say, what is Reno doing? What does the law say? I am just saying, follow God, obey Him and listen to the word of God. That's all I have to say. Thank you, guys.

CHRIS GIUNCHIGLIANI:

I oppose S.B. 12. I support the gender language changes. Green infrastructure is interesting, but it is not defined in the Reno City Charter nor in *Nevada Revised Statutes* (NRS) 278 which addresses planning. Therefore, absent a definition, no

one knows what they are really talking about. But the meat and potatoes of this bill is to undo the 2017 legislation that finally had individuals represented by ward. It is an easier way for the public to know their representatives. It is cheaper in the long run, and it balances inequities, especially racially.

The late U.S. Supreme Court Justice Ruth Ginsburg said it clearly that at-large positions were a way for incumbent protection and were more inequitable than a ward seat. Because someone does not show up for a ribbon cutting is not a compelling argument to justify the violation of what the 2017 Legislature put in play and negatively impact individuals who should have a representative of their own in a ward seat.

I urge you to support the gender language, either define green infrastructure or take it out and not undo past legislation. The City of Henderson just voted this election to go into wards. It is the last large city in the State to do so.

WILLIAM MANTLE:

I oppose S.B. 12 only on the repeal of the language for the creation of Ward 6. I am neutral on the rest of the bill. I favor the removal of gender language. I am more serious about green infrastructure.

Recent redistricting efforts taken by the City have informed the public that Ward 6 would be created this coming year. Planning presented to the public has been in that lens. Suddenly, without any public discourse or discussion, this will be pulled out from underneath everyone's feet.

I am shocked at the method in which the City has gone about this. It is a subversion of the public process as well as the abuse of the bill draft request (BDR) process. The BDR should be used for change not available to city councils or other municipalities within their own charters for which this whole process has an avenue.

I urge the Committee to look at that to understand that the representation of the City, which is growing rapidly, is at risk. No one person can easily field demands from 55,000 people, let alone 38,000 as was referenced earlier. However, 38,000 is more digestible than 55,000.

The City is ready for a sixth ward. It is time the ward map is redrawn. Geographically, the wards do not create identities in the City. Not that it is the

purview of this bill, but anchoring members on the council to where the wards must be drawn is also problematic in properly creating equality and representation.

ANDREW DISS:

I am here in my capacity as the former chair of the Reno Charter Committee. I served on the Committee for eight years until 2020. I served the last six years as chair.

I was chair in 2017 when the Committee made the change to eliminate the at-large seat and create the sixth ward. I want to share the perspective of the Committee at the time as to why it thought that was a worthy change to make. It was about shrinking the number of people represented by a ward member.

Whenever the Committee had ideas to bring to the Legislature, a joint meeting was held with the Reno City Council to discuss those ideas. Mayor Schieve has been outspoken against making that change because of how important it was to have a second voice. However, according to the Committee, shrinking that number would allow members to be more responsive to their constituents. As former Councilwoman Harsh stated, that aspect of the job is important. If members are not responsive to their constituents, they will probably not get reelected.

The Committee was methodical, considering there was to be a census in 2020 and redistricting was going to happen. In its most recent redistricting, the City of Reno held several workshops. It was transparent in the process. There was a lot of opportunity for community engagement. But along with that engagement, there was always an understanding of another redistricting when the at-large ward was eliminated. That was well communicated to the public. The Reno public had an understanding that the at-large seat was going away and there would be six wards.

MR. CICCONE:

There is no other city in the State with an at-large member. However, the Washoe County School Board has two at-large members. That system works well for the Board and likewise for the City of Reno since 1971.

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CHAIR FLORES:

The Committee has received a letter of opposition ([Exhibit C](#)) to S.B. 12 from Reva Crump.

We will close the hearing on S.B. 12 and open the hearing on S.B. 18.

SENATE BILL 18: Revises provisions governing required meetings of planning commissions in certain counties. (BDR 22-307)

NICK VANDER POEL (City of Fernley):

Senate Bill 18 came from the City of Fernley Planning Commission under NRS 278.050.

Planning commissions are required to meet monthly. In the City of Fernley, the Commission found itself having meetings with nothing on the agenda. In 2021, the Commission had four meetings with nothing on the agenda. Finding a quorum is the hardest part, and opening a meeting for public comment only is not productive. In 2022, there were three meetings with nothing on the agenda.

Senate Bill 18 only impacts counties and incorporated cities with populations less than 100,000.

JENNIFER BERTHIAUME (Nevada Association of Counties):

This bill would bring flexibility to counties with populations under 100,000. The Nevada Association of Counties supports S.B. 18.

CHAIR FLORES:

We will close the hearing on S.B. 18 and go to the presentation from the City of Fernley.

NEAL E. MCINTYRE (Mayor, City of Fernley):

The City of Fernley is a growing community consisting of a new population and jobs. Challenges come with that growth. Fernley is at a fork in the road that includes supporting housing and economic development. The reality is that the City must provide services such as public safety and expand and maintain infrastructure.

The Consolidated Tax Distribution (CTX) is a fair share revenue of the county. Fernley is not receiving its fair share of CTX while its population represents

almost 40 percent of the population of Lyon County. With CTX, the City can provide these services. Because there are no clear answers from the Legislature or the Executive Branch, the City continues to be at a fork in the road.

I am optimistic, and I am here to work with each of you and your colleagues on Fernley's future. Fernley has a great opportunity to contribute to Nevada's growing economy, but Fernley needs your help.

AARON MOURITSEN (Deputy City Attorney, City of Fernley):

The City of Fernley was incorporated in 2001. When the City incorporated, the population was 8,830. It is the nineteenth city in Nevada. In the 2020 census, the population was 23,000. The population tripled in about 20 years. The area of the City is approximately 163 square miles and about 30 miles east of Reno. It is growing at about 1.5 percent annually and is expected to reach a population of 25,000 by 2027. By 2038, the population is expected to reach 40,000 or 5 times the population within 40 years of incorporation.

In 2021, despite four meetings of the Fernley Planning Commission with no one attending, there was a large increase in building permits. There has been a small decrease in building permits over the past few years, but it is staying mostly the same as seen in our presentation ([Exhibit D](#) contains copyrighted material. Original is available upon request of the Research Library.), page 3. The City has had many commercial permits valued at about \$152,000.

As part of this challenge, the City has had diversification of housing stock, [Exhibit D](#), page 4. In 2022, a 72-unit apartment complex was built and 5 more projects are in the works for apartments. Those apartments would add 1,100 apartment units if they are all completed. Also, another 5 projects are being worked on that would create 600 multifamily units, duplexes and townhomes.

Along with growth, the City has begun facing the challenges that come with homelessness, [Exhibit D](#), page 5. As part of that, the City worked with Lyon County in subawarding a \$278,000 American Rescue Plan Act of 2021 fund for rental, mortgage, utility and mental health assistance.

The biggest project is the Fernley Lands Bill. The City of Fernley is working to obtain eight parcels of federal land located within the City from the federal government, [Exhibit D](#), page 6. The hope is to turn these parcels into

economically useful areas and improve the quality of life. Plans include a motocross arena, hiking trails, horse trails, off-highway vehicle trails, parks and City beautification.

Approximately 60 percent of the Fernley workforce travels to Reno, Fallon and surrounding areas. The City is trying to enliven small businesses. About a month ago, the Comprehensive Economic Development Strategy was completed with recommendations to work with Adams Hub and Shop Made in Nevada, both programs for small businesses, [Exhibit D](#), page 7.

One recommendation that caught my interest is incubator locations. I did not know what an incubator location was. The plan is to develop a building with many units for new businesses, assist them in getting started and charge low rents to allow them to get off the ground. Once started, they can move to other locations in the City, and new small businesses can be brought into that incubator location. In May 2023, the City will offer a small business resource fair as part of its observance of Small Business Month.

Another challenge is the Main Street beautification program, [Exhibit D](#), page 8. The goal is to make the downtown area more walkable and beautiful to interest people in having and visiting businesses in this area.

Another big project the City is working on and for which it is looking for funding is the Community Response and Resource Center, [Exhibit D](#), page 9. It will be a 35,000-square-foot facility providing the community with an emergency hub, childcare and youth services. This project will provide 250 construction jobs and 20 permanent jobs when it opens. The goal is to have 70 childcare spaces for children aged 0-5 years and another 200 children for the after-school program. This will also serve as an emergency center and a community gathering area.

The U.S. Department of Transportation awarded the City a \$25 million Rebuilding American Infrastructure with Sustainability and Equity grant. The goal is to connect Interstate 80 with U.S. Highway 50. [Exhibit D](#), page 11, shows the route, in red, the trucks must take. Trucks must go part way across town through the roundabout and then cross over to Interstate 80. The new connection in blue will decrease traffic at the roundabout and through the City and create greater safety.

The biggest employers in the City are listed on [Exhibit D](#), page 12. Inside the City are a few little islands of County with Nevada Cement and other employers. Even with all this employment, many people are leaving the City to work elsewhere. The City is working to bring that workforce back.

The City of Fernley has grown quickly and has many growing pains. It is working on those and has been successful in bringing in different kinds of housing as well as support for small businesses. As the City continues keeping up with the growth, it is looking for assistance from the Legislature.

SENATOR GOICOECHEA:

With the lining of the Truckee Canal, how many domestic wells are in the area? Recharging the domestic wells will not be an issue this year, but it may be in the future. Can you give me a percentage, especially toward Farm District Road? Some of them might be County, but some I know are City. Do they supply the City with water?

MR. MOURITSEN:

No, many wells in that area have had issues and been the subject of litigation. The issue with lining the Truckee Canal was heard in front of the U.S. Court of Appeals for the Ninth Circuit last week. The City is dealing with pending litigation and waiting for a decision.

CHAIR FLORES:

We will open the hearing on [S.B. 169](#).

[SENATE BILL 169](#): Revises provisions governing master plans. (BDR 22-346)

SENATOR FABIAN DOÑATE (Senatorial District No. 10):

During the 2021-2022 Interim, I was the Vice Chair of the Joint Interim Standing Committee on Natural Resources. The Committee reviewed many environmental issues, among them excessive heat and potential heat mitigation solutions. As a result of these productive discussions, the Committee voted unanimously to request drafting legislation to require certain local governments to include a heat mitigation element in their master plans, which resulted in [S.B. 169](#).

As our planet continues to warm due to climate change, cities are facing more frequent and intense heat waves that pose a serious threat to public health and

safety. Heat waves are particularly dangerous for vulnerable populations such as the elderly, young children, the unsheltered and those with preexisting health conditions. As our communities continue to expand and grow, it is important for cities to incorporate heat mitigation elements into their master plans.

Heat mitigation elements are interventions that can help reduce the urban heat island effect which occurs when urban areas are significantly warmer than surrounding rural areas due to human activity. These interventions can include green infrastructure such as urban tree canopies and green roofs as well as built infrastructure such as cool roofs, shade structures and reflective paint.

One important way to provide heat mitigation services is to create cooling spaces throughout the city. These can be public spaces such as parks, plazas and heat-reflecting buildings designed to provide cool shade and cool air during the hottest times of the year. In addition, public buildings such as libraries, community centers and shopping malls can serve as cooling centers during heat waves.

As part of general discussions, the Committee recognized another important heat mitigation service, which is access to public drinking water. It is important for people to stay hydrated. Access to free drinking water can help prevent heat-related illnesses.

Shade over paved surfaces is another important heat mitigation element that can be added to master plans. Heat can be absorbed and make the surrounding area less hot than it already is. Urban tree canopies create shade, absorb carbon dioxide and release oxygen which can improve air quality and reduce the heat island effect.

Heat mitigation in cities is critical to protecting public health and safety during heat waves. By incorporating heat mitigation elements into our master plans such as cooling spaces, public drinking water and shade over paved services, we can help reduce the urban heat island effect and create more livable cities. It is important for city planners, policy makers and residents to work together to ensure these interventions are incorporated into city planning and implemented effectively.

Law requires a planning commission to develop a master plan as a comprehensive, long-term plan for physical development of cities, counties and regions. Certain elements are required in a master plan.

Section 2 of the bill sets forth requirements for heat mitigation elements to be included as part of the master plan, such as access to public cooling spaces, public drinking water, cool building practices and so forth. The bill becomes effective on July 1, 2023.

JOANNA JACOB (Clark County):

Clark County worked with Assemblyman Howard Watts when the language came out on this bill. Clark County and other municipalities are working on heat mitigation on behalf of their communities.

The Clark County Comprehensive Planning Department has proposed an amendment ([Exhibit E](#)) which changes what a master plan is supposed to be, which is a high-level policy document. This will allow local governments to create correct strategies for implementing a master plan. The heat element will operate as a policy-guiding document. That is why the language in the proposed amendment allows the development of strategies which would include factors mentioned by Senator Doñate. Also, additional language proposes to consider other mitigation measures to address heat in the community.

I asked for that language because Clark County has created a fee in lieu of program for landscaping. For example, commercial developers may want to pay a fee into the program as they are developing. The County will be able to act and mitigate heat in some older neighborhoods and those most impacted by heat mitigation. It is operating as a kind of credit system that will help address heat mitigation. That is why the County wanted flexibility as it considers other strategies in addition to the ones proposed in the bill.

SUZANNE GRONEMAN (Sustainability Program, City of Reno):

The number of days in which temperatures exceed 95 degrees in Reno is increasing. Between 1970 and 2020, we experienced greater warming of annual temperatures in nearby rural areas with nighttime temperatures and heat retention increasing in urban centers.

The ReImagine Reno Master Plan emphasizes the importance of a healthy urban forest. Reno's urban forestry program is the oldest in the State. It also

emphasizes reducing urban heat islands through site features such as reflective materials and shade options, as well as the goal of exploring the feasibility of establishing safe centers for residents during periods of high heat.

The City of Reno Parks and Recreation Department, Emergency Preparedness, Development Services, the Equity and Community Relations team and the Sustainability Program team work together to address heat mitigation efforts under Reno Resilience, the City's Sustainability and Climate Action Plan. Safeguarding water resources is also a priority. This ensures that residents will have clean, safe drinking water in periods of high heat.

The City is undergoing a heat-mapping project, using a map showing equity indicators in its analysis. This map shows areas of Reno with high heat. It also highlights areas with high asthma and high energy burden. Initial analysis shows a direct correlation between high heat and asthma.

The City of Reno must look at heat mitigation and heat management. Heat management includes cooling centers, access to reliable energy, dependable transportation and safe housing options. Under S.B. 169, heat mitigation efforts will be better defined and will emphasize looking ahead and planning now rather than reacting to existing threats.

SENATOR DOÑATE:

During the Interim, there was a concern that requiring heat mitigation elements in master plans could be burdensome for smaller jurisdictions. That is why S.B. 169 has a population requirement so it only applies to Washoe and Clark Counties.

MARCO VELOTTA (Comprehensive Planning Section, Office of Sustainability, Department of Community Development, City of Las Vegas):

I am a planning project manager and the lead for the City's *2050 Master Plan* and its development from 2019 to adoption by the Planning Commission and City Council in mid-2021. I will also oversee its subsequent implementation.

I acknowledge Las Vegas Councilwoman Nancy Brune, representing the City's Ward 6. Prior to her election last year, Dr. Brune shared her experience on heat impact to the community with the Joint Interim Standing Committee on Natural Resources.

Senate Bill 169 provides direction to cities and counties for their master plans to include urban heat mitigation elements. When the City of Las Vegas embarked on developing its master plan for the next 30 years, there were several objectives it wanted to hit. Among them was to develop a concise plan addressing all the statutory requirements and provisions it had heard about during public outreach.

When the City of Las Vegas was going through the planning process with respect to sustainability and natural environment as considered under the conservation and safety elements under NRS 278.160, it identified issues specific to the City, which are perhaps more pronounced in areas and neighborhoods around the downtown area but impact the entire region—drought, flash flooding and extreme heat.

With the Mojave Desert, desert heat is a known geographic fact. The difference the City has noticed in partnership with Clark County and other local and regional entities is the heat is exacerbated by urban heat environments, producing the urban heat island effect, which is common in cities across the Country. Each city is addressing this in its own context and geographically oriented methods.

The response of Las Vegas and southern Nevada is going to be different from that of Reno. Most of those responses may be different from inside the Interstate 215 Beltway or McCarran Boulevard versus outside of them. They may even be different from what is addressed in a place like Lake Tahoe.

When other layers like demographics and socioeconomic factors, the urban tree canopy coverage, building construction, and other built and natural environment variables are added in, it becomes apparent there is more impact in certain parts of the urban area that can creep over political boundaries. In the City of Las Vegas, when we overlaid those data sets and mapped them out, we found that neighborhoods like East Las Vegas and the historic Westside have higher heat vulnerability and less capacity to adapt.

There is concern that with time and changing climatic conditions, including anticipated temperatures increasing two to eight degrees higher than average, the impact of that urban heat island effect to neighborhoods and local communities can get much worse, ranging from the financial cost to the public health toll.

The *2050 Master Plan* goals broadly cover how to deal with that issue. Given the realm of possibilities that could be involved without the statutory language for master plan guidance, much of the plan's content is high level. However, it lacks details on how to mitigate and respond to the heat offense. Senate Bill 169 would address that with examples, such as maintaining critical functions given the potential harm to electrical and grid infrastructure, public transit operations and outdoor economic activity.

How the City responds is also a big issue for local governments and emergency responders, such as preparing city facilities to be cooling centers or ensuring there are shelters with trained staff to address at-risk populations like the homeless, seniors and children. Other things that must be considered are developing communication to the public at large and to utilities about how the City addresses those issues. A plan is needed to address that.

From collaboration with Councilwoman Olivia Diaz who represents Ward 3 in East Las Vegas, which is more than 60 percent Latino and the median household income is about \$30,000, the City learned that community wants to see more trees planted.

Because the plan is implementation-oriented, the Las Vegas City Council followed through with additional measures in the form of a resolution to create more tree planting, develop the urban heat mitigation plan and urban forestry inventory, which is about to go to bid and would include heat mitigation aspects, and adopting the Southern Nevada Water Authority's (SNWA) regional plant list as a minimum standard for drought tolerant tree species.

We have been working closely with other entities such as Clark County; Regional Transportation Commission of Southern Nevada; SNWA; Southern Nevada Health District; University of Nevada, Las Vegas; Desert Research Institute, University of Nevada, Reno; National Oceanic and Atmospheric Administration; and National Weather Service. The takeaway is there is more to be done.

As discussed in the Joint Interim Standing Committee on Natural Resources and from the presentations and testimony, S.B. 169 addresses the component in NRS 278, specifically, urban forestry shading and other strategies that allow a city or county to determine how to address aspects of the urban heat island effect. Those otherwise silent aspects are a big component of urban heat

mitigation. Senate Bill 169 would provide additional direction for the planning process.

SENATOR GOICOECHEA:

Even though there is a lot of planning, there is no true oversight. Are you going to come up with a plan and figure out how to do it? Plant a few more trees, get a little more shade, but there is no one to enforce the plans as they are submitted—perhaps the county or the city. Is that the right way to look at it?

Ms. JACOB:

The master plan is community-adopted. Clark County had hearings on the master plan, and then it was implemented. It will be overseen by the Clark County Board of Commissioners and the Las Vegas City Council. That is how this will be implemented in local jurisdictions.

MR. VELOTTA:

Local governments will determine how to best implement their plans. That could mean funding capital projects for the planting of trees, amending the zoning code to specifically address urban heat island strategies from a built environment standpoint or how much space should be covered. Their plan would specify what to look for.

SENATOR DALY:

When you say you want to shade paved areas, local jurisdictions can approve that through conditions put on use permits. However, there is no specification in the bill on how much is to be shaded. Unless a cover is built over a parking lot, you cannot shade it. Trees can be planted, but they will not shade the whole area all day. How is this going to be enforced? What is the plan? You will not be able to shade all paved areas—maybe walkways, bus stops and drinking fountains. I do not want local governments making so many restrictions that nothing can be done.

SENATOR DOÑATE:

During the Interim, there were presentations on the negative effects of heat and who is disproportionately impacted. A map was presented of Las Vegas showing certain jurisdictions or parts of the City. For example, East Las Vegas and North Las Vegas would have less tree canopy than other parts of town.

As part of the proposed amendment, [Exhibit E](#), that would all be at stake. A city or county would have the ability to look at how to incorporate the plan in residential areas, incentivizing it or looking at the design of streets as they are being repaved or as more construction occurs.

We would be remiss to require certain parts of the pavement be covered by a tree canopy. That is not the intent of this bill. What works in East Las Vegas might not work in Washoe County. We want to ensure everyone is on the same page and incorporating these aspects. What that looks like is part of the accountability piece that the local cities and jurisdictions would fall into.

MS. JACOB:

Senator Daly, thank you for that comment. That is one of the reasons why we proposed the amendment, [Exhibit E](#). We received feedback from the entire community about the tree canopy. It does not work to cover a whole parking lot. It might not work in all jurisdictions, which is why when I spoke to the program, we are giving thought to what could be done to address the disparities that Mr. Velotta talked about in his study.

As part of its all-in initiative, Clark County has been considering that a commercial development might want an in-lieu fee so the County can address a tree canopy in another part of town. That is just one thing the County has been looking at.

This bill will allow the County to keep planning to see how it can be done in collaboration with all community and business members. That is an important part of the planning process. I do not have a planning background. I am just relaying what I heard from the Clark County Comprehensive Planning Department.

This is the intent of incorporating language about other strategies. Strategies in the City of Las Vegas could be different in North Las Vegas, Clark County or the City of Reno. That is why the County is looking at how that can be done as part of a public process and with input from everybody.

SENATOR DALY:

I figured that was probably how it was going to be done. You cannot cover every parking lot or every street. Older areas in town versus new areas in town, especially in Reno, have more trees. As areas are developed, people plant trees.

Perhaps there is a study that says what percentage of an area should be covered at different times of the day. I do not want to see a project slated that someone does not like. The heat canopy can be used as a condition to cover 80 percent of an area 90 percent of the time. Those guidelines will develop as we move forward.

SENATOR OHRENSCHALL:

Some parts of town on summer afternoons are like heat batteries where the concrete soaks up the heat and radiates all night.

Language in the proposed amendment, [Exhibit E](#), talks about the preference for native tree species. Palm trees are popular in southern Nevada and beautiful to look at. However, they do not provide much shade, use a lot of water and are not native to southern Nevada. As part of heat mitigation, we are looking at a preference for native tree species. Will that still provide the heat mitigation we need? I would like to see many palm trees replaced with trees that give us more shade and do not use as much water. Palm trees are decorative in certain places. They are part of the Las Vegas feel and theme, but in many areas, they are not the preferred tree for heat mitigation. If that is a question you would rather follow up with me later, that is fine.

Ms. JACOB:

I would like to follow up with you afterward; however, I will try to address it.

That is the intent of the proposed amendment, [Exhibit E](#). The language you are pointing to is the original language in the bill and some of the recommendations that came out of the Interim Committee. I would like to talk about that concern with Assemblyman Howard Watts and the conversations that happened over the Interim.

MR. VELOTTA:

Different tree species provide different attributes in terms of canopy coverage. The intent of the amendment is giving preference to native and adaptive species appropriate for the environment. It might be more dependent on geography and what makes sense. Some species in southern Nevada are water-efficient, provide a lot of good shade and are low maintenance. We are planting those in public parks. Others do not work and will die in the heat. We want to avoid planting those. It comes down to function versus aesthetics. That is what the

heat island mitigation element would tackle and could be addressed depending on the area of the State.

Ms. MAGNUS:

Battle Born Progress supports S.B. 169 as amended. Nevadans are already living through climate change, heat waves, drought and air pollution. Climate change is already affecting our health, our environment and the ability to make a living wage. Low-income Black, Indigenous and Nevadans of color are especially suffering by living in areas with hotter temperatures, dirtier air, fewer green spaces and higher energy bills.

It does not have to be this way. As Nevada makes plans to fight the climate crisis, this Body must consider creative solutions like this that will address heat mitigation and other jarring effects of the climate crisis we are facing.

Senate Bill 169 is a necessary step to ensure Nevadans today and future generations can flourish in our great State while reducing heat island risks. We echo the question Senator Goicoechea had. The next step will be to have real oversight on the implementation of this bill.

According to our Breathe Free NV report, Nevada's communities of color are the most impacted by the climate crisis. This report addresses the concerns shared by this Committee. We will be happy to share it with the Committee.

We do not have time to waste, and we must have plans to mitigate this issue. We urge this committee to support S.B. 169.

YAZMYN PELAEZ (Nevada Conservation League):

Nevada is home to two of the fastest warming cities in the Country—Las Vegas and Reno. The typical number of heat wave days in Nevada is projected to increase to around 55 days a year by 2050. Extreme heat events can be dangerous to health or even fatal. The number of heat-related deaths and illnesses continue to increase year after year.

While all Nevadans are impacted during extreme heat events, impacts are not evenly distributed. Extreme heat poses higher risks for low-income communities and communities of color. The effects of urban heat islands make temperatures in predominantly Black and Brown neighborhoods even hotter than surrounding areas.

This problem will only continue to get worse unless we act. It is critical that local governments proactively address extreme heat and mitigate its impacts to protect public health in our communities. We urge the Committee to support this important legislation.

JAINA MOAN (The Nature Conservancy):

The Nature Conservancy supports S.B. 169 to require heat mitigation strategies and master plans. The Nature Conservancy supports policies that will help communities adapt to the effects of climate change.

Research conducted by Climate Central shows that Las Vegas and Reno are two of the fastest warming cities in the Country. Planning for heat and finding ways to reduce and mitigate adverse impacts is essential to maintain quality of life in rapidly warming cities. It is an opportunity to address areas most in need of heat mitigation.

There are many innovative ways to deploy nature and nature-based solutions to cool areas affected by urban heating. The Nature Conservancy appreciates that urban tree canopies are included in heat mitigation requirements. Other community greening efforts such as low-water landscaping and community or personal gardens can also have a cooling effect in underserved neighborhoods most impacted by heat.

NICK CHRISTENSON (Sierra Club):

The Sierra Club supports S.B. 169.

Urban communities in Nevada are warming at an alarming rate. It is critical to admit this reality and take sensible steps to respond to it. Senate Bill 169 is one of these steps.

In response to Senator Daly's question, one thing the Sierra Club would like to see is having surface parking lots covered with solar panels which would provide power to the community and heat mitigation as well.

CINTHIA MOORE (Nevada Environmental Justice Coalition):

The Nevada Environmental Justice Coalition (NEJC) supports S.B. 169. I will ditto what other testifiers have said.

This type of planning is critical for various communities that the NEJC works with and is a necessary step in the right direction for achieving environmental justice in Nevada.

MS. MOTAREX:

The Associated General Contractors, Nevada Chapter, is opposed to the bill as written but neutral with the Clark County amendment as it provides flexibility for each local jurisdiction to establish its plans.

CHAIR FLORES:

We will close the hearing on S.B. 169 and go to the presentation from the City of Reno.

DOUG THORNLEY (City Manager, City of Reno):

According to the 2020 Census, Reno is the third largest city in the State. The City of Reno has a council-manager form of government as noted on page 2 of our presentation ([Exhibit F](#) contains copyrighted material. Original is available upon request of the Research Library.). The City has a mayor, an at-large member who serves as the pressure relief valve and five city council members who represent the City's five distinct wards. There are three assistant city managers who oversee the myriad functions of the City. The City has approximately 1,400 full-time employees. That number grows seasonally to 1,700 to 1,800 with Parks and Recreation employees working in the summer.

We work hard to implement the vision of the City Council through the strategic plan that has six primary goals, [Exhibit F](#), page 3. The City is proud to have passed a balanced budget last year for the first time in about 15 years. It has restructured and paid down a large amount of debt over the last decade and is on track to propose and pass a balanced budget again this year.

Police, fire services and public safety are a priority whether that relates to hiring or capital expenditures. The City is proud of the new Public Safety Center which is the adaptive reuse of the old Reno Gazette-Journal building. That will open in the summer of 2024.

Housing affordability has been an area of pride for the City Council. It is the leader in the region and continues to lead with respect to policies and investment in affordable housing.

The ReImagine Reno Master Plan and the regional plan guide the City in its planning decisions, where to make infrastructure investments, how the City grows and how to deliver services. The City is always working to provide services and build facilities that are sustainable for the community.

The City budget, [Exhibit F](#), page 4, is approximately \$915 million. Most of that is comprised of enterprise funds—fees collected directly for the provision of services. The City has 18 departments. The City Public Works Department, Maintenance and Operations Division has done a fabulous job of clearing roads of snow and ice and making sure water can flow through the conveyance systems to prevent flooding. They have worked 12-hour shifts for almost 3 months.

The general fund, [Exhibit F](#), page 5, is made up primarily of Consolidated Tax Distribution with property tax being another primary component. About 38 percent of the general fund is CTX and 26 percent is property taxes. The City aggressively pursues grants and spends \$33 million a year in grant money. Grants are important in areas where the public sees a difference in services. Housing and rental services, public safety, arts, recreation programs or general infrastructure make Reno not just livable but lovable. The provision of grants by the federal government and other entities is important to the City with respect to getting its work done.

The City of Reno provides services. It is a service-driven organization. Approximately 72 percent of expenses are salaries and benefits. The budget is built around what is important to the Reno City Council and the priorities it sets as borne out in the strategic plan and the policy decisions it makes.

The City is mindful of its changing demographics and makes sure it is providing services for a modern population. To keep that in mind, the City has created the position of Chief Equity and Community Relations Officer to ensure there is a voice at the table in every decision-making process in the City.

CYNTHIA ESPARZA (Chief Equity and Community Relations Officer, City of Reno): Reno is the third largest city in the State. The City is vibrant and growing just like many other areas in the State. The City's population has grown significantly over the past decade, [Exhibit F](#), page 7, and is estimated to be 265,000. The 2020 census highlighted that growth, which was 17 percent overall.

Reno's demographics are different compared to that of 30 or 40 years ago. Like trends in southern Nevada, one-quarter of the population self-identifies as Hispanic or Latino. The proportion of the City's population among Asian-Pacific Islanders and Black communities grew significantly in the last decade.

Understanding the needs of its growing diverse community, the City wants to ensure residents can reach their full potential and be responsive to all their needs. Diversity, equity and inclusion is a priority of the City. The Chief Equity and Community Relations Officer will lead that work for many years.

Working closely with City Manager Thornley, we had numerous conversations throughout the week, such as a policy decision to program a new fee. I bring a different view to the table when we talk about those matters and integrate macroequity views to the organization.

The City has enhanced staff support for its diverse community, specifically with language. A staff member not only focuses on Spanish communications but extends what that looks like outside the City and provides innovative ideas for sharing information. A community relationships manager will develop relationships with the community and build trust which is invaluable. Through these roles, the City has improved its public engagement processes and is able to be more proactive, [Exhibit F](#), page 8.

As an organization, the City is committed to building capacity among its staff internally. One of the approaches was the development of the One City, Many Voices Speaker Series for employees. Community members were invited to speak on a variety of issues, topics and identities to increase awareness and have a space to ask questions. That series will be continuing this year.

This year, the City started working on updating its equity plan which will be its guide for many years.

MR. THORNLEY:

The regional plan and the City's master plan represent a multilayer approach to how the Truckee Meadows and the City of Reno will develop and provide services for the future, [Exhibit F](#), pages 9 to 11.

The regional plan is important because it is adopted by every jurisdiction in the Truckee Meadows—the City of Reno, the City of Sparks and Washoe County.

The plan expresses a clear preference for a more compact land use pattern. That preference is also mirrored in the City's master plan in which it addresses the effects of urban heat islands and the impacts of urban sprawl, among others. In the implementation of the regional plan and the master plan, the City is looking for ways to deliver sustainable, high-quality services to residents.

One of the challenges is dealing with mass wastewater and closed basins. The City's engineers have identified several options for the disposal of wastewater in this unique environment. The City is looking at a project that won the American Society of Civil Engineers project of the year award for 2021. It is an advanced purified water facility in which water will be cleaned to drinking water standards and then injected into the ground to be held in an aquifer for reuse at the appropriate time. This is being developed in the North Valleys and will help manage not only sanitary sewer wastewater but other waters as well. It will have a positive impact on stormwater management practices.

The City is concerned with the dependence on cars, the effects of urban heat islands, affordable housing and ensuring safe and efficient methods of transportation for people to move around and experience the community. The City has been piloting ideas to determine what works best for Reno to build into streetscape and road building standards.

The Downtown Virginia Street Urban Placemaking Study was completed last month. The City will be able to take information learned from this effort and build it into a plan to make the community less car-dependent. People will be able to get downtown and visit businesses, connect with UNR, Midtown and other places in which they like to recreate.

The reason I mentioned the City wants to get people into areas in which they like to recreate is due to consistent feedback from the community. One of the reasons people enjoy living in Reno and the Truckee Meadows is access to outdoor recreation and spending time in temperate places that are easy to enjoy all year and encourage active lifestyles.

The Reno City Council has made a generational investment in the new Moana Springs Community Aquatics and Fitness Center, which has multiple pools, and the Public Safety Center, which will open summer 2024. The City appreciates the support from the community, particularly the William N. Pennington

Foundation that kick-started the fund-raising effort and encouraged the City to find the means to pay for it.

The City is constantly looking for ways to fund and maintain its parks and trails infrastructure. It has started to look at parks, outdoor spaces and places where people congregate as an economic development tool to highlight the attractiveness of the region for new businesses and why people would want to make investments in the community.

Reno struggles with challenges related to its unhoused population. As a community, the City took a scattershot approach to how it could best provide services to that population. Under the leadership of Ms. Esparza, the City has developed a program that might be a leader in this area and is unparalleled in the State.

MS. ESPARZA:

The Clean and Safe Program has been around for a few years, [Exhibit F](#), page 12. It is a key program serving the unsheltered community throughout the City of Reno. This is done through an interdepartmental team comprised of various staff members from across the City working together. They are a phenomenal group of individuals who lead with compassion, empathy and understanding. They know how to convince people to get assistance in obtaining identification and social security cards, which have been instrumental in accessing numerous services.

The Program leads with outreach to provide services to those seeking assistance while also balancing the needs of the larger community in keeping public spaces clean and safe, whether parks or other spaces accessible to the community. The City has contract service providers that lead with a lens of lived experience and peer-to-peer support such as the Reno Initiative for Shelter and Equality, Karma Box Project and Join Together Northern Nevada. This work entails housing arrangements, identification card replacements, employment and family reunifications. Last year, there were 244 housing arrangements, 180 identification and social security cards, 60 family reunifications and 96 services accessed.

Even though shelter operations have transitioned from the City of Reno to Washoe County, the City plays an important role and is committed to this work. The City works closely with its partner agencies. Whether it is through the

annual Point-in-Time Count or working with additional programming, we are one team and cannot do this alone.

With the transition to the County, the City has been able to reassess its resources and redirect its focus to housing affordability, a top priority. One shoe does not fit all. It is a complex issue, and we need to take various approaches and develop innovative ideas. The immediate issue is to house individuals. However, long-term solutions of building more supply is a key piece of that.

The Reno City Council has made significant investments to increase housing solutions, [Exhibit F](#), page 13. The first one is rental assistance. Nearly \$15 million has been infused into rental assistance and housing support through the City of Reno, Housing and Neighborhood Development, community development. This is a critical piece to the work that the Clean and Safe Program is doing. The Program interacts with community members who are recently unhoused or on the verge of becoming unhoused and can divert the situation and help facilitate the process of applying for deposit and rental assistance. This has been accomplished through the Coronavirus Aid, Relief, and Economic Security (CARES) Act and the American Rescue Plan Act of 2021 (ARPA) funding and taking care of urgent needs.

Three projects are moving forward. The \$7.5 million from ARPA, [Exhibit F](#), page 13, is now \$8.5 million due to a decision made by the City Council last week. This will provide additional affordable workforce and veteran housing units. These projects will add 143 units to the region. The State's Home Means Nevada Initiative granted the City of Reno \$166.6 million.

The Reno City Council made a policy decision to further support the construction of affordable housing units by reducing and waiving certain building permits and sewer connection fees. This is because of the authority the Legislature provided in 2019.

When looking at affordable housing units, the City continues to be a leader in the region with approximately 87 percent of income-restricted units in 2021. The City continues to work with the Washoe County HOME Consortium awarded \$5 million through ARPA that is reviewing applications.

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As requested by the Reno City Council, the City is reviewing its zoning codes and will bring forth policy suggestions to further support housing affordability. The City is taking a multipronged approach to address a complex issue.

The City is working with Shane Phillips, the author of *The Affordable City: Strategies for Putting Housing Within Reach (and Keeping it There)*, hoping that will drive additional innovative ideas for housing.

Significant investments have been made in the last five years using and prioritizing CARES funding, ARPA funding, funding through the Washoe County HOME Consortium and usage of bonds. It is approaching \$100 million.

CHAIR FLORES:

We will close the presentation and go to public comment.

JARED HORN:

I support more work on the City of Fernley. I was a Fernley resident throughout middle school and high school. The City of Fernley has been growing faster than it can handle. Support from the Legislature to assist it in transitioning into being a bigger city would be appreciated.

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CHAIR FLORES:

The meeting of the Senate Committee on Government Affairs is adjourned at 5:59 p.m.

RESPECTFULLY SUBMITTED:

Suzanne Efford,
Committee Secretary

APPROVED BY:

Senator Edgar Flores, Chair

DATE: _____

EXHIBIT SUMMARY				
Bill	Exhibit Letter	Introduced on Minute Report Page No.	Witness / Entity	Description
	A	1		Agenda
	B	1		Attendance Roster
S.B. 12	C	19	Senator Edgar Flores	Letter of Opposition from Reva Crump
	D	20	City of Fernley	Presentation
S.B. 169	E	24	Joanna Jacob, Clark County	Proposed Amendment
	F	33	City of Reno	Presentation