

MINUTES
LAS VEGAS-CLARK COUNTY LIBRARY DISTRICT
BOARD OF TRUSTEES' LEGISLATIVE COMMITTEE MEETING
LAS VEGAS, NEVADA
DECEMBER 9, 2004
(approved January 13, 2005)

The Legislative Committee, which consists of the Board of Trustees of the Las Vegas-Clark County Library District in total, met in the Las Vegas Library, Las Vegas, Nevada, at 6:00 p.m., Thursday, December 9, 2004.

Present: Board: E. Sanchez, Chair
V. Davis-Hoggard, Vice Chair
K. Carter, Secretary
A. Arthurholtz, Treasurer
A. Aguirre
K. Benavidez
L. Overstreet
M. Pohl
F. Sponer
T. Wong

Counsel: G. Welt

Staff: Daniel L. Walters, Executive Director
Numerous Staff

Guest: Robert L. Crowell, Esq.

Chair E. Sanchez, called the meeting to order at 6:00 p.m.

Roll Call As listed above.

Agenda Trustee Carter moved to approve the Agenda as proposed. There was no opposition and the motion carried.

Discussion and Board action directing staff to proceed on its legislative agenda for the 2005 legislative session including a proposal from the Henderson District Public

Chair Sanchez asked Executive Director Walters to give an overview to provide information regarding the LVCCLD agenda for the 2005 legislative session.

Walters noted that per Trustees' direction, a letter was transmitted to the Clark County Commission requesting that it commence the process for resolution of the boundary change issue, pursuant to NRS 379.065 and the Interlocal Agreement adopted by resolution on February 15, 2001, between LVCCLD and the HDPL.

**Libraries and the
City of Henderson
affecting District
boundaries. (Item
III.A.)**

Walters explained that the most difficult issue for the media and general population to understand seems to be why it has been recommended that the Henderson District become a city library and what the differences are between a city library, a county library district and a consolidated library district. There is only one consolidated library district in the state of Nevada, and that is LVCCLD. It was created at the request of the Clark County Commission and the Las Vegas City Council in a desire to serve all areas in the county and all future areas in the county except those that were to be served by the City of North Las Vegas which has a city library and the fixed county library districts, Boulder City Library District and Henderson District Public Libraries. The two fixed library districts in Boulder City and Henderson have no governance affiliation with those cities. The only thing they have in common is their names. Their Trustees are not appointed by their respective cities, and their budgets are not submitted to any government entity. Their boundaries were created by petitions to serve fixed areas.

Walters stated that he would recommend supporting Henderson's proposed legislation if the Henderson District made changes to make its library boundaries the same as the city boundaries.

Walters reported that General Counsel Welt requested a copy of the tape from the Henderson City Clerk of the meeting at which the Henderson City Council discussed the legislative proposal. A transcript of that tape indicates that this item was presented to the City Council as legislation that would change the Library's boundaries to be the same as the city's. This is what the BDR actually proposes, which would exclude the Green Valley area.

One of the most problematic aspects of the proposal is that it would enable the Henderson District with not only the right to all future land annexed by the City of Henderson but would allow the Henderson District the right to annex unincorporated areas in the county as well.

Walters explained that in a city library district, the City Council has a greater role in overseeing all services that are provided to annexed areas. LVCCLD agreed with the Henderson District when it wanted to annex Anthem because HDPL indicated it had a plan in place to put a library in the Anthem area. The developer had set a site aside and had worked with the City on a plan to provide a library, but when the HDPL bond failed, no library was built. In North Las Vegas where there is a city library, the city is planning to build a new library, even though the library district has not passed a bond issue.

A major distinction between the consolidated library district and a county library district involves the condition set aside by statute that requires budget review by the City of Las Vegas and the Clark County Commission for the consolidated library district. There is no requirement for budget review of the county library districts and they are not overseen by elected officials.

A public hearing is required to be held by both the Clark County Commission and the Las Vegas City Council before any adjustment is made to funding of the consolidated library district. That is not the case with a county library district.

Walters suggested to the Board that it support legislation to change the Henderson boundaries with the condition that boundaries be co-terminus with the City. The Henderson District would also be given the option to purchase and operate the Green Valley Library, and would forfeit the right to annex unincorporated county areas. Walters also recommended that the Green Valley Library be jointly appraised and a credit be established for the amount of investment that Henderson taxpayers had paid.

Chair Sanchez commented that she is in favor of discussing the issue locally and not taking it to the legislature. She added that it is too important an issue not to be discussed by local residents, as the common goal is to serve all the residents of the area in the best possible way. If HDPL is not interested in becoming a city library, perhaps it is time to have a total consolidation.

Trustee Wong asked about the response from Henderson. Chair Sanchez stated that Tom Fay had specifically stated that HDPL was not interested in becoming a city library.

Trustee Pohl asked about the strategy in working with Henderson. What can LVCCLD do to keep the issue fair for all parties involved? Sanchez answered that Henderson will go forward with their bill draft and LVCCLD can seek amendments to their bill.

Executive Director Walters stated that the legislative process now is in motion and LVCCLD will do all that it can to seek a fair and equitable solution.

Trustee Pohl asked about the County's response to the issue. Walters answered that the County staff is investigating what has transpired. They have agreed to run the mapping through the assessor's office to assist with moving ahead on a financial analysis to determine the impact. In meeting with the County officials, there was uniform agreement that the proposal had some fundamental problems regarding annexations as it appeared to be "cherry picking."

Trustee Pohl asked what could be done if the BDR goes through. Walters answered that the legislature has the authority to change any of the ground rules. He added that after hearing all of the facts, most people recognize that the issue merits further examination.

Trustee Aguirre asked if there is an understanding of what will actually be in the bill. Walters answered that the legislative bureau will draft the bill and that is now in process.

Walters stated that the next step will be to respond to HDPL's letter of November 24. LVCCLD will also work with Counsel and Mr. Crowell to strategize amending the legislation.

Executive Director Walters added that there is an obligation by this Board to its taxpayers to understand what is truly fair. The fundamental principle of annexation is to provide a review to assure that there is capacity to provide service to the newly acquired area.

Trustee Aguirre asked, "What is the value of the Interlocal Agreement?" Counsel Welt answered that any agreement is only worth the value of the word of the people who sign it. Their position on the agreement is that it is not clear enough and our response is that it is perfectly clear. Henderson received Anthem based on the Interlocal Agreement.

Trustee Arthurholtz said that she assumed that the current Interlocal Agreement had already gone before the legislature and the NRS was based on it. Welt stated that the Interlocal Agreement was in place and legislation was supported based in part on that agreement.

Trustee Davis-Hoggard asked Board Chair Sanchez if the County Manager attached any importance to the issue during their meeting. Sanchez stated that the county is very aware of the situation. Executive Director Walters added that a meeting will hopefully take place with the county staff next week.

Trustee Davis-Hoggard asked what would happen if Henderson takes over the Green Valley Library. Chair Sanchez answered that LVCCLD would be monetarily compensated and Henderson would be co-terminus. There is still the potential that LVCCLD and HDPL can agree on the issue.

Trustee Wong asked if Henderson is really interested in working with LVCCLD. Sanchez stated that like anything else, things can change.

Trustee Davis-Hoggard asked how much involvement and understanding does the Henderson City Council have. Walters answered that the *Henderson Home News* has printed several articles and that he is certain that all the people who read that newspaper are aware of the situation.

Trustee Overstreet asked which committees would be involved with the BDR. Mr. Crowell answered that unless the rules are waived, it would go before both houses and the Government Affairs Ways and Means and Finance committees.

Trustee Pohl asked what happens next. Chair Sanchez stated that LVCCLD should proceed in good faith and begin to set up appointments with County Commissioners. Mr. Crowell will keep an eye on what is going on in Carson City.

**Minutes - Board of Trustees' Legislative Committee Meeting
December 9, 2004
Page 5**

Trustee Sponer asked how the District found out about the BDR. Walters answered that Trustee Arthurholtz spotted it on her own. LVCCCLD was given no notification of it whatsoever.

Executive Director Walters stated that Committee assignments will be given to Trustees for their information and there are several bills that Mr. Crowell will be watching that might impact the District. On April 19, 2005, there will be a Legislative Library Day and hopefully Trustees will be able to attend.

**Public Comment
(Item IV.)** None

**Adjournment (Item
V.)** The meeting was adjourned at 7:30 p.m.

Respectfully submitted,

E. Sanchez, Committee Chair