

**MINUTES**  
**LAS VEGAS-CLARK COUNTY LIBRARY DISTRICT**  
**BOARD OF TRUSTEES' LEGISLATIVE COMMITTEE OF THE WHOLE MEETING**  
**LAS VEGAS, NEVADA**  
**DECEMBER 9, 2010**  
**(approved February 10, 2011)**

The Board of Trustees' Legislative Committee of the Whole of the Las Vegas-Clark County Library District met in the Las Vegas Library, Las Vegas, Nevada, at 6:00 p.m., Thursday, December 9, 2010.

**Present:**

Board:	A. Aguirre, Chair	F. Barron
	V. Davis-Hoggard	R. Kirsh
	K. Benavidez	K. Crear
	L. Carrasco	M. Saunders (via telephone)
	C. Reese	R. Ence

Counsel: G. Welt

Absent: None

Staff: Jeanne Goodrich, Executive Director  
Numerous Staff

Guests: Robert Crowell, Kaempfer Crowell Renshaw Gronauer & Fiorentino  
Jennifer Lazovich, Kaempfer Crowell Renshaw Gronauer & Fiorentino  
Erin Russell, Kaempfer Crowell Renshaw Gronauer & Fiorentino

A. Aguirre, Chair, called the meeting to order at 6:02 p.m.

**Roll Call (Item I.)** All members listed above represent a quorum. Appendix A.

**Agenda (Item II.)** Trustee Barron moved to approve the Agenda as proposed. There was no opposition and the motion carried.

Chair Aguirre asked Trustees to introduce themselves, and then District staff members did so. Robert Crowell introduced himself and his associates Jennifer Lazovich and Erin Russell from Kaempfer Crowell Renshaw Gronauer & Fiorentino (Kaempfer Crowell), the District's government relations representatives.

**Briefing by government relations representative Robert Crowell on issues facing the Nevada Legislature in the 2011 Session and possible discussion and Board direction regarding the same. (Item III.)**

Executive Director Goodrich explained that she had asked Robert Crowell and his team from Kaempfer Crowell to meet with Trustees as it has been a while and there are new Trustees since the last meeting. With a challenging budget year ahead as well as the upcoming 2011 Legislative Session with many new legislators, Goodrich thought it might be a good idea to meet Mr. Crowell and to get an idea of issues that will be discussed in Carson City.

Mr. Crowell appreciated the opportunity to talk to Trustees. He explained that he has worked for the District for the past five legislative sessions on several different issues. Mr. Crowell is an attorney whose practice is focused on government relations and lobbying. He is also the elected Mayor of Carson City, Nevada.

Mr. Crowell is a native Nevadan who has also represented the Nevada Library Association at the Legislature. Crowell's work with the District started when he was asked to work on resolving issues with the Green

Valley Library transfer with the Henderson Public Library District; he has also worked on collective bargaining issues, collection development funding and CTX and budget issues.

Jennifer Lazovich is based in Las Vegas and has previously worked for the National Republican Senatorial Committee and held an internship in Senator Reid's Washington office.

Erin Russell is also based in Las Vegas and her previous work included the Nevada Republican Assembly Caucus as well as work for Senator Ensign in his Washington office.

Mark Fiorentino is another partner in the firm, but was unable to be present. All of the individuals listed above work closely together and will be in Carson City for the greater part of the Legislative Session.

Mr. Crowell provided Trustees with handouts providing a recap of the 2010 General Election, a list of the members of the 2011 Legislature and the assignments of committee and leadership posts. There is also an analysis of the Economic Forum's revenue projections for the 2011-2013 Biennium. Also included was a Legislative calendar and a bill tracking log showing a list of bill draft requests (BDRs) that Mr. Crowell believed might affect the District.

Mr. Crowell also explained the firm's bill tracking system, which pulls BDR information off the Legislature's website weekly and can be sent directly to Jeanne for distribution.

Mr. Crowell then discussed several issues that could affect the District in the upcoming 2011 Legislative Session. He noted that it was no secret the session would be difficult with the state's Economic Forum determining that the state would have \$5.3 billion to work with in the 2011-2013 Biennium.

- Nevada Department of Cultural Affairs – Ms. Goodrich explained that this department oversees the Nevada State Library which serves as a conduit for federal pass-through funds such as the LSTA grants. The State Library also provides Collection Development funds (\$200,000 in the current/last fiscal year) as well as electronic database support for public libraries across the state. Mr. Crowell said that because the department's budget is so small that it would be hard to make large cuts, he believes that this department may not be as brutally affected as some others, but will keep a careful watch.
- Consolidation of City and County governments – Mr. Crowell noted that all counties in the state were required to study this issue during the biennium. Carson City has consolidated and Crowell felt it worked well due to its compact geographic area. He noted that this is an area to watch. While legislators understand this is a local issue, due to budget issues and the economy, state government may take an interest.

Transfer of funds from local jurisdictions to the state – Mr. Crowell reminded Trustees that during the last session, money was swept from local jurisdictions (mainly Clark and Washoe counties) back to the state. While Crowell explained "Dillon's

Rule," which seems to hold that local governments exist due to the state and the state can then transfer local funds for state use, Crowell said that he and his firm believe that it is not that clear cut. There is litigation under way that his firm is working on to clarify the issue.

Regardless, Mr. Crowell believes that state legislators are sensitive to the issue, as local governments provide services on a day to day basis. He noted the passage of an advisory question on the last ballot (passed in every county except Nye) which states that no funds can be transferred to the state without the particular county's consent. However, when state government is looking for every source of revenue that does not constitute a new tax or fee, this area becomes one to watch. He believes that all entities need to be at the table to see how the impact of cuts at different levels would impact state residents.

Mr. Crowell suggested that the best approach to legislators and the governor is to take the high road and impress upon them that all of the different entities are providing services to Nevadans. Crowell reiterated that he does not believe that an antagonistic approach works best as he believes that all entities need to focus and work together so as not to lose critical "quality of life" areas such as schools and libraries. This will allow the state to grow and diversify so as to not solely rely on gaming and sales tax revenue.

- Collective Bargaining issues – Mr. Crowell noted that several bills may be considered during the session that may eliminate binding arbitration for labor contracts which will make local governments similar to state government, a bill to open up collective bargaining adding additional areas that can be covered under these agreements, a bill to further expand when contracts can be reopened as well as a bill to conduct negotiations in public. Mr. Crowell understands this is a sensitive issue and he will need direction from the Board on how to handle this subject.

Mr. Crowell noted that in the 2009 Legislative Session, some collective bargaining areas were discussed and believes that this is an issue that affects every local jurisdiction.

- Procurement bills – This is an area to watch as Mr. Crowell notes that some proposed bills will require jurisdictions such as the District to purchase books and other materials from an instate supplier first. He knows that it is important for the District to be able to purchase materials from out of state.
- CTX distribution – This is another area to watch. In northern Nevada, several bills have been proposed to split some revenues between several municipalities but this would have no state-wide effect. Ms. Goodrich mentioned the resolution passed by the City of North Las Vegas to further divide Clark County CTX distribution to include their library (NOTE: the

North Las Vegas Library is a department of the City of North Las Vegas and not a separate political subdivision like the Las Vegas-Clark County Library District, Henderson District Public Library or the Boulder City Library District) and this has been converted into a bill draft request (BDR 56).

Mr. Crowell then opened the floor for questions.

Trustee Kirsh asked about gaining access to the bill tracking log Mr. Crowell passed out. While Ms. Goodrich will be forwarding information from Mr. Crowell, Crowell also offered any Trustee direct access to the bill tracking log. Trustees will request this through Ms. Goodrich's office and they will be then provided with a password to get to the log.

Both Mr. Crowell and Ms. Goodrich emphasized that direction to his firm must come from the Board as a whole. While staff can answer questions and provide information, Crowell preferred direction on action come from the Board through Ms. Goodrich to reduce any miscommunication.

Trustee Barron asked about the possibility of the state sweeping up District funds, the financial information the state receives from the District and what other groups may be in the same position. Mr. Crowell does not believe that money required to maintain the District's ending fund balance, any money required for stabilization funds or money required to pay off bonds can be taken, but otherwise all uncommitted revenues of any political subdivision of the state of Nevada with a tax district are fair game.

Both Ms. Goodrich and CFO, Deputy Director Fred James explained that the state receives the District's annual financial report. Mr. Crowell discussed the situation with the Clean Water Coalition which is the case currently under litigation – this is a multi-million dollar fund with unexpended funds that is the subject of the state's action to use its money. Ms. Lazovich said that well-funded redevelopment agencies are also a target. In response to a follow-up question, the money would be taken as a result of legislative action only, not just the Governor's directive, except in certain circumstances.

Ms. Goodrich said that the District's funds are completely committed but acknowledged that the state may have a different definition.

Trustee Reese asked whether Mr. Crowell had any opinions whether there would be changes to the Nevada PERS system made in the legislative session. Mr. Crowell said there are certain issues that would need to be resolved if the legislature wants to completely eliminate the program. He is not sure if the state can opt back into the Social Security system. He believes it is very possible that there will be a change in the split between the employer and employee contribution levels.

Trustee Davis-Hoggard asked about the home rule issues. For example, if the state takes money from Clark County would the county be allowed to levy taxes on its own. Mr. Crowell said an interim committee studied this issue and made no decisions. Also discussed was moving state funded services to local control. The committee was

silent on the issue of moving money at the same time services were moved from state to local control. Crowell believes that if a service is worth continuing, it is worth funding.

Trustee Benavidez asked Mr. Crowell how he dealt with different clients having differing viewpoints on the same bill. Crowell noted that they are careful when taking on new clients to see that does not happen. If it does, the staff will need to firewall themselves on the issue and bill to protect their clients. Generally, when the dispute comes up, it is regarding taxes as one client may favor one side of a tax question, while another client does not. Crowell said that Kaempfer Crowell's current client list seems to prefer that a broad-based tax, rather than a tax targeting one area, be the solution if taxes are to be raised.

Ms. Goodrich commented on her recent meeting with Senator Horsford about upcoming issues. She noted that while the District does not directly receive a lot of state money except for the collection development funding, the use of state funded databases that serve public libraries around the state as well as the LSTA pass-through funds, the District will be affected if other groups, who do experience severe cuts, end up sending their clients to the library to research services and thus requiring more library services. Mr. Crowell noted that this is a part of the "quality of life" issues he mentioned earlier. Goodrich noted that Horsford recommended that District representatives testify at some hearings to discuss the effect of cuts to other agencies on District services.

Trustee Barron asked about several BDR's that would affect collective bargaining and whether Mr. Crowell could discuss them. Both Crowell and Ms. Russell explained that a BDR does not contain specific language until it has been converted into a bill by the Legislative Counsel's office. Once that occurs and it will start occurring after December 15, 2010, Kaempfer Crowell will be able to update their information.

Trustee Aguirre asked if Mr. Crowell foresaw any changes to the Legislature with the recent elections. Crowell noted that most of the Committee chairs and leadership positions were held by veteran lawmakers. Where the District's influence could come would be in educating "rookie" legislators on the importance of libraries to the community. He encouraged every Trustee to call their legislators and introduce themselves and offer information and assistance on library issues or invite them to call Mr. Crowell and the other members of his team.

Ms. Lazovich explained the issue of redistricting the entire state legislature and U.S. House seats will be the shadow over every issue during the session. It is an added pressure with the conflict between the northern and southern parts of the state playing a role. Due to population changes, more seats will be located in southern Nevada. Mr. Crowell believes that the issue of raising revenues (i.e. tax, fees or however you want to define it) will definitely be brought up, and with the redistricting looming over the session, voters may see some interesting decisions by legislators.

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Trustee Barron asked about the most important committees to watch. In the Assembly, Government Affairs and Taxation is the primary committee. In the Senate, Finance, Revenue and Government Affairs are the three separate important committees.

Counsel Welt emphasized the importance of calling legislators so that they know to contact our representatives on issues regarding libraries.

Ms. Goodrich listed staff efforts to communicate with legislators and local decision-makers after the election. Letters were sent along with different pieces such as the current version of *Highlights* showing the details of the District Foundation's *Fast Forward Vegas* plan to focus on investment in the community as well as a *Real People, Real Change* piece that details library services to help patrons continue their education and find jobs. Staff are happy to provide copies of the letters along with these information pieces to help Trustees communicate in any way with elected officials.

Chair Aguirre thanked Mr. Crowell, Ms. Lazovich and Ms. Russell for taking the time to talk with Trustees.

Mr. Crowell thanked Trustees for taking the time to listen. He strongly believes that education and libraries are the way for Nevada to get out of its current economic crisis and he is happy to be working for the District.

This item was for discussion only.

**Announcements  
(Item IV.)**

The next Board Meeting will be held Thursday, January 13, 2011 in the West Charleston Library at 6:00 p.m.

**Public Comment  
(Item V.)**

None.

**Adjournment  
(Item VI.)**

Chair Aguirre adjourned the meeting at 7:00 p.m. There was no opposition and the motion carried.

Respectfully submitted,

Aldo A. Aguirre, Committee Chair

# 2010 ATTENDANCE

## APPENDIX A DECEMBER 9 LEGISLATIVE COMMITTEE OF THE WHOLE MEETING

		2010	
Aguirre	Aldo	P	January 14 Regular Board Mtg
Barron	M. Frances	P	January 27 Finance & Audit Cmte
Benavidez	Kelly	A-E	February 11 Regular Board Mtg
Carrasco	Liz	P	March 4 Finance & Audit Cmte
Crear	Keiba	P	March 11 Risk Management Cmte
Davis-Hoggard	Verlia	P	March 11 Regular Board Mtg
Ence	Randy	P	April 1 Finance & Audit Cmte
Kirsh	Ron	P	April 8 Finance & Audit Cmte
Reese	Carol	P	April 8 Regular Board Mtg
Saunders	Michael	P	May 12 Special Board Mtg
		P	May 20 Regular Board Mtg
		P	June 8 Nominating Cmte
		P	June 9 Risk Management Cmte
		P	June 9 Regular Board Mtg
		P	July 8 Ad-Hoc Trustee Travel Policy Cmte
		P	July 8 Regular Board Mtg
		P	August 12 Ad-Hoc Trustee Travel Policy Cmte Mtg
		P	August 12 Regular Board Mtg
		P	September 16 Regular Board Mtg
		P	October 14 Regular Meeting
		P	October 27 Finance & Audit Cmte
		P	November 9 Ad-Hoc Conference Room/PAC Use Cmte Mtg
		P	November 10 Regular Meeting
		P	December 9 Legislative Committee of the Whole Meeting

attended Committee meeting but not a member

A-E Excused absence  
A-U Unexcused absence  
as of December 10, 2010