

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

**Seventy-Seventh Session
March 18, 2013**

The Senate Committee on Government Affairs was called to order by Chair David R. Parks at 1:41 p.m. on Monday, March 18, 2013, in Room 2135 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 Council Bureau.

COMMITTEE MEMBERS PRESENT:

Senator David R. Parks, Chair
Senator Pat Spearman, Vice Chair
Senator Mark A. Manendo
Senator Pete Goicoechea
Senator Scott Hammond

GUEST LEGISLATORS PRESENT:

Senator Kelvin D. Atkinson, Senatorial District No. 4

STAFF MEMBERS PRESENT:

Patrick Guinan, Policy Analyst
Heidi Chlarson, Council
Gwen Barrett, Committee Secretary

OTHERS PRESENT:

Beatrice Turner
Deborah Jackson
Jon Sasser, Legal Aid Center of Southern Nevada
David Olshan, Directing Attorney, Nevada Legal Services
Tim O'Callaghan, Deacon
Timothy Lee Smith
Jerry M. Neal

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Patrick Mitchell, Resident Advisory Board, Housing Authority of Henderson, City
of Henderson
Michael P. Montelbano, President, Rulon Earl Resident Council
Ted Olivas, City of Las Vegas

Chair Parks:

We will begin the hearing on Senate Bill (S.B.) 122

SENATE BILL 122: Revises provisions governing a regional authority for housing
in certain counties. (BDR 25-638)

Senator Kelvin D. Atkinson (Senatorial District No. 4):

This bill came before me from concerned citizens who wanted us to take a look
at how members to the Southern Nevada Regional Housing Authority's (SNRHA)
Board of Commissioners are appointed and how the Board is made up. I am
sponsoring S.B. 122 because it is important to change the makeup of the Board.

The SNRHA is comprised of Clark County and the Cities of Las Vegas,
Henderson and North Las Vegas. It was created and authorized by State law to
develop and operate housing and housing programs for low-income families. The
Housing Choice Voucher Program—Section 8—is funded by the federal
government and administered by the SNRHA for the jurisdiction defined as all
incorporated and unincorporated areas in Clark County.

The SNRHA currently has a nine-member Board of Commissioners. The
commissioners serve in the same capacity as directors of corporations,
establishing policies under which the SNRHA conducts business; ensuring that
policies are followed by staff; and ensuring the SNRHA is successful in its
mission, vision and goals. The Board is responsible for preserving and expanding
the Authority's resources and assuring the continued viability.

There are nine commissioners. We want to decrease the number to seven. The
bill is written as an increase. We did not have enough time to send it back for
amendment but will get it soon. We will discuss the bill and the conceptual
amendment that residents are proposing.

Beatrice Turner:

When I was a resident commissioner, it was a city housing authority. A merger took place a few years ago, making most of the commissioners people from the private sector and leaving only one resident. I am asking that the Board of Commissioners be made up of more residents to represent their interests.

Deborah Jackson:

I hope you will give your full consideration to changing the commission makeup, allowing fairness to the residents of the SNRHA.

I am not a resident of public housing. You do not have to be a resident to be concerned. I am concerned about tenant rights at the SNRHA. I have seen a lack of sensitivity, concern, respect and consistency for the residents. One resident should have been maintained for every city and county. If the composition is changed and you have three residents, you will have somebody who is more aware and concerned about what is going on with the residents.

I invite you to attend a Board meeting to see how the tenants are treated when attempting to address their concerns about damaged property that goes unrepaired, bedbugs—all types of concerns. Everybody living in public housing deserves a quality of life and respect.

Senator Atkinson:

I would like to verify that we are proposing seven commissioners, three at-large persons and four residents.

Ms. Turner:

There should be one resident commissioner from each of the following locations: the City of North Las Vegas, Clark County, the City of Las Vegas and the City of Henderson. There should be four resident and three at-large commissioners.

Senator Hammond:

You want four community residents and three at-large members?

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Senator Atkinson:

Yes.

Senator Goicoechea:

All unincorporated areas of the County are included in this Board. Who represents the County in your makeup?

Ms. Turner:

The County will have one resident and one person at-large.

Senator Goicoechea:

That is three at-large commissioners? Can you walk me through how they are going to get there, and who they are going to represent?

Ms. Turner:

The SNRHA Board will be composed of one resident and one person at-large for the City of Las Vegas, one resident for the City of Henderson, one resident and one person at-large for the City of North Las Vegas and one resident and one person at-large for Clark County.

Senator Spearman:

Is this only for public housing residents or does it include recipients of Section 8?

Ms. Turner:

It includes Section 8 and the Conventional Public Housing Program.

Chair Parks:

Are the current appointments made by the respective city councils and the Clark County Commission?

Ms. Turner:

The appointment rotates between the cities and the County because we only have one resident. The appointments are supposed to be made by the respective city or County.

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Senator Hammond:

Who will be appointing the three at-large members?

Ms. Turner:

The at-large commissioners are appointed by the Clark County Commission, the City of Las Vegas City Council and the City of North Las Vegas City Council.

Chair Parks:

Is an amendment being drafted?

Senator Atkinson:

An amendment is being prepared that will stipulate the seven members and the makeup of the board.

Jon Sasser (Legal Aid Center of Southern Nevada):

On behalf of the Legal Aid Center of Southern Nevada, I express support of S.B. 122. We are a nonprofit law firm, serving low-income Nevadans in Clark County. An important source of housing for our clients is SNRHA, both Section 8 and the Conventional Public Housing Program. We are coming forward to support increased tenant participation on the Board.

David Olshan (Directing Attorney, Nevada Legal Services):

We are in support of S.B. 122. We represent tenants who have problems with the SNRHA. Every year we have hundreds, if not thousands, of issues arise.

A housing authority is often insulated and does not listen to the people it serves. Increasing the number of resident commissioners will allow greater dialogue with the tenants and allow the tenants greater control of the SNRHA undertakings.

Chair Parks:

The SNRHA has a nine-member Board; are there advisory committees that provide input?

Mr. Olshan:

Most of the day-to-day business is governed by administrative plans and a bureaucracy already in place. Consolidating the housing authorities was a big step, but the operations remain the same.

Ms. Turner:

I agree with Mr. Olshan. The residents will be better able to express their concerns at meetings because there will be four resident commissioners on the Board. Currently, we are not allowed to express our concerns at Board meetings; we are told we should discuss the problems with our manager.

Senator Hammond:

When you were a resident commissioner, what did you have control over?

Ms. Turner:

An executive made an unauthorized purchase and wanted to be reimbursed. The at-large Board members wanted to vote on the unauthorized purchase. I was the only resident Board member and I declined to vote. I filed a complaint about the vote and felt intimidated as a result.

Senator Hammond:

You are voting on budgets and other things that you are trying to fix within your community?

Ms. Turner:

Yes, and policies and procedures.

Tim O'Callaghan, Deacon:

Normally, I represent the Catholic Diocese of Las Vegas and the Nevada Catholic Conference. Today, I represent myself as a Commissioner of the SNHRA. I intended on being neutral on this bill but was surprised that the bill is going from 11 to 7 commissioners.

There are resident councils. Oftentimes, it is difficult to get resident participation, but the residents are represented.

Senator Spearman:

You have a concern about the proposed reduction from nine members to seven?

Deacon O'Callaghan:

My greatest concern, even with adding two residents, is that we are already suffering a vacuum. There is a huge learning curve in public housing and dealing

with agencies such as Housing and Urban Development. We have people who are entrepreneurial at raising extra funds that do not come from the State or federal government but through affordable housing projects.

Our current Board's most experienced housing Commissioners are myself, Father Dave Casaleggio and Dora D. LaGrande. I spent 2-1/2 years as Chair of Clark County Housing Authority before the merger, Dora D. LaGrande works in housing in the private sector and Father Casaleggio was the Chair of the Las Vegas Housing Authority before the merger.

I am more concerned about the experience vacuum that would occur with the reduction in commissioners.

Senator Spearman:

You talk about the complexities of the Board, the implication being that if you increase the number of residents, they would not be able to grasp what to do.

Deacon O'Callaghan:

That is not my intention at all. The residents have the ability to grasp. Regardless of the sector you come from, there is a great learning curve in public housing.

Senator Spearman:

The learning curve would be for anyone who would be serving on any board or commission. Most boards or commissions have a train-up period. I am sure that Senator Atkinson would be willing to work with you on an amendment that would add continuity and establish formalized training. If your bench is only one deep, it is probably already in trouble.

Deacon O'Callaghan:

I agree with you. I am not saying that we should not increase the resident participation at all. The residents that we have had are wise and educated.

Senator Spearman:

What was the point in saying that increasing the number of residents might not be a good thing because of the complexities?

Deacon O'Callaghan:

I am concerned about going from the proposed 11 to 7 commissioners. There would be a vacuum. The number of residents who participate on the Board does not matter. They need to have a voice.

Senator Spearman:

I am sure that Senator Atkinson would work with you to allay any concerns you have with respect to the decrease in commissioners so there could be a smooth transition.

Timothy Lee Smith:

I live in affordable housing, I have never been on welfare, nor has my family. People in public housing and welfare circumstances have often felt disrespected by the commissioners and the top earners who work for the SNRHA. I have been in public housing for 7 years and was comfortable until last year when some changes were made to staff and commissioners. The change is for the worse; it is disrespectful.

People least likely to afford rent are receiving notification of rent increases from \$25 up to \$45 per month. The new lease is a 50-page document that tenants are required to read and initial every line on every page. An exterminator is charging tenants \$625 a visit. This is supposed to be affordable housing for senior citizens.

We do not need to add three more commissioners if it is going to add three more salaries. Seven commissioners with four residents will give us more respect and affordable rent.

Jerry M. Neal:

I would like to read this statement into record: This technical assistance is based on the philosophy that residents of long-term-care facilities should be involved in the greatest degree possible in making the decisions that affect their lives. It is apparent that many existing residents councils are not being cultivated to their fullest potential or skills they have.

If you review the files or policies of the Board, you will find that most residents of public housing have had bad experiences with the people working for government housing. I urge you to do the best you can to get this bill passed. Keep an eye on it to make sure that we will be protected at this level.

Patrick Mitchell (Resident Advisory Board, Housing Authority of Henderson, City of Henderson):

Senate Bill 122 is a good solution. I would like to see representation for each group: seniors, Section 8, family complexes and offsite properties. I would like to address bedbugs. Residents must report the situation and housing will eliminate the problem. The residents will not be charged to have bedbugs exterminated.

Mr. Smith:

How many commissioners are proposed on this bill?

Chair Parks:

The bill has 11 right now, but people are working on an amendment.

Mr. Smith:

Did the Senator say that he wanted to change it from 11 to 7?

Chair Parks:

That is the testimony received today. The Committee will wait for the revised language. If we need to have another hearing, we will do so.

Mr. Smith:

Let me add that it is my intention to have an opportunity to be allowed to voice my opinions during the meetings held every third Thursday of each month. We are only given 3 minutes, no matter how important our concern. It is important that we have a resident council that listens to us with respect.

Mr. Neal:

How many professionals does it take to establish a resident council?

Chair Parks:

That administrative procedure would be developed by the SNRHA. It is not part of the legislation in front of us today.

Michael P. Montelbano (President, Rulon Earl Resident Council):

We have had some issues similar to those expressed here. Increased resident involvement would help with a lot of issues. Give us more representation by increasing the number of commissioners. Do not decrease the number of commissioners.

I attend the Board meetings, and I have received support from the commissioners. The commissioners have come out to our place of residence and spoken with our residents. I see cooperation being established with us.

Ted Olivas (City of Las Vegas):

I want to be sure that the intent of the proposed changes to S.B. 122 is clear to Senator Atkinson as well as the Committee.

Section 1, subsection 1 would change from 11 to 7 persons appointed to serve as commissioners.

Section 1, subsection 1, paragraphs (a) through (d) will have at-large commissioners appointed as follows: One at-large appointment to the County, the City of Las Vegas, and the City of North Las Vegas. The City of Henderson will not have an at-large appointment. A total of three persons will be appointed to serve as at-large commissioners.

Section 1, subsection 1, paragraph (e) will have resident commissioners appointed as follows: the City of Las Vegas, the City of North Las Vegas, the City of Henderson and Clark County will have one resident commissioner each. A total of four persons will be appointed to serve as resident commissioners.

Page 3, line 9 will be changed from three commissioners to four commissioners.

Ms. Jackson:

Why would a commissioner be adverse to changing the number of commissioners? The commissioner's responses did not seem valid.

Resident councils have not been used; most have been abolished. Ms. Turner and I tried to meet with the executive director to discuss bringing back the resident councils so the residents would know their rights. It was requested that Ms. Turner and I present him with a proposal of how the resident councils could be put back in place and how training should be set up. We were not aware that the executive director was up for an evaluation with a 5 percent raise and a 5 percent bonus. We have not heard anything further about our proposal, nothing has been done.

Ms. Turner and I will have to continue to pursue setting up the resident councils, ensuring they have a voice and that they are trained and made aware of their rights.

Ms. Turner:

I am appalled that Deacon O'Callaghan would say that there are not residents who could serve as commissioners. Deacon O'Callaghan has never been an executive director over a housing authority; you brought him here for on-the-job training. You have a Housing Authority with a \$21 million budget, and the at-large commissioners are concerned that their friends will no longer be awarded contracts. It is time for the residents to take control of their own lives.

Chair Parks:

Deacon O'Callaghan was trying to point out that there are people who have a broad degree of expertise, and he would hate to see the Board not put that expertise to use, especially when dealing with federal regulations, compliances and grants.

Senator Atkinson:

I would like to echo the sentiments of my residents that the Board should have more representation as opposed to less. Having one resident commissioner on the Board is unacceptable. Deacon O'Callaghan's intentions were good. We have to do a better job of training those replacing us. Resident participation is encouraged even if the residents are not commissioners because this passes on knowledge and experience.

Senator Manendo:

There is senior housing in my district, and there have been a few problems with enforcing rules and regulations. I am also concerned about the potential abuse of contracts, as is Ms. Turner. More oversight, more community involvement and participation is essential to the operation of housing authorities.

Deacon O'Callaghan:

I want to clarify the learning curve reference. I was referring to the learning curve that the current Board is experiencing.

I have spent my entire life working with those who are marginalized in our society and working with the poor. I did not mean to insult anyone.

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Chair Parks:

We will close the hearing on S.B. 122. This meeting is adjourned at 2:52 p.m.

RESPECTFULLY SUBMITTED:

Gwen Barrett,
Committee Secretary

APPROVED BY:

Senator David R. Parks, Chair

DATE: _____

<u>EXHIBITS</u>				
Bill	Exhibit		Witness / Agency	Description
	A	1		Agenda
	B	5		Attendance Roster