

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

**Seventy-Eighth Session  
March 5, 2015**

The Committee on Government Affairs was called to order by Chairman John Ellison at 8:34 a.m. on Thursday, March 5, 2015, in Room 4100 of the Legislative Building, 401 South Carson Street, Carson City, Nevada. The meeting was videoconferenced to Room 4406 of the Grant Sawyer State Office Building, 555 East Washington Avenue, Las Vegas, Nevada. Copies of the minutes, including the Agenda ([Exhibit A](#)), the Attendance Roster ([Exhibit B](#)), and other substantive exhibits, are available and on file in the Research Library of the Legislative Counsel Bureau and on the Nevada Legislature's website at [www.leg.state.nv.us/App/NELIS/REL/78th2015](http://www.leg.state.nv.us/App/NELIS/REL/78th2015). In addition, copies of the audio or video of the meeting may be purchased, for personal use only, through the Legislative Counsel Bureau's Publications Office (email: [publications@lcb.state.nv.us](mailto:publications@lcb.state.nv.us); telephone: 775-684-6835).

**COMMITTEE MEMBERS PRESENT:**

Assemblyman John Ellison, Chairman  
Assemblyman John Moore, Vice Chairman  
Assemblyman Richard Carrillo  
Assemblywoman Victoria A. Dooling  
Assemblyman Edgar Flores  
Assemblywoman Amber Joiner  
Assemblyman Harvey J. Munford  
Assemblywoman Dina Neal  
Assemblywoman Shelly M. Shelton  
Assemblyman Stephen H. Silberkraus  
Assemblywoman Ellen B. Spiegel  
Assemblyman Lynn D. Stewart  
Assemblyman Glenn E. Trowbridge  
Assemblywoman Melissa Woodbury

**COMMITTEE MEMBERS ABSENT:**

None



**GUEST LEGISLATORS PRESENT:**

Senator Joe P. Hardy, Senate District No. 12

**STAFF MEMBERS PRESENT:**

Jered McDonald, Committee Policy Analyst  
Eileen O'Grady, Committee Counsel  
Erin Barlow, Committee Secretary  
Cheryl Williams, Committee Assistant

**OTHERS PRESENT:**

Jim Maniaci, Private Citizen, Laughlin, Nevada  
Judy Hill, Private Citizen, Searchlight, Nevada  
Lindsey Dalley, Private Citizen, Moapa Valley, Nevada  
John Fudenberg, representing the Clark County Commission  
Lisa Foster, representing Boulder City  
Rodney Woodbury, Mayor-Elect, Boulder City, Nevada  
David Fraser, City Manager, Boulder City, Nevada  
Pat Sanderson, Private Citizen, Carson City, Nevada

**Chairman Ellison:**

[Roll was called. Committee rules and protocol were explained.] We are going to hear Senate Bill 115 first this morning.

**Senate Bill 115: Revises provisions relating to certain town advisory boards.  
(BDR 21-241)**

**Senator Joe P. Hardy, Senate District No. 12:**

Senate Bill 115 would require the members of a town advisory board for an unincorporated town of a county whose population is 700,000 or more and located 25 miles or more from an incorporated city whose population is 500,000 or more to be elected. If there are any seats left vacant after the election, then the board of county commissioners shall make appointments to fill those seats. This, then, is going to affect the townships of Moapa, Moapa Valley, Bunkerville, Laughlin, Searchlight, Sandy Valley, and Goodsprings, all in Clark County. I will qualify those as being 25 miles or more from the city limits of Las Vegas. Laughlin, Logandale, Overton, Moapa, Bunkerville, and Searchlight are all townships that I have represented before, and some of which I still represent.

The people in my rural districts vote. They are interested in voting, and when I was on the floor of the Nevada Senate, senators asked me what the genesis of this bill was, and it was a very simple answer. This is America. We vote. People like to vote. There are different ways of looking at public servants. You can have a top-down approach where you tell people what you think as a public official, and then the bottom-up, where people tell us what they think, and that is the representative kind of government that we have.

**Chairman Ellison:**

Is there another bill out there also that says some boards can be exempt and have their own elections for city councils and so on in the smaller areas? Are you aware of that bill?

**Senator Hardy:**

I will confess ignorance. I try not to be involved with more than what I am supposed to be involved with, which tends to be enough. But this is one of those things where people love to vote and choose.

**Chairman Ellison:**

I agree. And I think that is what the other bill was trying to do, if I am right.

**Assemblywoman Neal:**

I feel like we are in the movie *Groundhog Day*. We had this bill in 2013. Then-Assemblyman Crescent Hardy proposed it, and I tried to look to see if there was different language. The Senate did not even let it go through on their side, and we voted it out on the Assembly side. Why are we redoing this bill?

**Senator Hardy:**

It was indeed Crescent Hardy, who is now Congressman Hardy, who brought the bill. I think it did not get out of the Assembly. I was told by a famous Assemblywoman, Barbara Buckley, that things take time and have to percolate, and you have to allow comfort to happen so people can understand that maybe the world is not going to end if you let the people vote, in this case.

**Assemblyman Stewart:**

I am having a hard time understanding this bill. You want the people that are being represented by the town advisory board to actually elect those people that make decisions for them? Am I understanding this correctly?

**Senator Hardy:**

To the wise former teacher of my children: you are very correct in your observations that people like to vote for those who represent them.

**Assemblyman Stewart:**

What a radical concept, thank you very much.

**Senator Hardy:**

Any other softballs?

**Assemblyman Trowbridge:**

I am philosophically very supportive of the rule that the best government is one that is closest to the people. But I am concerned about the unintended consequences of this bill. I am familiar with the town boards existing in Clark County. Some of them are pretty formal; some are loosely organized. I wonder if becoming an elected body would put them under closer scrutiny under the Open Meeting Law and things like that. I wonder what this will cost. We are going to have to have the deputy district attorney go to the talk-of-the-town board meetings to keep them out of trouble, and they will have to post agendas and things like that. When they are just advisory groups, they can be pretty loose. But when they become a formally elected body, the rules change. I wonder if this has been discussed.

**Senator Hardy:**

I appreciate the insight. In our districts where we have rural places, we are talking about rural people who are an advisory board as you have so aptly pointed out. In other words, they do not, and I quote, "make decisions that affect the town as much as represent the town members to the Clark County Commission." The Clark County Commission has total and absolute decision-making power over what happens with the advice that the town board gives to the County Commission. That being said, all of the agendas that the current advisory boards have are subject to the Open Meeting Law. They have to have their financial disclosures, much like you do. They have to obey the Open Meeting Law by posting agendas and other things. This does not affect any of the town boards that are in central Clark County, per se.

I do not want to go there, inasmuch as my town boards out in the rural areas are far-flung, and it takes me an hour-and-a-half both ways. I do not walk as much as drive my districts. It is a matter of representation with boots on the ground, grass roots, people in the neighborhood stopping in the store and talking to their town board member. That is critical for representation to take place to the County Commission. When you run in an election, you have the opportunity to go out and walk the beat, as it were, and go door-to-door to meet people and get your finger on the pulse of your community, which I think works better.

**Assemblyman Trowbridge:**

If the bottom line is that it adds no more formality, because they are an advisory board, then I am okay.

**Assemblywoman Joiner:**

I am not very familiar with these unincorporated towns down in Las Vegas, being from the north. I am curious what the history is, and what the problems are you have run into that create a need for this bill. It says there is no fiscal impact, but do you envision this just being part of the regular election? Who would pay for the election? Is it a special election or just during a normal election?

**Senator Hardy:**

There is no special cost because it goes into the regular election. It is putting a name on a ballot. The extra cost, if there was any, would be the filing fee incurred when somebody who wants to run for election would have to file. For instance, I think there were 12 people who wanted to be appointed to the town board, and at one time or another there will be more or less, but if you are willing to pay \$100 to put your name out and say, yes, I want to run and be elected, then you are probably serious about what you are doing. Not only are you serious, but your fellow citizens have an opportunity to vet you regarding what you feel about things. It is an opportunity for you to not only know what they are thinking, but to refine what you are thinking as a potential elected official.

**Assemblywoman Joiner:**

Yes. I was just wondering if there was any particular incident that raised the need for this bill. But if it is a general philosophical approach, that makes sense to me too.

**Senator Hardy:**

To illustrate, for instance, there have been town board members appointed that the people may not feel represent them. So there is a rub sometimes with the appointees versus the persons who were elected. That is not to pretend that we who are elected do not rub people the wrong way.

**Assemblywoman Spiegel:**

I am also not nearly as familiar with some of these boards as I probably should be, but are these paid positions?

**Senator Hardy:**

These are unpaid positions. As near as I can tell, if they incurred expenses that were approved by the county commission, then the county commission would

be in charge of that. But these are not the kinds of positions that you get rich on.

**Assemblywoman Spiegel:**

Back to the filing fee—I know that there is a \$100 fee for many seats, but positions like regent do not have a filing fee because they are not paid positions. I was wondering if there has been discussion or consideration of what the filing fee would be.

**Senator Hardy:**

That would be something that this Committee could decide, but I would say there should be some kind of buy-in, however diminutive you would like to make that. When you put down \$100 for most other elections, you are stating that you are serious and you want to do it.

**Assemblyman Carrillo:**

Regarding the advisory board itself, two of this Committee's members were appointed by the county commission through a vetting process, and if that had not taken place, we would probably still be waiting for them to be elected and go through the process. I was on the Whitney Town Advisory Board, and appointed by the county commission. In that process, I submitted my application as many others did. There was no verbal interview; I was basically vetted on how long I had lived in the community and other typical questions about what I have done in the community, what I had taken part in, volunteered in, and so on. I know it is not a paid position, not that I took it as one. I am trying to understand what the process and reasoning would be for this to be an elected position. I am not questioning that people like to vote; I totally agree with that.

I am trying to understand what the purpose is. Maybe you can explain the advisory board to the Committee, because I do not know if there are advisory boards in the north, or if it is only a southern Nevada thing. Whenever we would come across things, it would be like zoning changes, very small items. There were times we would have to cancel our board meetings because we did not have anything to do. This would cover Moapa and the Whitney Town Advisory Board and other areas, right? Would this make a position on the Whitney Town Advisory Board an elected position?

**Senator Hardy:**

No. This would only affect those town boards that are 25 miles away from Las Vegas and in Clark County. It would be Moapa, Moapa Valley, Searchlight, Laughlin, Bunkerville, Sandy Valley, and Goodsprings.

**Assemblyman Carrillo:**

Why are we doing this just for those towns? Why not make this apply to more?

**Senator Hardy:**

You have been on a town board that represents a very urban setting. In the rural areas, you wave to a car because you probably know the person in it. When you go shopping, you are talking to your literal neighbor, and when you are in rural areas, you are more involved with those things that you mentioned like parks and things. You are very involved in the community, because no matter where you are, you are around your friends, peers, and neighbors, and maybe your enemies. There is a very close-knit feeling in some of these areas. The urban places are a different breed of representation. None of the town boards actually make binding decisions, but advisory decisions through the county commission such as zoning changes for example. That would not change with this. This is an issue where the people would like to say who represents them. So is it the people who want representation, or the county that wants representation to the people? Sometimes, that is a two-way street, and this would allow more upward representation.

**Assemblyman Carrillo:**

So you are saying that the people currently feel they are not being properly represented by the town board through the process taking place in appointment or county commission?

**Senator Hardy:**

I will not speak for them; you will be hearing from them shortly. But I do not know if they will say they are represented as well as they would like to be represented, in a way more attuned to their local needs.

**Assemblyman Stewart:**

I know people in many of these areas that you have mentioned. I have often talked to them, and they feel like their right to vote, being an American, is being passed over by the county commission that may or may not be very familiar with their situation in the community. They feel they are almost being dictated to by the county commission. Have you heard that belief as you have talked to the people, that they are being deprived of their right to vote in this case?

**Senator Hardy:**

Yes. Absolutely.

**Chairman Ellison:**

Is anybody in Las Vegas in favor of the bill?

**Jim Maniaci, Private Citizen, Laughlin, Nevada:**

I am the president of the Laughlin Economic Development Corporation. I have a statement from Cheryl Crow that I would like to read into the record ([Exhibit C](#)). "Since I am a working business woman and can not be present today, I have asked that my testimony be read into the record. In Laughlin, we started the straw poll elections because there was no other option for local representation. Not only did our residents support it, it also was totally supported by Bruce Woodbury. Mr. Woodbury served longer in one office as a County Commissioner than any other elected official in Nevada's history. So we can say without a doubt it worked great. As a result, we had many years of great communication among the community, the town manager's office, the advisory board, and the Clark County Commission. Now we have the opportunity to have a state law protecting this right so that it can't be taken away again. We certainly hope and would expect that you would understand the need for the passage of this bill. Thank you."

As for my own testimony, "The underlying reason why the voters among the 8,000 or so voters of Laughlin and the rest of the 50,000 or so residents of the other townships outside of metropolitan Las Vegas should elect their own township boards is the most basic of American rights—guaranteed through both the Constitutions of the United States of America and the great state of Nevada—and that is the right to elect local representation in our own local governments." [Mr. Maniaci continued to read from ([Exhibit D](#)).] I would like to emphasize that trying to introduce topics that are not germane to this bill is an obvious attempt to defeat it and thus deny rural Clark County residents a much-needed set of voices. I need to interject here that some of that type of thing came up in Laughlin in the past week. Each township has its own identity and is unique. [Mr. Maniaci continued to read from ([Exhibit D](#)).]

**Assemblyman Carrillo:**

You mentioned that you can remove advisory board members at will. Has that been the case recently, or in the history of the advisory board?

**Jim Maniaci:**

Certainly. John Geremia was removed by Commissioner Sisolak under pressure, and he resigned.

**Assemblyman Carrillo:**

You mentioned the incident in Laughlin, can you elaborate on that?

**Jim Maniaci:**

Several years ago, there was an attempt made to incorporate Laughlin. This past week, some of the people who opposed that came out and tried to



introduce the question of incorporation as being directly related to this bill. Our belief is that it is a totally separate issue that has no place in this discussion.

**Judy Hill, Private Citizen, Searchlight, Nevada:**

I have been a resident of Searchlight, Nevada, for 40 years. In that time, I have served on the town board as a member and also for a number of years as the chairman. I have volunteered for everything in our community. I worked at the post office for 22 years, and I think I have my finger on the pulse of our community.

I agree with Mr. Maniaci. The straw polls that we used to have gave the citizens of our community a feeling that they had a voice. Ultimately, the county commissioners still have the final say. But many people, and probably many of you sitting there, have never even driven through Searchlight, and if you have driven through you have probably never taken the time to turn off the road and see what kind of a nice little community we have. Everything Senator Hardy said is absolutely true: small communities are close-knit, you know your neighbor, and there are lots of advantages to living in a rural community. There are also disadvantages. Some of the disadvantages are that the people in rural communities do not feel like they have enough of a voice in what happens in their community. At the very lowest level, being able to elect their town board members makes them feel like they do have a voice in their community. I feel that being able to elect your officials is the American way. We should all be able to elect our officials.

Everyone in the Legislature, when you go to vote on this bill, let this thought be in your mind: if the chair that you are sitting in was an appointed position instead of an elected position, it is very possible that your opponent could be sitting in your chair. Before I came in here, I asked many people how they felt about our town board members being elected rather than appointed, from the person walking down the street to the businesspeople. And 99.9 percent of them said they would like to see their town board members elected. There was only one person who said he did not want to get involved. I have no hidden agenda. I am simply speaking on behalf of the people of Searchlight and how they feel about having their right to elect who they want on their town board, which as everyone has already said, is strictly an advisory board. The county commission still ultimately has the final say. It is kind of like asking my sister who lives in North Carolina to tell me who she thinks I should vote for as senator for the state of Nevada. She has no clue what goes on in Nevada any more than the people that would appoint a town board member have any idea what goes on in a rural community.

**Assemblyman Stewart:**

Mrs. Hill, I have taken the opportunity to drive around your town and go past Senator Reid's ranch and have eaten lunch there, and I also taught some of the young people from Searchlight. So I definitely think that you deserve the right to vote for your own representatives.

**Lindsey Dalley, Private Citizen, Moapa Valley, Nevada:**

I am a publicly elected member of the Moapa Valley Water District, so I feel like I have a foot in both worlds. I do a lot of volunteering in the community, and I have been before the town board multiple times, but I have also had the experience of going through the elective process. I am here in support of allowing these communities to engage in limited self-determination. That is an important factor because it is an incubator to help develop community leaders. Having them elected is a necessary and positive experience. It starts at the grass roots and is a fundamental experience of knowing what it is like to be an elected official—filing, going through the clearances, and all the paperwork. I think it is an important part of the democratic experience for all community members. It also helps rural communities gain a sense of responsibility and establish their community's identity, as has been previously mentioned. That is key. Philosophically, it is the right thing to do because it helps communities to grow and develop as they choose. I definitely support this, and I appreciate Senator Hardy's putting this bill forward.

**John Fudenberg, representing the Clark County Commission:**

Clark County is a friend of Senator Hardy, for the record, but we are opposed to S.B. 115. For decades, the Clark County Commission has ultimately appointed members versus having them elected. We feel that has worked very well for Clark County. The commissioners appoint the representatives to act as direct conduits to them, and these board members are direct advisors and the boards are advisory in nature. Ultimately, they do not have the authority to make decisions, but they are there to advise the commissioners.

If the bill passes, we understand that candidates would have to pay filing fees, campaign, and spend money to be elected to the advisory board, and we are not sure we would get candidates to do that if they ultimately had to be elected. The new process may reduce the already limited number of candidates that are willing to serve on the town advisory boards, and these vacancies can often go six months or longer, and that has put a strain on the board. That is an issue, if this is passed.

We also feel that if the election of town advisory board members occurs, they might demand that they be allowed to manage some or all of the services mentioned in *Nevada Revised Statutes* (NRS) 269.575, and we do not feel this

would be in the best interests of the county or the specific community since the board members may have little, if any, experience providing these services. Just to give you an idea of some of the services listed in NRS 269.575, they include cemetery, dump stations and sites, fire services, flood control and drainage, garbage collection, police, parks and recreation, sewage collection, streets and streetlights, swimming pools, water distribution, and the acquisition, maintenance, and improvement of town property. Clark County does not believe the provisions in S.B. 115 are in the best interests of the citizens or our county. As mentioned, the commission and the current appointed town board members have worked well together on behalf of the citizens of unincorporated portions of Clark County, and we see no reason to change the system.

**Assemblyman Carrillo:**

I have been on an advisory board before and appointed by the commission. Through that process and after being appointed, there were many board members that would go through vetting the final decision of what was good for our community in Whitney. We vote on it and make a decision, only to find out later that the Clark County Commission would have a whole different idea of what was right for our community. So I understand that an advisory board is advisory for what we feel is good in our little community, but then the county commission can come in and say something different is good for our community. So what is the whole point of having an advisory board? I can understand Senator Hardy and other testifiers' point that it is to get elected and to have a say in how their community is run. But at the end of the day, how much punch are they going to have when the county commission says no? The advisory board is just a feel-good board that is appointed and can say whatever they feel is right for their community, but ultimately the county commission will have the final say. I am not just speaking as a past board member, I am speaking on behalf of a lot of the people that have been or are currently board members, who have stayed on that board, but a lot of times they just remained silent because they love their community and want to be a part of it. Some of this is agreed upon.

In our community, there is a gentleman's club. They did not want alcohol served in that gentleman's club. But somehow, it got passed anyway and the club serves alcohol. Things like that continue to just pass. To me, it sometimes feels like the advisory board is just a feel-good board, and at the end of the day, the advisory board has very little impact. I am not saying that the board in Moapa or in other places would not have an impact. So why would the county commission go back and change some of the advisory board decisions?

**John Fudenberg:**

I do not know specific situations where that has occurred. I am sure it has or has been perceived as such. I think the big issue with this bill is that I do not think that would change. Just because they are elected does not mean they have the authority to take action that the county commission does not feel is appropriate. I do not think this bill would correct that issue, if it is occurring. I would hope that the county commission and the town advisory board would be in sync on a lot of decisions, but I am certain there are many factors in existence where they are not always able to go with the town advisory board's recommendation. I cannot speak to specifics. But I do not think this bill would change that if they were elected.

**Assemblyman Carrillo:**

Something else that concerns me is the fact that, as an elected official, a lot of people assume that because you are elected, you receive campaign contributions from different entities in the community. But ultimately, you are there to serve the people, and that should not sway anybody. It might sway some, but at the end of the day, you are serving the people of Nevada. That is why I think keeping an advisory board in a position where people are appointed, which may not be the thing that people want to hear, is because people can be swayed. That is a concern.

But a point I was trying to make regarding elected versus appointed is that it comes down to the county changing town board decisions. Maybe the board says they do not want something in their community, and the county says they need that in their area. Why does the county commission change advisory board decisions?

**John Fudenberg:**

I do not know that I can answer that. I am not familiar with any of those specific situations where the county commission would change a decision that the town advisory board made. I can certainly find out the background in some of those decisions that were contrary to the town advisory board. I do not think I have the knowledge to speak appropriately on those specifics.

**Assemblyman Stewart:**

I have lived in Clark County since I was four years old. If you calculate, that is a long time. I have been up here supporting Clark County, and I know and respect many of the commissioners well. But I think this is taking away a basic fundamental right from the people in these communities to exercise their right to vote and to elect people that they know and respect to represent them. I know the county commission has generally done a very good job, but I still think this

is taking away the right of these people to express themselves at the ballot box. I strongly support this bill.

**Assemblywoman Neal:**

This message is to Clark County. Ultimately, the issue is authority, right? And this is an authority shift. You have appointments, and now they want to be elected. In this Committee last session, the discussion revolved around a couple of things: the county commission was making decisions or improvements to some of the rural counties that did not have a say-so, and the improvements were going to places where they were not actually needed. The way former Assemblyman Hardy said it was that there were rumors. Are there situations, with this appointed board that the county creates and created with the idea that it would be a conduit for communication between the town and the county, where the commission is not listening to the board and following their lead? Where the board is saying, hey, I live in Laughlin and these are the things I need, and you, the county commissioners, are not paying attention and are doing absolutely the wrong thing and incorrect action for what is needed? Are there instances like that? Former Assemblyman Hardy did not say it; he just said it was a rumor. So let us find out if rumor is fact, to find out if there is an issue. To me, if the county commission is not listening to the people that they supposedly appointed to have that communication thoroughfare, then that is a problem. If the issue is that you gave authority but then you mute it because you do not listen to what they have to say, that is a problem. If they are fighting to be elected because at least the election gives them authority that is not through their appointed authority and strengthens their ability in the process, I am for that. In that situation we are dealing with an issue of abuse: does the county commission listen or do they not listen? So I want to get to the heart of that.

**John Fudenberg:**

I do not think I can answer, but I will try. First of all, I think the authority is not shifted with an election. The authority remains with the county commission even if they are elected. I think the issue might be perceived authority. If they are elected, maybe they believe they have additional authority, but ultimately the authority remains the same. I am not familiar with any particular instance where the county commission did something contrary to what the town advisory board members recommended. I am certain that if we talk to the town advisory board members, they have instances, but if we talk to the county commission, I would think they would have very good justification for making a decision contrary to what the town advisory board recommended. I am not personally familiar with any specific instance where that has happened.

**Assemblywoman Neal:**

Would you agree that it would be difficult if you were in that position, and the county commission, which is distantly removed from Moapa and other areas, made a decision that changes things because they think they are smarter than you; therefore, this decision is going to apply to you? What then is the appointed town advisory board's ability to push back when those decisions are contrary to what they believe is right for them? What is the process to fight back?

**John Fudenberg:**

I do not know that there is a process to fight back. I know that the ultimate authority lies with the county commission. As far as a process, if they disagree with the decision, other than speaking or expressing their opinion to the county commission, I do not know that there is a formal process. I can verify that. I think it is probably a lack of communication or a need for additional communication if they do not understand the decision the county commission made. There may be fiscal implications or planning implications that the town advisory board member is not familiar with and the commissioner is, and that may be why a decision was made contrary to their recommendations. But I do not know for sure. I think that there is ultimately no formal process. I think the authority lies with the county commission.

**Assemblywoman Neal:**

Will an election of members give them greater process to push back?

**John Fudenberg:**

No, I do not believe it will. I do not believe it changes any of the authority or process other than the fact that they are elected to sit on the board. Senator Hardy, is that correct?

**Senator Hardy:**

By speaking at this time, I am not speaking in opposition to my bill. I have enjoyed the discussion. Assemblywoman Neal, I see your point. When you are elected, you have people behind you who have lent their voice through a channel, and that channel usually has a broader reach to communicate with more people or with more impetus to generate change or consideration. I think most of what happens with election is communication. What can be done with that communication? If I yell, and I have a bigger megaphone, then I have a bigger voice. That is what elections do; they give you a bigger voice so that what you say is heeded.

I do not want to pretend that this is about trying to pick on the county commission. This is trying to give a voice to people who feel they need a voice.

Lindsey Dalley, for instance, talked about an incubator. We have had people come to the Assembly, back in the day, from the Baltic states saying they wanted to learn how we do education on civics. You and I understand that when you come up here, you get the ultimate lesson in civics, and that is what we do on town boards. There is not an elected or appointed official who knows everything when they are elected or appointed; it is a process. The communication and learning, whether you are appointed or elected, does not make any difference. They still have to learn things. I think it is good to have representation, whether appointed or elected. But where I come from in America, it is better to have an elected representative than an appointed one, especially in a rural area representing less than 1 percent of the people in a district.

**Assemblywoman Shelton:**

Right now, when Clark County appoints someone, do they appoint residents of the city where they are going to be a board member, or do they go elsewhere?

**John Fudenberg:**

They do appoint members of the community to the town advisory boards.

**Assemblywoman Shelton:**

Are they paid? In your testimony, it sounded like one of the reasons Clark County is against this bill is because they are thinking there is going to be a cost connected with this.

**John Fudenberg:**

They are not compensated, and there is not going to be a fiscal impact that I am aware of, other than minor election changes. As Senator Hardy stated, it is just a matter of putting a name on a ballot, so I do not believe there is a fiscal impact there. What you may be referring to is the fact that because there are often limited numbers of candidates for these advisory boards, they will have to pay filing fees and campaign and report as any other elected official would. We think that may discourage people from running in some of the communities.

**Assemblyman Munford:**

If the privilege and the right is granted for these board members to be elected, ultimately, who really has the autonomy and the real power? Would it be with the county or with the people? I keep hearing that the county still has some authority and power. Who really should have the power? In terms of the government, you could say that in the *Constitution of the United States*, sovereignty and power should be in the people, not with commissioners. That is the way it is spelled out in the *Constitution*. I am going back to my government teaching years. But tell me, one way or the other.

**John Fudenberg:**

You are correct that the authority would remain with Clark County. The county commission would ultimately have the authority when it comes to budget and managing services. As far as the authority and any other decisions, the county commission will still have that, even if this bill goes through and advisory board members are elected.

**Assemblyman Munford:**

So the power is still with you?

**John Fudenberg:**

I do not like to say it that way.

**Assemblyman Munford:**

But that is what it is. You have the power and the authority, so this election is almost moot. Giving the people a voice is important, because that is in the *Constitution* too, that is what democracy is all about—a government of the people, by the people, for the people. Lincoln said that.

**Chairman Ellison:**

Anybody else in opposition? [There was no one.] Neutral? [There was no one.] Senator Hardy, would you like to do a closing statement? I see that on the Senate floor, the vote was 18 in favor, 2 in opposition and 1 absent.

**Senator Hardy:**

I think when you look at the construct of the bill, if there are not enough people who are willing to run, the county commission can still appoint them. So this does not take away the power, if I could use that word, from the county commission to still appoint if there are not enough people willing to put down \$100 and campaign. Campaigning in the rural areas is not as expensive. It amounts to walking around and talking to your neighbors. It is a different campaign than we and the rest of Clark County may be familiar with. I think the County Commission has the bigger picture. We understand that concept of the bigger picture when we are in the state legislature. Not only do we represent a district, but we have to say what is good for the state of Nevada. The County Commission has that authority. I call it authority because that is what they have been elected to do. The town boards are advisory, and they are elected or appointed to represent the people to the county commission. My people feel that they would like a voice in being able to elect.

**Chairman Ellison:**

We are going to close the hearing on S.B. 115 and go to a presentation by Boulder City.



**Lisa Foster, representing Boulder City:**

I am here to introduce Boulder City. They are going to give the presentation.

**Rodney Woodbury, Mayor-Elect, Boulder City, Nevada:**

It is a pleasure to be here and introduce the city of Boulder City. We have a PowerPoint presentation ([Exhibit E](#)). I will start out with some history of Boulder City. It was established in 1931 to house the construction workers for the Hoover Dam. We are the city that built Hoover Dam, and we are very proud of that fact. After the Dam was built, for many years, it was a federal reservation that was federally operated. We did not become a city until 1960. It is our 55th birthday this year, and we are very proud of the history of Boulder City. The city itself was designed in a manner similar to Washington, D.C., and is laid out that way. The street names are after the Colorado River Compact states. There are 31ers reunions that happen all the time, that remind us of our history and keep us connected to our past. We are still very much a part of Hoover Dam, and it is part of us.

Our community population today is just over 15,000. We like retaining that small-town charm. We have slow residential growth, which is the way we like it, but as you will see in a minute, we are not small in many ways. We are a vibrant, full-service city. We have many events every year that bring in tourists from all over the nation, things like Art in the Park that generates over 100,000 visitors a year, and other events like Spring Jam, Oktoberfest, and chautauquas that we have had in the past, and many others. Of course, Lake Mead and Hoover Dam generate hundreds of thousands more visitors each year that not only visit our community but all of southern Nevada. I think I recently saw a report that showed that the Lake Mead National Recreation Area is one of the top five national parks visited in the United States, I think it is number three ahead of places like Mount Rushmore and others. It is a huge attraction for southern Nevada.

Just because we are a small-town city does not mean we are not big in a lot of ways. We are quite large geographically. In 1995, the city acquired 167 square miles, making us geographically the largest city in the state of Nevada. One thing I wanted to point out that we take pride in is that as part of that acquisition, we created the desert tortoise conservation easement, which allows the Las Vegas Valley to grow over the next decade because of the credits that come through that conservation easement. The developers that developed southern Nevada were able to take advantage of those credits. We are now over 207 square miles in size, as this slide shows [page 5, ([Exhibit E](#)).]

We like to consider ourselves one of America's top playgrounds. As you can see from this slide [page 6, ([Exhibit E](#))], there are many recreational

opportunities that we have in and around Boulder City. Some of my favorites are boating on Lake Mead, which includes water-skiing, wakeboarding, wakesurfing, and just enjoying the beautiful national park that is there. Colorado River rafting also includes kayaking with tour companies we have, floating down the river and enjoying the majestic canyons and beautiful pristine water that is there along with mountain sheep and other sights around. We have hiking in Bootleg Canyon, we are one of the premier mountain biking locales in the nation, and we have Interbike that happens every year and brings thousands and thousands of people to southern Nevada. We have a big zipline in Bootleg Canyon as well that is probably the longest continuous zipline in north America that I am aware of. It is several miles long, and if you have never done that before, I would encourage you to do that. It is quite a rush, and you get to see the whole valley. In fact, when you go up on top of the mountain, which we call "Radar Mountain," you get a 360 degree view of Las Vegas, Lake Mead, Boulder City, and all the mountains around you. We have three major golf courses, the municipal golf course, our beautiful Boulder Creek Golf Course, and a more exclusive Cascata Golf Course, which are major attractions as well.

Solar and all types of renewable energy have been a big boon for us in the past decade. It has helped us get through the difficult economic times. But it has also contributed to southern Nevada and all of Nevada being a leader in renewable and clean energy. In fact, just like when Hoover Dam was inaugurated and presidents came, when we had the 2012 elections for President Barack Obama, the Secretary of the Interior came to town, and we were showcased as being one of America's premier locations for renewable energy. We do have 85,000 acres currently for solar development, which produce up to 1,000 megawatts of electricity for not only southern Nevada but California and other places as well. Of course, that is very compatible with what we already have in energy from Hoover Dam, which services much of the western United States.

On the next slide [page 8, ([Exhibit E](#))] you will see some of our partners in the solar energy endeavors that we have—Sempra Generation, Techren Solar, a couple of Korean companies, and Acciona Power. Sempra is the one that is leading for us in a lot of ways, and they are affiliated with San Diego Gas and Electric.

Interstate 11 (I-11) is something that has been in the works for decades. It is finally coming to fruition. It will begin construction this year and the design team actually got their new home in Boulder City just a week or two ago. The planning process is pretty much finished, the environmental assessments are finished, and they are going to start construction on a three-year project.

That is both a blessing and a challenge for us, and we are working feverishly to make sure that Boulder City remains a destination where people still come. But as you can imagine, there is fear from some of the residents that we will become the next Radiator Springs from the Pixar movie *Cars*—that we will get bypassed completely, and we of course do not want that to happen. We do not believe that is going to happen, and we think we are doing a great job of planning for that eventuality, of marketing ourselves and for southern Nevada, and making sure that these attractions that have brought people to Boulder City and southern Nevada for so long will continue to do so. The I-11 will create this north-south corridor that provides an avenue for commerce and tourism between Phoenix and Nevada. Boulder City donated \$100 million worth of land and 639 acres as the state of Nevada's allocation toward that. That was cost-free. That is a benefit to the state itself, to Clark County, and we were proud to do that as our contribution.

This slide [page 11, ([Exhibit E](#))] shows the actual route of the I-11 bypass. As you can see, it will go around the city, whereas the existing route is through the city. That is something that is a challenge to us, but it will increase the traffic flow around the city, speed it up, and enable commerce to continue much more smoothly. For the last part of the presentation, which is on the unmanned aircraft systems (UAS), I am going to turn it over to our city manager David Fraser.

**David Fraser, City Manager, Boulder City, Nevada:**

A little more than a year ago, the Federal Aviation Administration (FAA) designated six states to be test sites for testing of civilian drones for commercial insertion into FAA airspace. Out of the six states chosen, there were only two western states, Nevada and Alaska, which was a big deal for Nevada. It gives us a chance to be in on the rulemaking for civilian use of drones in the commercial airspace. When the FAA does include drones in the commercial airspace, we are not just going to be handed the rules, we will be able to be part of making those rules. Nevada's application, which was very impressive, was part of a very competitive process. Boulder City was included in Nevada's application. We have over 100,000 acres, or 130 square miles, of test ranges in Boulder City. On the map [page 13, ([Exhibit E](#))] are the test ranges in the Eldorado Valley. Just to give perspective, with the previous slide [page 11, ([Exhibit E](#))] showing the Interstate alignment, between the airport and the Eagle Range, you can see the Interstate and developed part of the city to give you an idea of the size of the test range in Boulder City.

**Chairman Ellison:**

Is that open airspace, or are you trying to restrict that?

**David Fraser:**

Hobbyists aside, who need to stay under 400 feet, it is restricted for use for drone testing. Now that is governed through a state office, which actually oversees all of the drone testing areas in the state. There may be others. The primary ones that were included in the application were Reno-Stead Airport, Fallon, Desert Rock Airport, the Nevada National Security Site, and Boulder City. The idea is that out in Eldorado Valley, where there is plenty of room and not much else out there, there is an opportunity to test where they will not be in the air traffic path of McCarran International Airport or Boulder City Municipal Airport. If they do crash land, that is a safe, wide-open area to do so. It is also really neat because not only is it lots of wide-open airspace above flat desert, but there are also lots of canyons and mountains in that area. They can do drone testing not only in the open air, but get into the canyons to test for urban use. Many of those canyons would be similar to flying through city buildings. So until the FAA actually integrates drones into commercial airspace, that testing will be limited to those six states, with some exceptions for indoor testing and so forth.

**Chairman Ellison:**

This big thing is whether it restricts private airspace. What is the city elevation there?

**Rodney Woodbury:**

It is approximately 2,500 feet.

**David Fraser:**

Nevada has a very robust offering for those tests. We are proud to say the first FAA-certified test flight took place in Boulder City about seven weeks ago. We are honored and thrilled to be part of that statewide effort. We think it will do a lot of good for our community and for southern Nevada as we look forward to a new step in our country's aviation. It is a pleasure to represent one of the best cities in the nation. I know most of you have spent time in Boulder City. If you have not, please come see us.

**Assemblyman Stewart:**

It is good to see all of you, especially Mayor-Elect Woodbury. You have given a semi-outstanding presentation; however, I am going to have to give you a B minus on it. You have left out some of my favorite things in Boulder City: you did not mention the Boulder Dam Hotel with its wonderful cuisine or two of my grandchildren's favorite things, the bighorn sheep and railroad rides. You have the big shoes of Roger Tobler to fill. Please give him and Mayor Ferraro my regards. I am pleased at your new position, and I hope you will continue the tradition of great mayors in Boulder City.

**Rodney Woodbury:**

We appreciate that and will take your well wishes back.

**Assemblyman Munford:**

I saw somewhere the name Desi Arnaz Jr.. What does he have to do with Boulder City?

**Rodney Woodbury:**

Desi Arnaz Jr. has been a resident of Boulder City for dozens of years, and his wife Amy unfortunately just passed away. We mourned her loss recently. They own the historic Boulder Theatre, which was started in the 1930s to entertain the dam workers. They have operated that for many years. One of southern Nevada's premier dance studios also operates out of there. They have also hosted many chautauquas. We are very proud that he is affiliated with *I Love Lucy*, but we are more proud to have him as our citizen, and he has been a great contributor to our community.

**Assemblyman Munford:**

I want to say hello to Mr. Fraser. He has been around as long as I have been here, since I came on as a freshman.

**Assemblywoman Spiegel:**

I am a little disappointed you did not mention some of my favorite things about Boulder City. Your holiday parade is wonderful, and Art in the Park is unparalleled. It is probably one of the best art exhibits that we have in the state of Nevada. I also really appreciate the economic development efforts you made in your downtown area.

**Assemblyman Carrillo:**

I am interested in the zipline. I know there is one in downtown Las Vegas, but this one seems more on the extreme side. I am sure the views are phenomenal. Boulder City does not have any gaming, correct? There is nothing wrong with that, but I have always been curious about it.

**Rodney Woodbury:**

That harkens back to the history of how our city was developed. It was a federal reservation to start, and so there was a casino on one side of the city and another casino on the other side. A prohibition of gaming within the city somehow got drawn up into the city charter. Those two casinos are still there on either side, and we kind of like it that way. It is not too far away, but it is also not within the city limits.

**Assemblywoman Shelton:**

On the I-11, it looks like there is only one place that you can exit, and that is after you pass Boulder City. I assume that is why you shared the analogy of Radiator Springs. Have there been any attempts to make an exit that runs down into the middle of the town?

**Rodney Woodbury:**

There are actually off-ramps that are on either side of the city. The two casinos I just referenced each have an exit nearby. Those will lead through the old U.S. 93 into town. There is another interchange which is somewhere in the middle. It is what we call Buchanan Boulevard, and it is not for public use at this point. The voters, about 10 or 12 years ago, made the decision that, for safety and other reasons, they did not want that to be a major thoroughfare through town. That is potentially still an option in the future, if we change our minds. But at this point, it is just planned to be used for public safety purposes.

**Assemblywoman Shelton:**

That was the street I was thinking of because I thought that it looked like it could be an important exit. But I guess if the voters did not want it, they are the people who live there.

**Rodney Woodbury:**

Things have changed, so it is not off the table entirely.

**Assemblywoman Dooling:**

I wanted to second everyone's comments on how wonderful Boulder City is.

**Assemblywoman Woodbury:**

I am very proud to be from Boulder City. Those of us who live there really like our slow growth ordinance which keeps it a nice small town. We have great schools and great teachers, which leads me to my question. Can you explain how you got to be mayor?

**Rodney Woodbury:**

Boulder City was a great place to grow up. I have been there for about 38 years, and the schools continue to be excellent. Right now, we are trying to get a second phase of a major renovation to the high school. That is going to go forward next year. They are already putting the pods out to house the students in. We have been having some back and forth with the Clark County School District. Some of the teachers are a little concerned about turning the school into somewhat of a prison by closing out all the windows. Boulder City High School was designed by Gordon Kaufmann. He was one of the major designers of Hoover Dam's aesthetic elements, and he also designed the

Palladium in Hollywood, the Los Angeles Times Building, and places at the California Institute of Technology like the Athenaeum and the solar plant.

We are concerned that those elements are going to go away when the school district tries to impose its cookie-cutter schools on us. There has been some back and forth. If there was one thing we would appreciate some help on, it would be making sure that we retain that history in Boulder City, because we do have a great education system. We have carried the art deco theme of Hoover Dam into the Smith Center in Las Vegas. That brings culture and keeps us connected to the past. Our students need an environment like that to continue to be educated in. Some of that rubbed off on me somewhere and hopefully that will continue for future generations.

**Assemblywoman Woodbury:**

I agree. In my opinion, the Boulder City High School is a historic building, and I encourage the school district to continue working with you to preserve those portions that are truly unique and historic.

**Assemblyman Stewart:**

I would encourage you not to do away with the windows in my room. By the way, there was a movement years ago to name one of the laboratories Lynn's Laboratory.

**Chairman Ellison:**

I really enjoyed the presentation, I loved your brochure, and Boulder City is a real peach of our state. Is there public comment?

**Pat Sanderson, Private Citizen, Carson City, Nevada:**

My father-in-law worked on the dam, and my mother graduated from the University of Nevada, Reno, in 1933. There is a wonderful museum in Boulder City about the workers on the dam. When we went into the museum, my wife walked in, and on the third wall was a picture of her dad. She took a picture of that picture. That was a highlight of one of our favorite trips because it meant so much to my wife.

**Chairman Ellison:**

Any other discussion or comments? [There were none.] Meeting adjourned [at 10:11 a.m.].

RESPECTFULLY SUBMITTED:

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Erin Barlow  
Committee Secretary

APPROVED BY:

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Assemblyman John Ellison, Chairman

DATE: \_\_\_\_\_



**EXHIBITS**

**Committee Name:** Committee on Government Affairs

**Date:** March 5, 2015

**Time of Meeting:** 8:34 a.m.

Bill	Exhibit	Witness / Agency	Description
	A		Agenda
	B		Attendance Roster
S.B. 115	C	Cheryl Crow / Private Citizen	Testimony
S.B. 115	D	Jim Maniaci / Private Citizen	Testimony
	E	Rodney Woodbury / City of Boulder City	PowerPoint Presentation
	F	Rodney Woodbury / City of Boulder City	Brochure