



**NEVADA LEGISLATURE
LEGISLATIVE COMMISSION'S SUBCOMMITTEE
TO STUDY THE AVAILABILITY AND INVENTORY
OF AFFORDABLE HOUSING**

(Assembly Concurrent Resolution No. 11, File No. 97, Statutes of Nevada 2005)

SUMMARY MINUTES AND ACTION REPORT

The second meeting of the Legislative Commission's Subcommittee to Study the Availability and Inventory of Affordable Housing was held on January 23, 2006, at 1 p.m. in the Grant Sawyer State Office Building, 555 East Washington Avenue, Las Vegas, Nevada in Room 4401. The meeting was videoconferenced to Room 3138 of the Legislative Building, 401 South Carson Street, Carson City, Nevada. A copy of this set of "Summary Minutes and Action Report," including the "Meeting Notice and Agenda" ([Exhibit A](#)) and other substantive exhibits, is available on the Nevada Legislature's Web site at www.leg.state.nv.us/73rd/Interim. In addition, copies of the audio record may be purchased through the Legislative Counsel Bureau's Publications Office (e-mail: publications@lcb.state.nv.us; telephone: 775/684-6835).

SUBCOMMITTEE MEMBERS PRESENT IN LAS VEGAS:

Assemblyman Marcus L. Conklin, Chairman
Senator Steven A. Horsford
Senator Dennis Nolan
Assemblywoman Francis O. Allen
Assemblywoman Marilyn Kirkpatrick

SUBCOMMITTEE MEMBER ABSENT:

Senator Maurice E. Washington

OTHER LEGISLATOR PRESENT:

Assemblyman Joseph M. Hogan

LEGISLATIVE COUNSEL BUREAU (LCB) STAFF PRESENT:

Kelly S. Gregory, Research Analyst, Research Division, Legislative Counsel Bureau (LCB)

William L. Keane, Principal Deputy Legislative Counsel, Legal Division, LCB

Ann M. Iverson, Senior Deputy Legislative Counsel, Legal Division, LCB

Lucinda Benjamin, Senior Research Secretary, LCB

OPENING REMARKS

The meeting was opened by Chairman Conklin, who indicated that Senator Horsford was attending the meeting via a conference call. At the onset of the meeting, Chairman Conklin advised the members he had requested an inventory of public lands.

APPROVAL OF THE “SUMMARY MINUTES AND ACTION REPORT” OF THE NOVEMBER 14, 2005, MEETING IN LAS VEGAS, NEVADA

THE SUBCOMMITTEE APPROVED THE FOLLOWING ACTION:

ASSEMBLYWOMAN KIRKPATRICK MOVED TO APPROVE THE MINUTES OF THE SUBCOMMITTEE’S MEETING HELD ON NOVEMBER 14, 2005, IN LAS VEGAS, NEVADA. MOTION SECONDED BY ASSEMBLYWOMAN ALLEN AND PASSED UNANIMOUSLY.

OVERVIEW OF AFFORDABLE HOUSING PROGRAMS FOR SPECIAL NEEDS POPULATIONS

- Ernest K. Nielsen, Washoe County Senior Law Project, explained the mission of the Senior Law Project regarding housing issues and explained the three basic programs available for seniors: (1) service programs to enable individuals to remain in their homes; (2) assisted living and group facilities; and (3) nursing homes.

Mr. Nielsen stated there is a lack of current data on poverty levels and the number of seniors needing various levels of skilled nursing. He discussed the similarities of issues for disabled individuals and senior citizens, and presented the following six issues:

1. Income levels and the ability to pay for housing;
2. Housing trust funds;
3. Ownership data;
4. Home repair programs;
5. Energy assistance programs; and
6. Emergency mortgage assistance.

Continuing, he provided information on the facility-based waiver for assisted living; the Community Home-based Initiative Program (CHIP) waiver for persons 65 and older; the waiting list for home-assisted service programs; and the task force on senior assistance issues. Please see [Exhibit B](#).

- Sherry L. Manning, Housing Development Specialist, Office of Disability Services, Department of Health and Human Services (DHHS), presented information on housing for individuals with disabilities that include the following three issues: (1) affordability; (2) accessibility; and (3) homelessness. She discussed the income levels for individuals receiving Social Security payments and housing choice vouchers, which subsidize the cost of housing; however, she indicated there are long waiting lists for many of the housing programs. Ms. Manning noted that various funding grants for independent living programs have been received by the Center for Independent Living, which allows people to transition from nursing homes into the community.

Ms. Manning made four recommendations to:

1. Develop a program to bridge the gap for those who move from nursing homes into the community and those in jeopardy of being homeless;
2. Create a current and timely database in one location, which is accessible to many agencies and organizations;
3. Require the use of universal design in the construction of multi-family facilities to accommodate disabled individuals; and
4. Require multi-family facilities to report the number of units available for affordable housing.

Please see [Exhibit C](#).

- Anne Cory, Reno Area Alliance for the Homeless and United Way of Northern Nevada and the Sierra, presented information on the connection between homelessness and affordable housing and stated the three causes of homelessness are a lack of: (1) affordable housing; (2) income; and (3) services and government assistance. She also provided information on income levels in Nevada and noted that a census of the homeless population is conducted in January of each year in Las Vegas, Reno, and in certain rural communities. She added that the homeless population has increased in all areas and suggested regional planning agencies meet with builders and developers to provide incentives for affordable housing. Please see [Exhibit D](#).

In response to a question from Senator Nolan, Ms. Cory explained that interviews have been conducted in northern Nevada, which revealed that many of the homeless have lived in northern Nevada for some time and did not migrate from other areas. She noted in many cases it is a combination of factors that pushes people into homelessness.

- Susan Meuschke, Executive Director, Nevada Network Against Domestic Violence (NNADV), provided information on the policies of housing for victims of domestic violence. She indicated that being hired for a job depends on having a permanent address, which victims in shelters do not have. Emergency shelters generally have a limit on the length of stay for clients, so housing is a critical issue; only three domestic violence programs provide transitional housing in Nevada. Ms. Meuschke addressed the lengthy waiting times for alternative housing and stated options are very scarce. She provided information on income requirements in Nevada and suggested safety and timeliness be included as affordable housing issues. Please see [Exhibit E](#).
- Chairman Conklin requested information on Nevada's statutes regarding housing of domestic violence victims and samples of other states' statutes that address this issue.
- Dana Crittendon, domestic violence victim, provided information on her personal situation regarding housing assistance.
- Paula Berkley, Nevada Network Against Domestic Violence, provided examples of actual income levels for domestic violence victims living in poverty and noted that housing is their priority. She suggested that rental and home buying programs be included as affordable housing issues. Please see [Exhibit F](#).

OVERVIEW OF LOCAL AFFORDABLE HOUSING PROGRAMS

(As directed by Chairman Conklin, this agenda item was taken out of order.)

- Kenny Young, Redevelopment Manager, Community Development, City of North Las Vegas, discussed the lack of affordable housing and seven related issues: (1) acquisition of properties for rehabilitation; (2) construction of multi-family facilities; (3) rehabilitation of single-family houses; (4) operation of affordable housing apartment facilities; (5) financing of housing development with bonds and trust funds; (6) connection fees for utilities; and (7) close proximity to transportation centers. He noted the City of North Las Vegas is examining the possibility of requiring developers to include affordable housing in multi-family complexes. Please see [Exhibit G](#).

In response to questions from Subcommittee members; Mr. Young addressed:

1. The master plan requires affordable housing at various income levels and mixed use developments. Housing goals are a part of the plan, but are voluntary and not mandated by state or local governments.
2. Programs that utilize the 80 percent below area median income levels and explained that enterprise funds can be used for connection fees. A project officer is assigned to guide projects from development to occupancy; availability, affordability, and

zoning are key issues that increase the average development time for an affordable housing project.

3. Set aside programs that affect redevelopment of certain areas and the need to increase the percentages for affordable housing specified in *Nevada Revised Statutes* (NRS) 278.0105.
4. The home buyer assistance program used for down payments for housing.

Continuing, Mr. Young stated that part of the City's strategy is to: (1) balance the parcels of land that are not a part of the master plan; (2) examine third-phase auctions; (3) participate in an inventory of in-field lots; (4) develop Bureau of Land Management land parcels; and (5) address density issues. He further explained that no incentives are currently available to address soil problems for development and added the City has examined blighted areas.

- Senator Horsford requested information on the percentage of affordable housing available in the master plan and what additional acreage might be available.
- Assemblywoman Kirkpatrick and Chairman Conklin requested the following information from Mr. Young:
 - An in-fill report;
 - A summary of information in the current master plan that addresses affordable housing; and
 - Copies of master plans for the Las Vegas valley.
- Sabra Smith-Newby, Administrative Officer, Neighborhood Services Department, City of Las Vegas, presented a Microsoft PowerPoint presentation titled "Affordable Housing Programs, Challenges, and Opportunities." She also provided information on recent development projects in Las Vegas and indicated the City is currently working on a community land trust organization, which uses donated funds to purchase homes while the land is held in trust and leased to homeowners. Please see [Exhibit H](#).

In addition, she provided information on the following issues:

1. Proposed ordinance changes to allow for alternative housing choices;
2. Voluntary participation by developers to provide affordable housing in community projects;

3. Partnerships with other local entities on development, financing, and legislative issues;
 4. Rising costs of land and construction and ordinances that regulate density;
 5. Rehabilitation of vacant or abandoned houses; and
 6. Clarification of the definition of affordable housing in the NRS.
- William L. Keane, Principal Deputy Legislative Counsel, Legal Division, LCB, presented further clarification on the definitions of affordable housing in NRS. Discussion was held on the ramifications of revising the definition in the master plan.

Responding to a question posed by Senator Nolan, Ms. Smith-Newby explained that cities are required to develop five-year plans to determine where United States Department of Housing and Urban Development (HUD) funds will be expended for affordable housing.

Orlando Sanchez, Neighborhood Services Director, City of Las Vegas, provided information on housing prices and incomes, which supports the demand for affordable housing in the Las Vegas area.

Chairman Conklin and Senator Nolan requested current data on: (1) housing for first-time home buyers; (2) income levels; and (3) the homeless population. Additionally, Senator Nolan requested information on the formulas used by municipalities to determine housing needs. Mr. Sanchez stated that a study has been commissioned to gather current information; Ms. Smith-Newby suggested the data from the study be indexed to allow for constant fluctuations.

In response to questions from the Subcommittee, Mr. Sanchez provided information on the following topics:

- Benefit of local government waivers for current projects;
- Supplemental federal grants and leveraging of various types of project funding;
- The abandonment process;
- Retention of ownership by government entities;
- Conversion of properties to affordable housing; and
- Information on fees.

He added that the City of Las Vegas is studying the reasons for rising housing costs and indicated the results will be submitted to the Subcommittee.

In response to a question from Assemblywoman Allen, Ms. Smith-Newby clarified the oversight program for affordable multi-family complexes, which includes annual inspections of living conditions.

- Doug Kuntz, Affordable Housing Coordinator, City of Henderson, provided information on the development of an affordable housing plan and discussed: (1) current housing programs; (2) workforce housing; and (3) legislative options.

In addition, he addressed the following assistance programs used by the City of Henderson:

1. Rental assistance program;
2. Down payment assistance program;
3. Rehabilitation program for current homeowners; and
4. Weatherization program.

In response to a question from Assemblywoman Kirkpatrick, Mr. Kuntz explained that parcels are leased at market value and developed at the direction of the Clark County Redevelopment Agency, and stated affordable housing projects are scattered throughout the City of Henderson. Ms. Kirkpatrick suggested the development process for housing projects be streamlined.

REVIEW AND DISCUSSION OF AFFORDABLE HOUSING ISSUES FACING THE EDUCATION COMMUNITY

- Ken Lange, Executive Director, Nevada State Education Association (NSEA), discussed the following housing issues:
 1. Relationship between salary and housing;
 2. Affects of high housing costs on teacher recruitment and retention;
 3. High housing costs statewide;
 4. A multi-agency approach to address affordable housing;
 5. Examination of alternative living arrangements;
 6. Affordable housing funding options;

7. Inventories of land;
 8. Requirements and imposition of regulations;
 9. Incentives for development; and
 10. Partnerships and community dialogue on housing issues.
- Senator Nolan commented that teacher retention is difficult due to low salaries and requested that Mr. Lange provide demographic information on teachers to identify the current need for housing.

PUBLIC COMMENT

- Lesa Coder, Director of Operations, Clark County Redevelopment Agency, provided an update on a request for proposal that will project a ten-year supply and demand for housing, which will include a distribution subsidy analysis. At the request of Chairman Conklin, Ms. Coder will provide a draft copy of the study to the Subcommittee, which will be available on or around January 24, 2006. In addition, she presented information on income qualifications for affordable housing. Chairman Conklin requested Ms. Coder attend the Subcommittee's February meeting to address any questions on the draft study.

ADJOURNMENT

There being no further business to come before the Subcommittee, the meeting was adjourned at 5:02 p.m.

Respectfully submitted,

Lucinda Benjamin
Senior Research Secretary

Kelly S. Gregory, Research Analyst
Research Division, LCB

APPROVED BY:

Assemblyman Marcus L. Conklin, Chair

Date: _____

LIST OF EXHIBITS

[Exhibit A](#) is the “Meeting Notice and Agenda” provided by Kelly S. Gregory, Research Analyst, Research Division, Legislative Counsel Bureau (LCB).

[Exhibit B](#) submitted by Ernest K. Nielsen, Washoe County Senior Law Project, includes: (1) The written testimony of Mr. Nielson; and (2) Documents titled “State of Nevada Strategic Plan for Senior Services,” and “Nevada Special Needs Housing Assessment.”

[Exhibit C](#) is a document titled “Affordable Housing for Persons with Disabilities,” submitted by Sherry L. Manning, Housing Development Specialist, Office of Disability Services, Department of Health and Human Services.

[Exhibit D](#) is a Microsoft PowerPoint presentation titled “Affordable Housing and Homelessness,” submitted by Anne Cory, Reno Area Alliance for the Homeless and United Way of Northern Nevada and the Sierra.

[Exhibit E](#) submitted by Susan Meuschke, Executive Director, Nevada Network Against Domestic Violence, includes: (1) The written testimony of Ms. Meuschke; and (2) A document titled “Transitional and Affordable Housing in Nevada: A Statewide Overview for Domestic Violence Advocates.”

[Exhibit F](#) submitted by Paula Berkley, Paula Berkley and Associates, for The Nevada Network Against Domestic Violence, includes: (1) A document titled “Housing and Domestic Violence in Nevada: Paper Summary,” written by Eryn Jane Branch, The Nevada Network Against Domestic Violence, Fall 2005; and (2) A document titled “Housing is a Poverty Issue Plus, A Safety, and Time-Dependent Issue.”

[Exhibit G](#) is a Microsoft PowerPoint presentation titled “City of North Las Vegas Affordable Housing,” submitted by Kenny Young, Redevelopment Manager, Community Development, City of North Las Vegas.

[Exhibit H](#) is a Microsoft PowerPoint presentation titled “Affordable Housing Programs, Challenges, and Opportunities,” submitted by Sabra Smith-Newby, Legislative Advocate, City of Las Vegas.

This set of “Summary Minutes and Action Report” is supplied as an informational service. Exhibits in electronic format may not be complete. Copies of the complete exhibits, other materials distributed at the meeting, and the audio record are on file in the Research Library of the Legislative Counsel Bureau, Carson City, Nevada. You may contact the Library online at www.leg.state.nv.us/lcb/research/library/feedbackmail.cfm or telephone: 775/684-6827.