

STUDY OF MEANS TO ELIMINATE DUPLICATION
OF GOVERNMENTAL SERVICES BETWEEN
CLARK COUNTY AND ITS LARGEST CITY
AND
ALTERNATIVES AVAILABLE TO CITIES IN
CLARK COUNTY TO PLAN AND PROVIDE
FOR GROWTH, INCLUDING THE
EXTENSIONS OF SERVICES TO
DEVELOPING AREAS



Bulletin No. 87-1

LEGISLATIVE COMMISSION
OF THE
LEGISLATIVE COUNSEL BUREAU
STATE OF NEVADA

August 1986

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FILE NUMBER 104...

ASSEMBLY CONCURRENT RESOLUTION—Directing the legislative commission to study means to eliminate any duplication of governmental services between Clark County and the largest city located therein.

WHEREAS, The legislature oversees local governments on matters pertaining to economy and efficiency on behalf of the taxpayers of this state; and

WHEREAS, A lack of coordination of functions and services between the governing bodies of a city and a county can result in the unnecessary expenditure of tax revenues for duplicated functions and services, including but not limited to fire protection and suppression, garbage collection and disposal, police protection, building inspection, public transportation and emergency health care; and

WHEREAS, The elimination of any duplication of functions and services between Clark County and the largest city located therein would benefit a majority of the citizens of Nevada; now, therefore, be it

RESOLVED BY THE ASSEMBLY OF THE STATE OF NEVADA, THE SENATE CONCURRING, That the legislative commission is hereby directed to study means to eliminate any duplication in the governmental functions performed by and services provided by Clark County and the largest city located therein and determine whether such a unification would result in improved services at lower costs; and be it further

RESOLVED, That the legislative commission is directed to submit a report of its findings and any recommended legislation, including a proposal for any necessary constitutional amendments, to the 64th session of the legislature.

ASSEMBLY CONCURRENT RESOLUTION—Directing the legislative commission to study planned growth of cities in Clark County.

WHEREAS, Clark County is a rapidly growing area; and

WHEREAS, Sound development of the cities in Clark County is essential to the continued economic development in that county; and

WHEREAS, The cities in Clark County need the flexibility to expand their boundaries to include developing areas in order to provide the highest quality services to their citizens; now, therefore, be it

RESOLVED BY THE ASSEMBLY OF THE STATE OF NEVADA, THE SENATE CONCURRING, That the legislative commission is hereby directed to study alternatives available to cities in Clark County to plan and provide for growth, including the extension of services to developing areas; and be it further

RESOLVED, That the legislative commission submit its report and any recommendations to the 64th session of the legislature.

REPORT OF THE LEGISLATIVE COMMISSION
TO THE MEMBERS OF THE 64TH SESSION OF THE NEVADA LEGISLATURE:

This report is submitted in compliance with Assembly Concurrent Resolution No. 43 and Assembly Concurrent Resolution No. 57 of the 63rd session of the Nevada legislature.

Assembly Concurrent Resolution No. 43 directed the legislative commission, under the auspices of the joint committee on government affairs, to study means to eliminate duplication of governmental services between Clark County, Nevada, and its largest city. Assembly Concurrent Resolution No. 57 directed the legislative commission, under the auspices of the joint committee on government affairs, to study planned growth of cities in Clark County. Because the subjects of both resolutions were closely related, the legislative commission referred both to a single subcommittee. The subcommittee appointed to carry out these mandates consisted of the following members:

Senator Nicholas J. Horn, Cochairman
Assemblyman O. Charles Horne, Cochairman
Senator James H. Bilbray
Assemblyman Jerry J. Fairchild
Assemblyman Robert E. Price
Assemblyman Art Rader

Senator Nicholas J. Horn chaired the subcommittee during its consideration of A.C.R. 43; Assemblyman O. Charles Horne presided during the consideration of A.C.R. 57.

This report summarizes the activities of the subcommittee and the results of its activities. Public testimony, in addition to the information found in this report, also was received by the subcommittee. This testimony, along with information presented to the subcommittee by representatives of Clark County and the cities located within Clark County, is on file in the research library of the legislative counsel bureau and is available for review.

This report is transmitted to the members of the 64th session of the Nevada legislature for their consideration.

Respectfully submitted,

Legislative Commission
Legislative Counsel Bureau
State of Nevada

Carson City, Nevada
August 1986

* * * * *

LEGISLATIVE COMMISSION

Assemblyman Louis W. Bergevin, Chairman
Assemblyman Bob L. Kerns, Vice Chairman

Senator James H. Bilbray	Assemblyman Robert M. Sader
Senator Helen A. Foley	Assemblyman James W. Schofield
Senator Lawrence E. Jacobsen	Assemblyman Danny L. Thompson
Senator Kenneth K. Redelsperger	Assemblyman Barbara A. Zimmer
Senator Sue Wagner	

SUMMARY OF AGREEMENTS BETWEEN CLARK COUNTY
AND THE CITY OF LAS VEGAS

At the encouragement of the subcommittee, Clark County, Nevada, and the City of Las Vegas, Nevada, have reached several agreements regarding duplication of services and planned growth. These agreements are summarized in this section. Copies of the full text of these agreements are attached as appendices to this report.

PLANNED GROWTH

1. The county and the city agree that the boundary adjustment procedures established by existing statutes are acceptable.
2. Under these existing statutes, either the county or the city may reasonably adjust their boundaries to provide for growth.
3. Neither the county nor the city will seek changes in the annexation law without the consent of the other.

BOARDS AND COMMISSIONS

4. Neither the county nor the city will, without the consent of the other, seek changes in the jurisdiction, makeup, or process of the governing boards of the following entities:
 - a. Clark County Flood Control District and General Improvement District;
 - b. Clark County Health District;
 - c. Las Vegas-Clark County Library District;
 - d. Las Vegas Convention and Visitors Authority;
 - e. Las Vegas Valley Water District;
 - f. McCarran International Airport;
 - g. Metropolitan Police Committee on Fiscal Affairs;
 - h. Regional Transportation Commission; or
 - i. Any other regional board in Clark County.

LEGISLATIVE PROGRAM

5. Clark County and the City of Las Vegas will work together to present a unified legislative program for the 1987 session and subsequent sessions of the Nevada state legislature.

DUPLICATION OF SERVICES

6. Clark County and the City of Las Vegas agree that the issue of duplication of services can best be resolved by interlocal agreements.

FIRE PROTECTION AND RESCUE SERVICES

7. The Clark County Hazardous Materials Response Team will respond to appropriate emergencies in the City of Las Vegas.
8. The City of Las Vegas Bomb Squad will respond to appropriate emergencies in unincorporated Clark County.
9. Clark County will pay to the City of Las Vegas for providing fire service to the "county islands," 125 percent of the fire service area tax collected in those areas.

JAILS

10. The City of Las Vegas agreed to pay Clark County \$171,384 for housing city prisoners in fiscal year 1984-1985.
11. The county and the city agreed on conditions for booking and holding prisoners in each of their facilities and for paying the costs of holding these prisoners.

ODOR CONTROL

12. The county and the city have adopted a joint resolution providing that each entity will continue its odor control committee until an agreement can be reached to combine the committees or coordinate their activities.

ADVANCED WASTEWATER TREATMENT BONDS

13. The City of Las Vegas has agreed to pay to the county \$713,313 for principal and interest due before December 31, 1985, on bonds issued to construct advanced wastewater treatment facilities.
14. The city agreed that in the future it will promptly pay its share of advanced wastewater treatment bonds.
15. The county agrees to accept the city's payments as full satisfaction in all claims and to forego legal action on these claims.

OPEN SHARED USE OF WASTEWATER TREATMENT FACILITIES

16. Clark County and the City of Las Vegas have adopted a joint resolution establishing a common position on the shared use of wastewater treatment facilities. The resolution provides that all wastewater treatment facilities owned by the county, the city, and the Clark County Sanitation District should be available for use by any of the three entities as the need arises. Charges for the use of the same facility should be the same for all entities. The county, the city, and the district should work together to develop an area wide plan for wastewater treatment.

WASTEWATER TREATMENT LITIGATION

17. Since 1978, the City of Las Vegas has brought suit against Clark County on matters regarding water quality and wastewater treatment. The county and the city have entered into an agreement to conclude these actions and abstain from further litigation.

REPORT TO THE 64TH SESSION OF THE NEVADA LEGISLATURE
BY THE LEGISLATIVE COMMISSION'S SUBCOMMITTEE
TO STUDY MEANS TO ELIMINATE DUPLICATION OF
GOVERNMENTAL SERVICES BETWEEN CLARK COUNTY
AND ITS LARGEST CITY AND ALTERNATIVES
AVAILABLE TO CITIES IN CLARK COUNTY
TO PLAN AND PROVIDE FOR
GROWTH, INCLUDING THE
EXTENSION OF SERVICES
TO DEVELOPING AREAS

I. INTRODUCTION AND OVERVIEW OF THE ACTIVITIES
OF THE SUBCOMMITTEE

In 1985, the Nevada legislature adopted two resolutions dealing with issues and problems related to local government in Clark County, Nevada. Assembly Concurrent Resolution No. 43 directed the legislative commission to study means to eliminate any duplication in government services provided by Clark County and its largest city, the City of Las Vegas. Assembly Concurrent Resolution No. 57 directed the legislative commission to study alternatives available to cities in Clark County to plan and provide for growth and for the extension of services to developing areas. Because these two resolutions dealt with issues which are closely related, the legislative commission concluded that they should both be referred to the same subcommittee.

Accordingly, a subcommittee was appointed consisting of Senator James H. Bilbray, Senator Nicholas J. Horn, Assemblyman Jerry J. Fairchild, Assemblyman O. Charles Horne, Assemblyman Robert E. Price, and Assemblyman Art Rader. Senator Horn and Assemblyman Horne were designated as cochairmen. Senator Horn was given responsibility for the hearings on A.C.R. 43 and Assemblyman Horne was responsible for hearings on A.C.R. 57.

The subcommittee held its first meeting on November 14, 1985. At that meeting, a special subcommittee consisting of Senator Bilbray, Senator Horn, and Assemblyman Horne was appointed to meet with representatives of Clark County and the City of Las Vegas and to receive regular progress reports on negotiations between these two governments. The special subcommittee held two meetings in Las Vegas. The first was held on December 23, 1985, in the Las Vegas City Council Chambers. The second was held on January 23, 1986, in the Clark County Bridger Building. On March 28, 1986, the entire subcommittee met in the Clark County School

District Board Room to consider the agreements which had been made between Clark County and the City of Las Vegas, to receive testimony from representatives of other cities in Clark County regarding A.C.R. 57, to provide an opportunity for public comment on the resolutions, and to authorize the preparation of this report.

The subcommittee wishes to acknowledge the cooperation and generous assistance which it has received throughout its deliberations from Donald L. "Pat" Shalmy, county manager of Clark County; Ashley Hall, city manager of the City of Las Vegas; and members of their staffs.

II. THE ROLE OF THE SUBCOMMITTEE

At the first meeting, Cochairman Nicholas J. Horn defined the subcommittee's role in the following terms:

1. To serve as facilitator in an effort to assist Clark County and the City of Las Vegas in establishing a harmonious governmental relationship so that the taxpayers' moneys will be spent efficiently;
2. To focus on the future rather than discussing past disagreements;
3. To identify areas of agreement between the county and the city in an effort to allow these governments to negotiate with each other;
4. To review areas of possible agreement, compromise, and negotiation between the county and the city;
5. To disregard issues on which an agreement between the county and the city cannot be resolved at the present time;
6. To encourage the continuance of meaningful progress which has been made toward agreement; and
7. To meet regularly with representatives of the county and the city in order to receive progress reports from each entity.

III. PRESENT RESPONSIBILITIES FOR PROVIDING SERVICES

For many years, Clark County, the City of Las Vegas, and other local governments have cooperated in providing services to the citizens of southern Nevada. Clark County provides and pays for a variety of regional services to both citizens residing in incorporated cities and those residing in unincorporated areas of the county. These services include:

1. The assessor;
2. The civil bureau;
3. The clerk;
4. The coroner/medical examiner;
5. The detention facility;
6. The district attorney;
7. The district court;
8. The election department;
9. The emergency room admittance at Southern Nevada Memorial Hospital;
10. The grand jury;
11. The health district;
12. The juvenile court services;
13. The public administrator/public guardian;
14. The public defender;
15. The recorder;
16. The sheriff's salary;
17. Social services; and
18. The treasurer.

Other regional services are supported by the general revenues of both Clark County and the City of Las Vegas. These services include:

1. The Clark County Sanitation District;
2. The cooperative extension programs;
3. The downtown Las Vegas parking garage for Clark County;
4. Fire communications;
5. The flood control district;
6. The Las Vegas Metropolitan Police Department;
7. The Las Vegas Valley Water District;
8. The law library;
9. The McCarran International Airport;
10. The Regional Transportation Commission;
11. The Southern Nevada Memorial Hospital;
12. The synchronized traffic control system;
13. Various block grants; and
14. Various bond projects.

Still, other services are provided in accordance with formal interlocal agreements between Clark County, the City of Las Vegas, and other local governments in Clark County. These services include:

1. Library services;
2. The A-95 Clearinghouse Council;
3. The Fire Service Automatic Aid Agreement;
4. The Las Vegas Convention and Business Authority; and
5. The sewer facilities.

In addition to these formal agreements, Clark County, the City of Las Vegas, and other local governments in Clark County have many informal agreements to provide services. Among the services which are provided according to some type of informal agreement are the following:

1. Contracting and purchasing;
2. Flood control;
3. Municipal court services;
4. Proposed transportation activities;
5. The proposed installation of a new central telephone system;
6. The senior citizens center; and
7. Zoning.

The range of services which Clark County and the City of Las Vegas cooperate in providing will be expanded by the agreements which have been signed as a result of the activities of the A.C.R. 43 and A.C.R. 57 subcommittee.

IV. BACKGROUND ON AGREEMENTS

A. PLANNED GROWTH

Clark County, particularly the Las Vegas Valley, has experienced rapid population growth and industrial development during the past few years. Nevada's office of community services estimates that the population of Clark County increased by about 24 percent between 1980 and 1985. This rapid growth has made it necessary to extend essential public services to developing areas. Clark County and the City of Las Vegas have sometimes disagreed over which was the most appropriate entity to serve these developing areas. In some cases, the City of Las Vegas has felt that developments adjacent to its boundaries should be annexed to the city. Clark County, on the other hand, has contended that these developments could be adequately served without annexation.

In 1983, the legislature amended Nevada Revised Statutes (NRS) 268.580, "General standards of territory to be annexed," to provide that any territory in Clark County which was a part of an unincorporated town on July 1, 1983,

could not be annexed to an incorporated city (Assembly Bill 522, chapter 300, Statutes of Nevada, 1983). Because the City of Las Vegas is bordered on the east and the south by the unincorporated towns of Paradise, Spring Valley, Sunrise Manor, and Winchester, it was prevented from expanding in those directions.

The issue was somewhat complicated when Clark County added 15 square miles to the unincorporated town of Spring Valley between May 15, 1983, the date on which A.B. 522 was approved, and July 1, 1983, the date on which the bill became effective. During the 1985 legislative session, the City of Las Vegas sought to reverse this action by gaining the approval of the legislature for a provision in A.B. 332 (chapter 385, Statutes of Nevada, 1985) which would have allowed the city to annex territory which was not a part of an unincorporated town on May 15, 1983. Although A.B. 332 passed, the legislature deleted this controversial provision. Nevertheless, the disagreement between the county and the city over this provision prompted the legislature to direct the legislative commission to examine the annexation law to determine whether it needed to be revised to provide for orderly, planned growth.

Another issue related to planned growth is the existence of certain "county islands," which are small areas of unincorporated territory entirely surrounded by incorporated areas. The county sometimes finds it inconvenient to provide services to these areas and the city frequently responds to emergency calls. Many residents of these islands do not wish to be incorporated into the city and, under the present law, they are able to block annexation proceedings.

At the prompting of the A.C.R. 43 and A.C.R. 57 subcommittee, Clark County and the City of Las Vegas have resolved their differences regarding the annexation law. Both entities have agreed that the present law is acceptable and is adequate to provide for planned growth. The county and the city have agreed that neither will seek changes in the law without the consent of the other. Representatives of other cities within Clark County also indicated to the subcommittee that they feel the present annexation law is acceptable.

One point on which the annexation law for Clark County diverges from that which applies to the rest of the state is that it contains no provision for the detachment of territory from a city. The subcommittee considered this issue and heard testimony on it from representatives of

several cities in Clark County. This testimony indicated that these cities felt that such a provision is unnecessary. In addition, unless it was carefully drafted, it could be disadvantageous because it might threaten the territorial integrity of some cities. Therefore, the subcommittee took no action on this issue.

B. BOARDS AND COMMISSIONS

Several special boards and commissions have been formed in Clark County to oversee the provision of particular types of regional services. The composition of these bodies has sometimes been an object of dispute between Clark County and the City of Las Vegas. The City of Las Vegas has sometimes desired to be more explicitly represented on some of the regional boards and commissions.

The organization of some of the governing boards of these regional entities is as follows:

Clark County Flood
Control District

Two members appointed by the board of county commissioners; two members appointed by the Las Vegas City Council; one member appointed by the city council of each of the following cities: Boulder City, Henderson, Mesquite, and North Las Vegas (NRS 543.320, "Board of county commissioners or regional transportation commission constitute board of directors."). (Note: Until 1985, the board consisted of the members of the Clark County Board of County Commissioners.)

District Board of Health

Two members appointed by each of the following: the city councils of Boulder City, Henderson, Las Vegas, Mesquite, and North Las Vegas; the board of county commissioners; plus one member chosen by the other members (Clark County Code 3.08.020).

Las Vegas-Clark County
Library District

Five members appointed by the Clark County Board of County Commissioners; five appointed by the Las Vegas City Council (NRS 379.0222, "Trustees of consolidated library district: Appointment; terms; vacancies; compensation; expenses; removal.").

Las Vegas Convention
and Visitors Authority

Two members of the Clark County Board of County Commissioners; two members of the Las Vegas City Council; one member of the city council of the City of North Las Vegas; one member of the city council of another city in Clark County; two representatives of the resort hotel business; one representative of motel operators; one representative of the finance business; one representative of other commercial interests (NRS 244A.603, "County fair and recreation board in county whose population is 250,000 or more: Number, appointment and terms of members; vacancies.").

Las Vegas Valley Water
District

The members of the Clark County Board of County Commissioners (chapter 167, Statutes of Nevada, 1947, section 5.1).

McCarran International
Airport

The members of the Clark County Board of County Commissioners.

Metropolitan Police
Committee on Fiscal
Affairs

Two members of the Clark County Board of County Commissioners; two members of the Las Vegas City Council; one member selected by the others (NRS 280.130, "Composition, chairman.").

:

Regional Transportation
Authority

Two members appointed by the Clark County Board of County Commissioners; two members appointed by the Las Vegas City Council; one member appointed by the city council of each of the following cities: Boulder City, Henderson, Mesquite, and North Las Vegas (NRS 373.040, "Regional transportation commission: Number, selection and terms of representatives.").

With the encouragement of the committee, the Clark County Board of County Commissioners and the Las Vegas City Council have adopted a joint resolution agreeing that no changes will be sought in the statutes governing any regional bodies in Clark County unless both the county and the city agree to the proposed change.

C. LEGISLATIVE PROGRAMS

Because of their close geographic proximity and their distance from other major population centers in the state, the communities located in the Las Vegas Valley have many common political and economic interests. In recognition of this fact, Clark County and the City of Las Vegas have agreed to work together to present a common legislative program to the 1987 legislature.

D. DUPLICATION OF SERVICES AND INTERLOCAL AGREEMENTS

Local government boundaries do not always correspond to natural service areas. Frequently, services can be provided more efficiently and economies of scale can be realized by providing services to all or part of several different local jurisdictions.

Recognizing this fact, the Nevada legislature has provided local governments with broad authority to enter into inter-local agreements to provide services or share resources. The "Interlocal Cooperation Act" (NRS 277.080 through NRS 277.180) allows counties, cities, unincorporated towns, school districts and other local governments to enter into agreements with each other, with the State of Nevada, with the Federal Government, with Indian tribes, or with political subdivisions of other states.

These agreements may take several different forms. Local entities may exercise their powers jointly pursuant to an interlocal agreement. They may establish a separate legal and administrative entity to conduct a joint undertaking, or they may contract with other entities to perform a service.

Cooperative agreements are a powerful and flexible tool for eliminating duplication of services. As such, they have been widely used by local governments in Nevada for many years. Accordingly, Clark County and the City of Las Vegas have passed a joint resolution agreeing that issues of duplication can be best resolved through interlocal agreements.

E. FIRE PROTECTION AND RESCUE SERVICES

Interlocal cooperation is particularly necessary in the provision of emergency services. Often it is not economically feasible for each local government to procure the special equipment and expertise necessary to respond to every type of emergency. In addition, emergency personnel from one jurisdiction can sometimes respond more quickly to an emergency occurring in an adjacent jurisdiction than that jurisdiction's own units. One example of such a situation is fire service provided by the City of Las Vegas to the so-called "county islands."

Although such an exchange of emergency services is generally beneficial, it may be necessary for local entities to make formal agreements to ensure that the burden of providing emergency services is fairly distributed. Accordingly, Clark County and the City of Las Vegas have entered into an automatic aid agreement which provides that the Clark County Hazardous Materials Response Team will respond to appropriate emergencies in the city, and that the City of Las Vegas Bomb Squad will respond to appropriate emergencies in the county. The county and the city have also agreed that the county will pay the city 125 percent of the fire service tax which it collects in the "county islands." This payment will compensate the city for providing fire service to these areas.

F. JAILS

Both Clark County and the City of Las Vegas sometimes find it necessary or convenient to hold prisoners in each other's jails. Unfortunately, this practice has been the source of serious disputes between the county and the city regarding the amount of money which each entity owed the other for

providing this service. In particular, Clark County and Las Vegas disagreed about the amount of money which the city owed the county for housing prisoners during the period between October 1984 and December 1985 when no formal contract was in effect. Under the terms of the agreement entered into by the county and city, the city will pay the county \$171,384.81 for housing prisoners during that period. The agreement also sets forth the conditions for the county and city to book and hold prisoners in each other's facilities in the future.

G. ODOR CONTROL

Both Clark County and the City of Las Vegas operate sewage treatment plants. These plants are located in close proximity to each other. Consequently, when odor problems arise, it is sometimes difficult to determine which plant is responsible. Recently, local residents and the Clark County Health District have filed complaints with the county and the city about odors.

In response to these problems, the county and the city have agreed to cooperate in solving the odor problem by sharing technical information. Each entity will continue its odor control committee until they can agree on a plan to combine them or to coordinate their activities.

H. WASTEWATER TREATMENT

Wastewater treatment has been a source of controversy for local governments in the Las Vegas Valley for many years. In the early 1970's, local officials became concerned about the pollution of the Las Vegas Bay and Las Vegas Wash by sewage discharges. To help solve these problems, Clark County was designated by Governor Mike O'Callaghan as responsible for water quality planning under section 208 of the Federal Water Quality Act.

In 1977, Clark County took steps to comply with federal water quality standards by constructing an advanced wastewater treatment facility. The facility was completed in 1982. This facility was financed by bonds issued in the name of the state. The cities of Las Vegas and North Las Vegas, together with the Clark County Sanitation District, were to pay the debt service on these bonds. In 1978, the City of Las Vegas filed suit against the federal Environmental Protection Agency, the State of Nevada and Clark County alleging that federal standards were unreasonable and the plant was unnecessary. This suit was settled by a consent decree in 1979.

Unfortunately, disagreements over the interpretation of this consent decree and the county ordinance providing for the repayment of the bonds issued to build the plant, together with the city's desire to expand its own treatment plant, led to additional conflict and litigation.

At the urging of the A.C.R. 43 and A.C.R. 57 subcommittee, Clark County and the City of Las Vegas have reached an agreement regarding the shared use of their wastewater treatment facilities. According to this agreement, Clark County, the City of Las Vegas, and the Clark County Sanitation District will be free to use each other's treatment facilities as the need arises. All users of the same facility will pay the same rate. The three entities will work together to develop an area wide plan for cost effective, efficient and reliable waste treatment. In addition, both entities have agreed to drop pending lawsuits and to abstain from further litigation on this matter.

V. FISCAL EFFECTS OF THE AGREEMENTS

Both Clark County and the City of Las Vegas are confident that these agreements will result in substantial savings for the taxpayers of southern Nevada. The decision to drop pending litigation and to refrain from further conflict in the courts will, no doubt, save hundreds of thousands of dollars over the next few years in fees for attorneys and consultants. The settlement of other issues will also result in saving significant amounts of staff time, which can then be dedicated to solving other pressing problems. Furthermore, these agreements will result in more efficient service delivery. Although these savings are impossible to estimate in advance, they are expected to be significant.

Of perhaps greater importance than the immediate fiscal effects of these agreements is the spirit of cooperation which they exemplify. Thus, a significant first step has been taken which will be of great value to these governments as they seek to serve the current and future residents of southern Nevada.

VI. APPENDICES

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APPENDIX A

Joint Resolution Establishing A Joint Position On
Boundary Expansion, Governmental Jurisdiction
And Service Duplication

JOINT RESOLUTION
OF THE CLARK COUNTY BOARD OF COMMISSIONERS
AND THE LAS VEGAS CITY COUNCIL

(ESTABLISHING A JOINT POSITION ON BOUNDARY EXPANSION,
GOVERNMENTAL JURISDICTION AND SERVICE DUPLICATION)

WHEREAS, Nevada Revised Statutes 268.570 through 268.608 inclusive establish procedures for the adjustment of municipal boundaries in Clark County, and;

WHEREAS, Nevada Revised Statutes 269.500 through 269.625 inclusive establish procedures for the creation and adjustment of unincorporated town boundaries to accommodate continued growth; and

WHEREAS, both the City of Las Vegas and Clark County have made long term financial commitments related to various urban services on the basis of the continued existence of the revenue anticipated from each form of government; and

WHEREAS, increased coordination and a recognition of jurisdictional rights can result in a better management of taxpayer dollars through the elimination of disputes regarding the role of each jurisdiction in the growth of the Las Vegas Valley; and

WHEREAS, the interests of the citizens of Clark County can best be served by a cooperative approach to inter-governmental relations and a unified effort by Clark County and the cities within Clark County to achieve desired legislative action by the Nevada Legislature.

NOW, THEREFORE, BE IT RESOLVED by the Clark County Board of Commissioners and the Las Vegas City Council that:

1. It is mutually agreed that the boundary adjustment procedures established by existing statutes for both cities and unincorporated towns are acceptable.
2. Under these statutes it is mutually understood that either party may reasonably adjust its urban government boundaries to ensure orderly development and the associated revenues necessary to meet the needs of the growing Las Vegas Valley.

3. No repeal of or amendment to the boundary adjustment provisions of the annexation or unincorporated town statutes will be introduced or supported by either party except by an agreement approved by the Board of County Commissioners and the Las Vegas City Council endorsing any such repeal or amendment, nor shall either party promote the introduction of legislation or support legislation for merger or consolidation of the City and the County, or any portions or functions of either, except by an agreement approved by the Board of County Commissioners and the Las Vegas City Council.
4. No repeal of or amendment to any of the existing statutes governing the jurisdiction, powers, functions, authority, makeup or membership of the following governmental boards will be introduced or supported by either party except by an agreement approved by the Board of County Commissioners and the Las Vegas City Council endorsing any such repeal or amendment: McCarran International Airport (Clark County Commission), Las Vegas Valley Water District, Regional Transportation Commission, Clark County Flood Control District, any General Improvement District (NRS Ch. 318), Clark County Health District, Metropolitan Police Committee on Fiscal Affairs, Las Vegas -Clark County Library District, Las Vegas Convention and Visitors Authority, or any other regional board in Clark County, Nevada.
5. Members of the Board of County Commissioners and Las Vegas City Council will continue to meet and continue good faith discussions of the subjects addressed in paragraphs 3 and 4 of this resolution, and will work to develop future agreements referenced in those paragraphs as appropriate to meet the needs of the City and County.
6. Clark County and the City of Las Vegas will work together and with the other cities in Clark County to present to our local legislators a unified legislative program to address the needs of the people of Southern Nevada and their local governmental entities for the 1987 legislative session and each subsequent session.
7. The issue of duplication of services can best be resolved by the local resolution of issues through interlocal agreements which maintain the self-governing autonomy of each party while ensuring the provision of services to the public at the least cost to the taxpayer.

8. This resolution shall become effective upon adoption by both the Board of County Commissioners and the City of Las Vegas.
9. This resolution shall be effective for a period of 6 years unless jointly amended by both parties. Prior to the expiration of 6 years the parties will strive to reach a similar agreement on these and related issues for the period beyond the term of this resolution.

PASSED, ADOPTED AND APPROVED this ____ day of _____, 1985.

CLARK COUNTY, NEVADA

By _____
Thalia M. Dondero, Chairman
Board of County Commissioners.

ATTEST:

LORETTA BOWMAN, County Clerk

CITY OF LAS VEGAS

By _____
William H. Briare, Mayor
Las Vegas City Council

ATTEST:

CAROL ANN HAWLEY, City Clerk

APPENDIX B

Amendment To Automatic Aid Agreement For
Fire Protection And Rescue Services

AMENDMENT TO AUTOMATIC AID AGREEMENT
FOR FIRE PROTECTION AND RESCUE SERVICES

THIS AMENDMENT is made and entered into this ____ day of _____, 1985, by and between the CITY OF LAS VEGAS, a political subdivision of the State of Nevada, and the COUNTY OF CLARK, a political subdivision of the State of Nevada.

W I T N E S S E T H:

WHEREAS, there presently exists an automatic aid agreement for fire protection and rescue services between the County of Clark, the City of Las Vegas and the City of North Las Vegas; and

WHEREAS, the County of Clark and the City of Las Vegas between said parties desire to expand upon said agreement in order to provide for additional services and a more equitable agreement.

NOW, THEREFORE, it is hereby agreed between the parties hereto that the agreement of the 15th day of February, 1977 is amended by adding thereto the following:

1. That upon the Clark County Hazardous Materials Response Team becoming operational said team shall respond to appropriate emergency events in the City of Las Vegas.
2. That the City of Las Vegas Bomb Squad will respond to appropriate emergency events in the unincorporated area of Clark County.
3. That the only payment between the parties hereto for any of the services provided for in the Agreement of February 15, 1977, (including previous Bomb Squad responses) and this Amendment shall be that the County of Clark commencing in the fiscal year 1986-87 pay to the City 125% of the amount of money generated by the Clark County fire service area tax provided by NRS 244.2967 as applied to the assessed valuation of the assessable property as shown on the plat in Exhibit "A" attached hereto. Said payments shall be made quarterly as collected during each fiscal year so long as this Agreement shall be in effect. The parties will continue to discuss in good faith the issue of the provision of fire services in the area shown on the plat in Exhibit A, in an effort to resolve any differences which may arise.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement the day and year first above written.

By THALIA M. DONDERO, Chairman
Board of County Commissioners

By WILLIAM H. BRIARE, Mayor

GEORGE F. OGILVIE
CITY ATTORNEY

By Deputy City Attorney

APPENDIX C

Interlocal Agreement Regarding Jails

INTERLOCAL AGREEMENT

THIS AGREEMENT, is made and entered into this ____ day of December, 1985, by and between the CITY OF LAS VEGAS, a municipal corporation, (hereinafter called "City"), and the COUNTY OF CLARK, a political subdivision of the State of Nevada (hereinafter called "County").

W I T N E S S E T H:

WHEREAS, the County owns and operates the County Jail known as the Clark County Detention Center at 330 South Casino Center, Las Vegas, Nevada; and

WHEREAS, the City has in the past and expects to continue to cause to be housed City prisoners in the Clark County Detention Center; and

WHEREAS, disputes have arisen between the parties as to monies owed between the parties for the construction, operation and housing of City prisoners in the Clark County Detention Center; and

WHEREAS, the parties desire to settle all said disputes including those matters in issue in Case No. A218182 and also to provide for the temporary holding or confinement of City prisoners in the Clark County Detention Center.

NOW, THEREFORE, in consideration of the mutual covenants and conditions hereinafter set forth, the parties agree as follows:

1. A "City prisoner" means a person booked, temporarily held, or confined on account of a charge for a violation of a City ordinance or on account of a hold imposed by the City. A "County prisoner" means a person who the Clark County Sheriff is legally obligated to receive and who is booked, temporarily held, or confined on account of any felony or gross misdemeanor charge or booked, temporarily held, or confined on account of a hold imposed by any governmental agency other than the City or confined solely on account of a charge for a violation of a State misdemeanor statute or a County ordinance. If a person is simultaneously being held solely for both the violation of a City ordinance or on account of a hold imposed by the City and

for the violation of a State misdemeanor statute or a County ordinance, regardless of the number of each, then such person shall be counted as half a City prisoner and half a County prisoner.

2. "Clark County Jail" means the Clark County Detention Facility.

3. The County hereby agrees to permit the City to cause to be booked, temporarily held or confined prisoners in the Clark County Detention Facility subject to the reasonable decisions of the Clark County Sheriff in his capacity as custodian of the Clark County Jail.

4. The City hereby agrees to permit the County upon request of the County to cause to be held or confined County prisoners in the City detention facility located at 3100 Stewart Avenue, Las Vegas, Nevada.

5. The City will pay forthwith the sum of \$171,384.81 to the County for full payment of the account due for the fiscal year 1984-85 for City prisoners held in the Clark County detention facilities.

6. The City will pay the County within thirty (30) days after billing by the County the balance due for holding City prisoners in the County Jail for the period of July 1, 1985, through October 31, 1985. Such billing shall be based on the following billable charges:

- a. Booking: \$25.42 for initial processing and holding for a period of up to seven hours per City prisoner;
- b. First Day: \$56.29, in addition to the booking charge, for any period in excess of seven hours, and up to the first 24 hours following initial booking per City prisoner; and
- c. Subsequent Days: \$56.29 per day for any part of each successive 24-hour period per City prisoner.

7. The City will make payments to the County for City prisoners held in the Clark County Detention Facility from November 1, 1985 thru June 30, 1986, on the following basis:

- a. Booking: \$69.20 for initial processing and holding for a period of up to 10 hours per City prisoner; and

- b. Subsequently: \$48.74 for any part of each successive 24-hour period commencing after 10 hours per City prisoner.

For future fiscal years, the rates shall be adjusted on the basis of the budget adopted for the Clark County Jail and as allocated to the booking and housing functions as determined by the Clark County Detention Center and the County Manager's Office.

8. For any County prisoner held in a City detention facility, the County will make payments to the City in accordance with the rates set forth in paragraph 7.

9. The City will make all payments referred to in paragraphs 6 and 7 above within thirty (30) days after billing therefor by the County and County shall commence billing therefor on the 15th day of January, 1986 and the 15th day of each month thereafter.

10. The City and the County will forthwith enter into a Stipulation and Order For Dismissal With Prejudice, each party to bear their own costs in Case No. A218182, a copy of which is attached hereto as Exhibit "A".

11. The parties hereto may terminate that portion of this Agreement providing for the continuous holding of City prisoners in the Clark County Detention Facility by either party with or without cause upon ninety (90) days' prior written notice to the other party.

Case No. A218182
Department No. XIII
Docket G

IN THE EIGHTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
IN AND FOR THE COUNTY OF CLARK

COUNTY OF CLARK,

Plaintiff,

vs.

CITY OF LAS VEGAS,

Defendant.

CITY OF LAS VEGAS,

Counterclaimant,

vs.

COUNTY OF CLARK,

Counterdefendant.

STIPULATION AND ORDER FOR
DISMISSAL WITH PREJUDICE

IT IS HEREBY STIPULATED by and between the COUNTY OF CLARK and the CITY OF
LAS VEGAS through their respective counsel that the above-entitled action be

Exhibit "A"

dismissed with prejudice, each party to bear their own costs.

DATED this ____ day of December, 1985.

COUNTY OF CLARK

CITY OF LAS VEGAS

By _____
ZEV E. KAPLAN
Deputy District Attorney
225 Bridger Avenue, Eighth Floor
Las Vegas, Nevada 89155
Attorneys for Plaintiff and
Counterdefendant

By _____
GEORGE F. OGILVIE
City Attorney
400 East Stewart Avenue, #908
Las Vegas, Nevada 89101
Attorneys for Defendant and
Counterclaimant

IT IS SO ORDERED this ____ day of December, 1985.

DISTRICT JUDGE

APPENDIX D

Joint Resolution Regarding A Las Vegas Valley
Odor Control Advisory Committee

JOINT RESOLUTION
OF THE CLARK COUNTY BOARD OF COMMISSIONERS
AND THE LAS VEGAS CITY COUNCIL
A LAS VEGAS VALLEY ODOR CONTROL ADVISORY COMMITTEE)

WHEREAS, Clark County (County), the Clark County Sanitation District (District), and the City of Las Vegas (City) own facilities for wastewater collection, treatment, or disposal (facilities); and

WHEREAS, the County, the District, and the City have received complaints from residents of the areas surrounding such facilities concerning the emission of odors therefrom; and

WHEREAS, in response to such complaints, the District, the City and others have established citizens' odor control committees to pursue studies and establish measures for the control of odor emissions from such facilities; and

WHEREAS, the Board of County Commissioners and the Las Vegas City Council desire, by this Resolution, to perpetuate their respective odor control committees and to provide for the coordination of their efforts;

NOW, THEREFORE, BE IT RESOLVED by the Clark County Board of Commissioners and the Las Vegas City Council that:

The County and the City agree to continue the use of their respective odor control committees, and that the District should continue to use its odor control committee, to assist in efforts to minimize the odor emissions from wastewater facilities and to enter into an interlocal agreement which will provide for the merger of or coordination between such committees. The City agrees that, until such an interlocal agreement is consummated, its odor control committee will continue to include representatives of the residents of East Las Vegas who reside in the vicinity of its wastewater treatment plant.

PASSED, ADOPTED AND APPROVED by the Clark County Board of County Commissioners on the ____ day of December, 1985, and by the Las Vegas City Council on the ____ day of December, 1985.

CLARK COUNTY, NEVADA

By _____
Thalia M. Dondero, Chairman
Board of County Commissioners

ATTEST:

LORETTA BOWMAN, County Clerk

CITY OF LAS VEGAS

By _____
William H. Briare, Mayor
Las Vegas City Council

ATTEST:

CAROL ANN HAWLEY, City Clerk

/sg

APPENDIX E

Interlocal Agreement Regarding Advanced Wastewater Treatment Bonds

INTERLOCAL AGREEMENT

THIS AGREEMENT, is made and entered into this ____ day of _____, 1985, by and between the CITY OF LAS VEGAS, a political subdivision of the State of Nevada, (hereinafter called "City"), and the COUNTY OF CLARK, a political subdivision of the State of Nevada (hereinafter called "County").

W I T N E S S E T H:

WHEREAS, NRS 277.180 provides that two or more political subdivisions may enter into interlocal agreements for the performance of any governmental function; and

WHEREAS, such an agreement may provide for the joint use of County facilities, including sewer systems; and

WHEREAS, the County was required to and did construct the project known as the Advanced Wastewater Treatment (hereinafter "AWT") Plant and related facilities; and

WHEREAS, the Board of County Commissioners was authorized and did issue securities in the name of the State to help finance construction of the AWT project; and

WHEREAS, the County adopted Ordinance 562, later superceded by Ordinance 730, regarding payment of debt service on the AWT project securities; and

WHEREAS, Ordinance 730 requires all participants, including the City, to help pay for the AWT project debt service; and

WHEREAS, the City has not yet made all payments currently due to the County required by Ordinance 730 for the AWT project debt service; and

WHEREAS, the parties hereto desire to resolve and eliminate any disputes arising out of the aforesaid financing of the AWT facility.

NOW, THEREFORE, in consideration of the mutual covenants and conditions hereinafter set forth, the parties hereto agree as follows:

1. All payments due from the City under Ordinance 730 which have been invoiced but not yet paid (\$665,058.78), will be paid by the City to the County on or before December 31, 1985. The City will also pay to the County the associated interest charges as set forth in Ordinance 730 (~~\$48,254.64~~)

\$ 46,715.80

APPENDIX F

Joint Resolution Establishing A Joint Position On
Shared Use Of Wastewater Treatment Facilities

JOINT RESOLUTION OF THE CLARK COUNTY
BOARD OF COUNTY COMMISSIONERS
AND THE LAS VEGAS CITY COUNCIL

(Establishing a joint position on shared
use of wastewater facilities.)

WHEREAS, Clark County (County), the Clark County Sanitation District (District), and the City of Las Vegas (City) own facilities for wastewater collection, treatment, or disposal (facilities); and

WHEREAS, increased coordination and cooperation in delivery of wastewater services by the County, City, and District can result in better management of public funds through eliminating disputes and avoiding the duplication of services; and

WHEREAS, the County and City desire to develop interlocal agreements for shared use of wastewater facilities; and

WHEREAS, the County and City desire to set forth principles for the future negotiation of interlocal agreements pertaining to wastewater services and shared use of facilities.

NOW, THEREFORE, be it resolved by the Clark County Board of County Commissioners and the Las Vegas City Council that:

1. All wastewater facilities of the County, City, and District should be available for use by the County, City, and District as the need arises.
2. The charges between entities for use of a wastewater treatment facility should be the same, and the charges for all users of the same facility whether County, City, or District shall be the same.
3. The County, City, and District should work together to develop an areawide plan for the most cost-effective, reliable, and environmentally sound operation and future expansion of wastewater facilities, and that such planning should address the issue of combined or shared use of wastewater facilities.

4. The County, City and District should work together to prepare interlocal agreements to implement the policies set forth in this Resolution.

PASSED, ADOPTED AND APPROVED this _____ day of _____, 1985.

CLARK COUNTY, NEVADA

By _____
THALIA M. DONDERO, Chairman
Board of County Commissioners

ATTEST:

LORETTA BOWMAN, County Clerk

CITY OF LAS VEGAS

By _____
WILLIAM H. BRIARE, Mayor
Las Vegas City Council

ATTEST:

CAROL ANN HAWLEY, City Clerk

/sg

APPENDIX G

Interlocal Agreement Terminating
Wastewater Treatment Litigation

INTERLOCAL AGREEMENT

THIS AGREEMENT, is made and entered into this ____ day of December, 1985, by and between the CITY OF LAS VEGAS, a political subdivision of the State of Nevada, (hereinafter called "City"), and the COUNTY OF CLARK, a political subdivision of the State of Nevada (hereinafter called "County").

W I T N E S S E T H:

WHEREAS, on July 6, 1978, the City of Las Vegas and the City of North Las Vegas filed suit in the United States District Court for the District of Nevada against Clark County, the State of Nevada, and the U. S. Environmental Protection Agency regarding water quality and wastewater treatment issues, case number CV-LV-78-117 RDF; and

WHEREAS, on March 15, 1979, a Consent Decree was entered in that case as a resolution of the dispute among the parties; and

WHEREAS, on August 18, 1982, the City Council and the Board of County Commissioners approved a proposed Amended Consent Decree in that case; and

WHEREAS, on April 6, 1981, the City of Las Vegas filed a second suit in the United States District Court regarding wastewater treatment issues, case number CV-LV-81-159 RDF; and

WHEREAS, on November 23, 1983, the United States District Court dismissed the City's Second Amended Complaint in that litigation; and

WHEREAS, on May 29, 1985, the United States Court of Appeals for the Ninth Circuit upheld the District Court's action; and

WHEREAS, the City of Las Vegas and Clark County desire to conclude all legal action in case numbers CV-LV-78-117, RDF and CV-LV-81-159, RDF and desire to remove any remaining federal court involvement in the Las Vegas Valley wastewater controversy so that Clark County and the City of Las Vegas can resolve disputes among themselves through interlocal agreements.

NOW, THEREFORE, the parties agree as follows:

1. The stipulation attached hereto as Exhibit "A" regarding CV-LV-81-159, RDF is hereby approved and counsel are directed to execute it

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