

**CITY COUNCIL MEETING OF
August 2, 2006**

VERBATIM TRANSCRIPT – ITEM 63

1 **Bill No. 2006-38 – Adjusts the ward boundaries of the City. Proposed by Bradford**
2 **R. Jerbic, City Attorney**

3

4 **APPEARANCE LIST**

5 OSCAR GOODMAN, Mayor

6 BRANDON SQUIRES, Intern, City Attorney Office

7 STEVEN “CAPTAIN TRUTH” DEMPSEY, Resident

8 ANNA WILLIAMS, 7451 O’Bannon Drive

9 DIRK RAVENHOLT, 1223 Westlund Drive

10 MARY GREEN

11 KATHERINE MARTIN, 2801 Alcoa Avenue

12 EILEEN KENNEDY, 3108 Roseville Way

13 CHARLES THOMPSON, Resident

14 BARBARA JO RONEMUS, City Clerk

15 UNIDENTIFIED MALE, Representing Jim Rogers, Larry Ansbach, Caroline Stone, Dr.
16 Martin and Joan Doyne

17 TOM PERRIGO, Deputy Director of Planning and Development

18 BRAD JERBIC, City Attorney

19 DIANA PAUL, Sr. Public Information Officer

20 FRED KESSLER, Judge

21 LOIS TARKANIAN, Councilwoman

22 LARRY BROWN, Councilman

23 GARY REESE, Mayor Pro Tem

24 MR. RAVES

25 MARK VINCENT, Director of Finance and Business Services

26 STEVE WOLFSON, Councilman

27

28 **(02:37:08 –03:41:10)**

29 104 minutes

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30 Typed by: Shamika Webb

31 Proofed by: Stacey Campbell

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32 **MAYOR GOODMAN**

33 Item Number 63 is Bill Number 2006 dash 38. Adjust the ward boundaries of the City.
34 Councilwoman do you wish to have it read?

35

36 **COUNCILWOMAN TARKANIAN**

37 Please, Mr. Mayor.

38

39 **MAYOR GOODMAN**

40 Thank you.

41

42 **BRANDON SQUIRES**

43 Bill Number 2006 dash 38, in the ordinance to adjust the ward boundaries of the City and
44 to provide for other related matters.

45

46 **MAYOR GOODMAN**

47 Alright, folks, I see some folks in the audience that I believe probably want to be heard
48 on this. We – had a Recommending Committee hearing on this, at which time we took
49 public comment. I'm told by the City Attorney that public comment is not necessary
50 today. However, because you're here, I'm certainly going to listen to those who took the
51 time to come down who want to address this. We'll try to do it with a two minute clock
52 and if we find that that's inappropriate then we will expand it. Those folks who were
53 here during the Recommending session who spoke, I indicated that you probably
54 wouldn't be allowed to speak again. I'm going to amend that, I'll hear from anybody who
55 wants to be heard on this. But as I say, I'd like to put a two minute clock on. Yes, Sir.

56

57 **STEVEN “CAPTAIN TRUTH” DEMPSEY**

58 Thank you, Mayor – Goodman. Steven Captain Truth Dempsey. I apologize for not
59 being here at the meeting. I guess –

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60 **MAYOR GOODMAN**

61 No problem.

62

63 **STEVEN CAPTAIN TRUTH DEMPSEY**

64 – I got pass me somehow, wish I would've been here. But I did rise today to speak about
65 this, and I'd like to give Jim Gilchrist, the founder of the Minute Men, credit for this. He
66 said (inaudible) is consent, and that's what's going on in this instance. You know, it's
67 amazing to me what's happening here and it shouldn't be happening. Peoples are having
68 their – interest in Ward 1 diluted for some apparently unknown reason; maybe it was
69 discussed at the first instance. There was, I've read things about punishment for the Ward
70 1 – member and this is why it's being done. I don't think it's appropriate that to have
71 something like this done. I see that Mr. Jerbic is the one that supposedly proposed it,
72 maybe he could explain to the, this – people and the people of this community why this
73 needed to be done. But it looked, what I have read and correct me if I'm wrong, certain
74 businesses are being taken out of Ward 1. Ward – 1 is becoming less economic, by the
75 transfer of these businesses to another ward. Now obviously if I, since I live in Ward 1, I
76 wouldn't want that happen. I don't think you have a right to do it unless you can come up
77 with a valid reason and explain it to the public. I don't think that's gonna exist. I hope
78 that, as – Mr. Wolfson showed us, if – it does pass and it does get through this. Course
79 anybody that's on the majority that votes for it has five days to change it and can bring it
80 back. And –, I would expect my – council person from Ward 1 to do that when ever
81 possible. I think that the rights of people of Ward 1 are at stake in this instance, I think
82 that's why people are elected to represent the people. I think by what is attempting to be
83 done here, it's definitely a – creation of creating taxation without representation.
84 Because the representation of the people of Ward 1 is being limited. Thank you.

85

86 **MAYOR GOODMAN**

87 Thank you, thank you. Yes, Ma'ma.

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88 **ANNA WILLIAMS**

89 Good morning, my name is Anna Williams; I live at 7451 O'Bannon Drive, Las Vegas,
90 Nevada, and I am a residence of Ward 1. I'm here to oppose the redistricting, especially
91 of Ward 1. I was on vacation or I would've been at the other meeting. I was under the
92 assumption that a redistricting plan was done in order to equalize – the ward growth. I
93 looked at the numbers, could not understand why Wards 2, 4 and 6 were not diminished
94 in size to allow for growth. And Ward 1, which is such a stable ward, be left alone. Does
95 not make any sense to me how you redistrict. I also would like a explanation. It seems to
96 me that there might be political reasons for it. Maybe some gerrymandering, I don't
97 know, I'd like an explanation about that. My particular area, which Councilman Reese
98 mentioned at one of the prior meetings that I've been at, is a very large, very strong
99 community that, with a neighborhood alliance expands a two mile area. This would
100 cause that to be broken up into smaller district, and I really don't appreciate that, because
101 that dilutes our voice.

102 And lastly, we voted for Lois Tarkanian, as our representative. We've had four different
103 representatives in a very short period of time. We very much appreciate her and her lone
104 vote; she's done a wonderful job in Ward 1. We do not want her in any way illy affected
105 by this, we would like her to keep the ward as is. I'm adamantly opposed to what you're
106 doing. Thank you.

107

108 **MAYOR GOODMAN**

109 Thank you, Thank you. Yes, Sir.

110

111 **DIRK RAVENHOLT**

112 Good morning. Thank you for hearing me. I'm Dirk Ravenholt, 1223 Westlund also in
113 Ward 1. I'm concerned with the redistricting on the east side the Rancho corridor. I –
114 looked at the plans it looked, as though there about 6,000 population removed in that east
115 corridor from Las Vegas Boulevard up to the east side of Rancho. But, as we all know,
116 that's the redevelopment area, that's the world trade center, that's the, that's where the
117 money is now being generated. I'm concerned with the roof tax, that that's being

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118 removed from roof, Ward 1, in which we're going to gain taxes. We've had that area for
119 years and years and years, as desert, as undeveloped or as the Las Vegas Boulevard,
120 currently use to be, it's now being redeveloped. Now all of a sudden when it starts to
121 become a gem it's taken away and moved to a different ward. If we do, do this
122 redistricting, I'm also concerned on the fiscal movement, there's, if it's population, that's
123 fine but if it's actually the tax dollars which I see here is the – issue. The substantial
124 amount of tax dollars that are gonna be generated in the next ten years from those
125 redistricted areas are now going to a different ward. I think Ward 1 deserves some cut of
126 the action on that. We've held it when it was dirt, now it's becoming developed all of a
127 sudden it's being taken away, I think that's a serious concern. . I'm Ward 1 been here in
128 Las Vegas for 50 years, I'm interested in – maintaining those things that we've been here
129 for a long time, and we don't get these things removed when they become prizes. Thank
130 you.

131

132 **MAYOR GOODMAN**

133 Thank you very much. Mary , hello. Mayor , hello, hi.

134

135 **MARY GREEN**

136 Hello Mayor, Mayor Pro-tem, Council. Sorry to take your time. I was unable to be here
137 for the first time.

138

139 **MAYOR GOODMAN**

140 No problem.

141

142 **MARY GREEN**

143 My name is Mary Green. And I don't think that there's a ward in the City of Las Vegas,
144 whose citizens have used every means possible to demonstrate their concern of who their
145 council representative is, as the citizens of Ward 1. We chose Councilwoman Tarkanian
146 and we fully support her. To be forced to endure the break up of our ward with no choice
147 is undemocratic. Why vote when your vote can be so casually dismissed? To vote for

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148 your choice of representation is a tenant of democracy. We are currently facing a
149 possibility of World War Three because of our government's interest in a foreign country
150 in putting democracy there. Who chooses our government and our representation? If the
151 government chooses, you have a dictatorship, if the people choose you have a democracy.
152 Here in Las Vegas, Ward 1, I think we're sliding backwards towards, away from
153 democracy. Thank you.

154

155 **MAYOR GOODMAN**

156 Thank you very much.

157

158 **KATHERINE MARTIN**

159 Hi, I'm Katherine Martin, 2801 Alcoa Avenue. I'm here to represent my neighborhood,
160 the Richfield neighborhood is, occupies about, a very small area. But we are made up of
161 400 plus residences, with a little over a thousand voters and we voted for Councilwoman.
162 And we don't like our voting rights taken away and we just want to say we can, we still
163 cannot find anything that will be of an advantage to Ward 1 in this move. And we would
164 like you to oppose it.

165

166 **MAYOR GOODMAN**

167 Thank you.

168

169 **EILEEN KENNEDY**

170 Eileen Kennedy, 3108 Roseville. I'm in Katherine's neighborhood. We have a serious
171 problem coming up in our neighborhood. There's a large casino organization that is
172 coming in to buying (sic) up homes very forcefully. We need all the help we can get.
173 And we see what happened, like last Wednesday, 30 people spoke for this, before the last
174 one practically finished there was a vote, it was a foregone conclusion, we all knew.
175 Even the police today are happy with our representation in their areas. We need to keep
176 Lois Tarkanian, we've gone through some pretty bad representation and we need to keep

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177 her. Just Ross's ward, he needs help, he can move we can't. So do the adjustment where
178 it's needed and not where we are. Thank you very much.

179

180 **MAYOR GOODMAN**

181 Mrs. Kennedy, I'm – advised that your particular location remains in Ward 1.

182

183 **EILEEN KENNEDY**

184 It does remain in Ward 1 but we need the help that could be given by the Council when
185 this comes up in front of the Council. We don't know who's behind all this shenanigans
186 in our neighborhood but it's getting pretty nasty. So, when we ask our Councilwoman to
187 come here and help us, when it finally comes out what they want, which will probably be
188 eminent domain or whatever, we want the power that is needed. And if you upsurp (sic)
189 – her power in our neighborhood, it's the same as if we we're down town and lost her. So
190 we need to – have a Councilwoman with the support of a Council and a Mayor behind
191 her that will keep us a neighborhood with affordable housing, instead of ten, fifty storie
192 buildings or we just heard it was going to be some kind of a convention center. We don't
193 know, no one will tell us. So yes, I will stay, we will stay in Ward 1,

194

195 **MAYOR GOODMAN**

196 Okay –

197

198 **EILEEN KENNEDY**

199 – but we may not stay, as a neighborhood, and we need the power of our Councilwoman
200 behind us. Thank you.

201

202 **MAYOR GOODMAN**

203 Thank you very much. Yes, Sir.

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204 **CHARLES THOMPSON**

205 Mr. Mayor, my name is Charles Thompson, as you probably know. I live in the ward, I
206 did speak before. You put a two minute clock on, I could prolong you. I won't take a
207 few minutes longer than two minutes but I will rush. If you wish to cut, turn my
208 microphone off, that's within your power, Sir. I wanta talk maps. I have some substance
209 today, instead of allegations. I don't know if this is the right place or not, where you can
210 see this map here.

211

212 **BARBARA JO RONEMUS**

213 To the center.

214

215 **CHARLES THOMPSON**

216 Is that it? This is the configuration we have today, for which we start and which we
217 stand. And if you notice, two things, Ward 6 is a monster. Hundred and thirty four
218 percentage deviation from the mean, that's significant justifying a redistricting. Now you
219 retained a man to come in and redistrict, and he came up with a plan. It's called plan one,
220 that's this map right here. I made some squiggles on it and I hope you can follow me on
221 it. Map one is an incredible job, and you should commend the Judge for that. He
222 obviously came in decently, honestly and tried to do the job before he got walaid. And
223 I'm going to show, point out some things. Number one, order it corrects disparity.
224 Number two, it observes the traditional reasons for redistricting, including compact,
225 maintains traditional boundaries, maintains (inaudible) of common interest. And most
226 important, it maintains the population deviation at close to zero. I know that probably
227 slipped right by some of you. Good job. How was this accomplished? Quite simply.
228 Ward 6 pushed, who is biggest a monster, most of its population distributed to contiguous
229 Wards 4 and 5. I've marked that on the map as B. Those were those reconfigurations.
230 Makes Ward 5 up to par, created an excess in 4, which is contiguous to 1 and 2 and
231 there's exchange between 1 and 2, which is marked C. Whichever effect of making 1, 2,
232 3 and 4 all equal. Ward 3 then took a bit from contiguous Wards 1 and 5 to balance out.
233 This does not affect the minority representation at all.

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234 Plan one also eliminates the hangovers in Ward 1 and 2, which are marked E, which is
235 whether or not some boundaries, beautifully done. Whatever deadly appropriateness did
236 not fly. Because we went through 16 more graphs to get where we are today. So we
237 must ask our question the reason why, and that's just where we are today. We've gone
238 from zero deviation, to now, we are in the final proposal, that we have right here. Now
239 this probably created some physical gymnastics upon somebody. Grant these are
240 torturous terrains to redistrict to get to this position. A legitimate purpose is suppose to
241 be to deal with the growth in far away section, but instead this map gerrymandery and
242 Ward 3 moves across Las Vegas Boulevard into Ward 1, that is marked F on the map.
243 Ward 1.

244

245 **MAYOR GOODMAN**

246 I'm gonna give you another minute, Mr. Thompson.

247

248 **CHARLES THOMPSON**

249 Well, you can just turn me off any time you want.

250

251 **MAYOR GOODMAN**

252 Alright you're off Charles okay. That's it, next please. Anybody else wanna be heard.

253 Yes, Sir.

254

255 **CHARLES THOMPSON**

256 One last thing, Mr. Mayor.

257

258 **MAYOR GOODMAN**

259 Sure, I'll put you on.

260

261 **CHARLES THOMPSON**

262 I clocked today, and I'm not dropping names because he has a residence in the district and
263 his family has residence in the district. But Jim Rogers asked me to express his wrath to

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264 the board. And those of you who may have talked to him today, who feel you might have
265 placated him, you failed. Okay

266

267 **MAYOR GOODMAN**

268 Very good, thank you.

269

270 **UNIDENTIFIED MALE SPEAKER**

271 Good morning Mayor, Council persons and my friends and colleagues in the south end.

272 Where do I put this now, so we can be seen? Right in the middle here? Okay, right in

273 that – middle. Okay. I've been asked to represent Jim Rogers, Larry Ansbach, Caroline

274 Stone and Doctor Martin and Joan Doyne, who are, of course, members of – Ward 1.

275 There are a number of things that we just don't understand. If I may, I don't see the

276 monitor from here but that's fine. We had, as you know, 17 different versions presented

277 to you. The first 14 did a real good – job doing what the, what your City Charter requires

278 you to do, and you redistrict. And, that is to make the wards nearly equal in – population,

279 as can conveniently – be provided. Then all of a sudden we get to the last three, okay, all

280 of a sudden we get to the last three, and the one that is, that Mr. Kessler presented to you

281 as his final version, and we've got a significant discrepancy here. Your City Charter also

282 – has a five percent restriction. Whenever the population by the last census – becomes

283 more than, of one ward, exceeds the population of another ward by five percent or more,

284 redistricting is kicked in and it is a must, it is a shall, it is a demand. At this point, what

285 we have here on your proposal is that Ward 3 becomes all of sudden seven point eight

286 nine percent greater than Ward 1, six point seven percent greater than Ward 2 and five

287 point nine percent greater, than Ward 4. And we just don't understand the purpose of

288 this.

289 One other thing that we don't know, that we don't understand and that is first all, there is a

290 memorand, I, it was July 18, 2006 to Brad Jerbic with various “CC’s”, although not “cc”

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291 to the members here, from Andrew Powell. It talks about an updated information
292 regarding the ethnicity in the – various wards. And then it says it's been, it's attached,
293 and yet I turn the page and don't find it. In fact, what I don't find anywhere in the –
294 agenda item here is any of Kessler's back ups. I mean, all I can do here is – take his final
295 numbers and analyze those. I don't have the back ups here and with that, without that
296 information, I don't know that this is really a meaningful public meeting. I don't know
297 that you can really meaningfully vote on this item because you don't have that back up
298 information to examine, and I don't have it to examine or discuss here either. And, that's
299 all I have. Thank you very much.

300 **MAYOR GOODMAN**

301 Alright, thank you very much. Mr. Perrigo, that letter that was referred to by counsel, it
302 did have an attachment, as far as the ethnicity.

303

304 **TOM PERRIGO**

305 Yes, Your Honor, it did.

306

307 **MAYOR GOODMAN**

308 I know, I seen that, that should be made a matter of public record.

309

310 **TOM PERRIGO**

311 We can do that, I don't know that we have, oh.

312

313 **BRAD JERBIC**

314 Anticipating that might be an issue, I printed it this morning and so I have the –

315

316 **MAYOR GOODMAN**

317 But – we have received that.

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318 **BRAD JERBIC**

319 I'm sorry.

320

321 **MAYOR GOODMAN**

322 I have received that document.

323

324 **BRAD JERBIC**

325 Right, if you would like, I would be glad to file it with the clerk as well, Your Honor.

326

327 **MAYOR GOODMAN**

328 I – it should be a matter of public record; the public should have the opportunity to
329 examine it.

330

331 **BRAD JERBIC**

332 I also have, I don't know if the computer just changed the date to today's date. But a
333 similar letter that was filed before from to Steve Houchens from Andrew Powell,
334 regarding race and ethnicity along with all the numbers that back it up.

335

336 **MAYOR GOODMAN**

337 Alright fine, thank you, alright make that apart of the record. Would anybody else from
338 the public like to be heard at this time? We'll make a copy for you.

339

340 **UNIDENTIFIED MALE SPEAKER**

341 I haven't – had an opportunity before the meeting to look at those.

342

343 **MAYOR GOODMAN**

344 No, I appreciate that, but we'll –

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345 **UNIDENTIFIED MALE SPEAKER**

346 – and at the same time, I don't know that that tells me what Kessler did with those
347 numbers and how he arrived at these final numbers.

348

349 **MAYOR GOODMAN**

350 Okay.

351

352 **UNIDENTIFIED MALE SPEAKER**

353 I don't have Kessler's back up.

354

355 **MAYOR GOODMAN**

356 I appreciate that.

357

358 **UNIDENTIFIED MALE SPEAKER**

359 Thank you.

360

361 **MAYOR GOODMAN**

362 Thank you. Mr. Jerbic, why don't you, if you can, you did it before and some of the folks
363 weren't present at the time, and I think they're interested, as to why a redistricting takes
364 place and in this particular instance, why this redistricting has been suggested to us. And
365 what the purpose and objective of redistricting is and whether or not it is a simply a legal
366 process or is it a political process, as well?

367

368 **BRAD JERBIC**

369 Good morning members of Council. The, I'll be happy to answer your question, Your
370 Honor. The, as I said the last time the City Charter provides the basic rule for
371 redistricting with respect to the City of Las Vegas. If we could go to the overhead,
372 Section one point one three oh talks about redistricting, and talks in general terms that the
373 ward should be nearly in, I'll read exactly what it says. The wards must be nearly equal
374 in population as can conveniently be provided, and the territories comprises each ward

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375 must be contiguous. Those are the general rules for redistricting. That also goes on to
376 provide, and I'll just paraphrase now, that if after a census year, if the population between
377 any two wards is off by more than five percent, you must redistrict. If, and that's only
378 after a census year. This is not the year after a census year after a census, so were in a
379 permissible redistricting. Which means that you do not have to redistrict if you don't
380 want to, you can if you want to. This Council gave us direction, because of the huge
381 population increase in Ward 6, that you wished us to go forward with the redistricting
382 process earlier this year. Following that council decision, Judge Kessler, who's assisted
383 us with the last four redistrictings, was retained by the City of Las Vegas.

384

385 **DIANA PAUL**

386 She can't – hear you.

387

388 **BRAD JERBIC**

389 I'm sorry. Judge Kessler was retained by the City of Las Vegas after the Council directed
390 us to proceed with redistricting. And starting in March he began generating his first
391 series of maps. As I put on the record at the Recommending Committee, after the first
392 three maps were generated, there was a, we revisited the issue as to whether or not we
393 had looked at ethnicity using the right numbers. Following that conversation, Tom
394 Perrigo and Andrew Powell went and got records from the State, as to birth rates for
395 various ethnic groups and then applied those birth rates to the 2000 Census figures.
396 Thereby arriving at numbers that they can stand by and say should be relied upon by this
397 Council for redistricting. That's how we got the numbers, that's where we got the
398 direction to proceed. Judge Kessler after that proceeded with a number of other maps.
399 As I put on the record the last time it was asked, are those maps legal, and to my
400 knowledge, I don't think any of those maps are – a problem. The, at – this point in time,
401 once you comply with the law, you have wards that are contiguous. Once you comply
402 with the law there as nearly as equal as possible, as can be conveniently be provided.
403 And Judge Kessler will talk about why we're not five percent on this, because that's a
404 good question, and I think it needs to be addressed on the record. But we are within ten

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405 percent, and that's what Federal Voting Rights Act talks about. And, I think we're –
406 legal, with respect to the way this was redistricted. Any one of these 17 maps is legal,
407 this is where we go from legal to political. This is the most political process that a
408 council or a governmental body can engage in. The State Legislature does this, the
409 Counties do this. You probably read in the newspaper about the – redistricting in Texas
410 that took you know, a couple of years to accomplish. At this point in time, it's a matter of
411 discretion, as long as you comply with the law, there's a lot of discretion involved in
412 arriving at those maps. Judge Kessler's job and – my job in assisting him, is to try and
413 get as much information as possible, before making a final recommendation. With that,
414 I'll leave it to Judge Kessler to explain to you how it is that he arrived at that final
415 recommendation and that number 17, which is the final proposal today.

416

417 **MAYOR GOODMAN**

418 Fine, now, as a Council we rely upon you for our legal advice, not for our – political
419 decisions.

420

421 **BRAD JERBIC**

422 That's correct.

423

424 **MAYOR GOODMAN**

425 But for our legal advice, is this in accordance, as a lawyer, are you telling us the map that
426 is before us today as part of this ordinance, is this in accordance with the both our, the
427 City Charter, as well as the Federal Voters Rights Act?

428

429 **BRAD JERBIC**

430 In my opinion, it's in accordance with the law.

431

432 **MAYOR GOODMAN**

433 Okay, fine. Judge Kessler, I'd like to hear from you. To start with, I want to address an
434 issue that has been disturbing me since we had the Recommending Committee. There

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435 were certain statements attributed to you, that took place when you had a conversation
436 with Councilwoman Tarkanian, which were characterized by her, as, that you indicated
437 that this council was going forward with the process, and this particular map for
438 retaliation. I believe that was the phrase. And I asked you whether or not you, and so did
439 Councilwoman Tarkanian, we both asked whether or not you used the phrase retaliation
440 and whether that was part of your briefing with her. And I was very dissatisfied with
441 your response. It was in the nature of I don't remember, I don't recall, and from a
442 lawyer's – point of view, that is mumbo jumbo. So I'm gonna ask you now, what
443 happened? Because I want this as part of the record.

444

445 **FRED KESSLER**

446 Well, thank you Mayor, first for letting me again be the advisor to the council on this
447 subject, I appreciated the opportunity. And I would like to address that question. First I
448 wanna say I spoke individually with all members of the council many times. I think I've
449 had the opportunity to speak with everybody several times. And, I have to say one of my
450 skills has always been trying to bring people together, and I've done that mostly
451 successfully, I believe. I spoke with Councilwoman Tarkanian and her staff several times
452 including one time I believe with, where Mr. Jerbic was not present. And at that time, I
453 explained to her that I'm a member of the Wisconsin Legislature. I've been a legislator
454 for a long time, and I talked about my experience, as a legislator. And, I – told her that I
455 had heard from others who I had talked to, that she was a very principled person. And,
456 that her reputation was a person of tremendous integrity and principle. And I myself like
457 to think of myself, as a very principled person. And, sometimes I have, as a principled
458 legislator did a lone vote or been in a small minority vote, standing alone on an issue that
459 I feel deeply about. And I understood that she shared that form of political courage.
460 And, that's something that I frankly commend, and I believe I told her that I commended
461 her for do (sic) that. I know when I do that sometimes, I anger some of my colleagues,
462 that's just one of the things that happens sometimes –

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463 **MAYOR GOODMAN**

464 Now listen, your telling us what you told her.

465

466 **FRED KESSLER**

467 I am telling you what I told her –

468

469 **MAYOR GOODMAN**

470 Okay, alright just so that's on the record.

471

472 **FRED KESSLER**

473 – that anger some of my colleagues when I do that. But something – it's something that
474 I'm willing to do and I know that sometimes that does have that affect. I also indicated
475 that I told her that sometimes, as a legislator you have to be willing to make
476 compromises. I know of no reason why any other member of this Council would have
477 any grounds for any retaliation against her. And I have never implied, nor has any person
478 that I've talked to implied that such an act would've occurred. I'm unaware totally of any
479 issues that she may have or may not have for that matter with any other member of the
480 Council. I've always tried to be open and honest. I do not recollect, I do not believe I
481 did, and I will say that I never said that anybody was engaged in any thing about
482 retaliation.

483

484 **MAYOR GOODMAN**

485 Alright, now what I want to do because this could, I see lawyers, and when I see lawyers,
486 I – want records to be exact. I – want you to tell us where you ended your discussion
487 with her in – the dialogue that you just gave us, and where you then began telling us your
488 personal feelings. In other words, I wanna know where you stopped discussing –

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489 **FRED KESSLER**

490 Everything that I outlined in the conversation is my recollection of what I said to her.

491

492 **MAYOR GOODMAN**

493 Fine, now where did that conversation stop in your presentation to us? Because – you –
494 appear to have jumped from what you were saying to the Councilwoman to what your
495 personal motivations were and your observations? I wanna know where did you stop
496 talking to the Councilwoman, in – what you just told us.

497

498 **FRED KESSLER**

499 What I said, I indicated sometimes legislators must be willing to make compromises.

500

501 **MAYOR GOODMAN**

502 And – then from that point forward you were giving us your personal observation,
503 correct?

504

505 **FRED KESSLER**

506 Correct.

507

508 **MAYOR GOODMAN**

509 Which you did not give to the Councilwoman at that time?

510

511 **FRED KESSLER**

512 I don't believe I did.

513

514 **MAYOR GOODMAN**

515 Alright, okay I just want that, Councilwoman certainly can address that but I
516 just want the record to be clear on that.

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517 **FRED KESSLER**

518 Okay.

519

520 **MAYOR GOODMAN**

521 Alright, do you have anything you'd like to add, as far as the process?

522

523 **FRED KESSLER**

524 In response to the questions, of the, from the audience. One, I believe that the – that this,
525 that plan 17 the final recommendation is a valid, legally sufficient plan that would not be
526 one word overturned by any court. It complies with the One Man, One Vote requirement,
527 the compactness requirement and the requirements of the Voting Rights Act. There is a
528 reason that we can not move districts in another direction and that reason is because of
529 our desire to preserve minority, majorities and particularly, the concentration of African
530 American strength in Council District 5. That means that basically, Councilman –
531 Reese's District is not able to be moved in a northern direction, but must be moved in a
532 southern direction. And, so therefore, that is the reason that the direction went to the
533 south of the downtown – rather than to the north of the downtown, as some people have
534 requested.

535

536 **MAYOR GOODMAN**

537 Alright, thank you. Are there any questions of Judge Kessler at this time?

538

539 **COUNCILWOMAN TARKANIAN**

540 Yes Judge, on that last statement that you made is the population that is currently in the
541 downtown area needed for Councilman Reese's ward? In other words, he is already so
542 far above what Ward 1 is that according to this statutation of whom I've spoken, you can
543 just flip that over, you'd still have the same situation. It has nothing to do with his need
544 for population.

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545 **FRED KESSLER**

546 That is a political decision. And, that –

547

548 **COUNCILWOMAN TARKANIAN**

549 Is it a fact or a political decision? I mean is it a fact does his population, does he need
550 population from the downtown area for Ward 3?

551

552 **FRED KESSLER**

553 He needs population to increase the size of his ward. And –

554

555 **COUNCILWOMAN TARKANIAN**

556 But he has that, in other, he's getting that in some respects in other – precincts that he has.

557

558 **FRED KESSLER**

559 Yes, he's getting it in some other precincts, that's correct.

560

561 **COUNCILWOMAN TARKANIAN**

562 Yeah, what I'm saying is, if you took away Ward 1 from his area and you, excuse me, the
563 downtown and moved it from Ward 3 this – proposed map to Ward 1, would it upset the
564 principles of population percentages between what you feel is legally correct?

565

566 **FRED KESSLER**

567 Depends on what you define, as the downtown area. If it's just the two precincts that are
568 the area right by Fremont Street and along Las Vegas, probably that wouldn't have to be
569 included. But if you require farther south, yes it would have to be included to meet his
570 requirement.

571

572 **COUNCILWOMAN TARKANIAN**

573 Okay, so if he had, which was an offer that I had made, that large precinct, the bottom
574 precinct downtown area, which holds the largest population that would probably take

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575 care of what you're talking about, I believe. But you know, I – will stand here today and
576 say it, I – will not stand here, I will sit here today and say, it is not necessary for the
577 population needs in any other ward to take Ward 1's downtown area and put it in Ward 3.
578 I'll stand on that. And if you have ways that you can show me that's inaccurate, not
579 politically but inaccurate factually, then I would like to have them. And, if you don't
580 have them now, if you can give them to me later, I would appreciate it. But I stand on
581 that, and I've consulted with enough people that I believe very strongly. Nor would
582 retaining those precincts in Ward 1 in any way adversely affect the minority
583 representation – in Councilman Weekly's ward, it doesn't. In other words, if you leave
584 those in Ward 1, that has no affect what so ever. And I would never want to have any
585 effect whatsoever on Councilman Weekly's minority representation. Cause there not
586 there now, if you put them in Ward 3 so that's not going to affect his ward, it wouldn't
587 effect if they left it in Ward 1.

588 Those are questions I would like to ask. I would also like to say that I had three other
589 people, four individuals total, and when I spoke, usually if I'm saying an exact quote, I
590 will say quote. When I spoke, I paraphrased what you said and I think my paraphrasation
591 (sic) was probably equally accurate with what you had said. But I do not begrudge your
592 saying it. I understand what you said, I was told five two best, six one probably, as a
593 vote. And you used those exact terms with me. And I was told all the other things that I
594 said, and if you want the exact words, Mr. Mayor, we'll pull it out from our notes because
595 we do keep specific notes. And I told you when I spoke with you yesterday or the day
596 before, and I told you, I've stood here and I waited, I waited up 'til quarter minute of, 15
597 minutes before this meeting to say that, I would be glad to try and reach a compromise. I
598 reached out, I think I tried. And that's all the questions I have. I would like to say a few
599 words Mr. Mayor, if I could.

600

601 **MAYOR GOODMAN**

602 Absolutely.

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603 **COUNCILWOMAN TARKANIAN**

604 Okay, can I say them now, or...?

605

606 **MAYOR GOODMAN**

607 Whatever – your preference. I'm going to ask the Council whether they want to express
608 themselves. I give you your choice, you wanna go first, or – not?

609

610 **COUNCILWOMAN TARKANIAN**

611 Oh, I love to go last, because I'm use to it, with the T in Tarkanian.

612

613 **MAYOR GOODMAN**

614 Okay, well I had to go first last time and I'll let you go last this time of course.

615

616 **COUNCILWOMAN TARKANIAN**

617 Okay thank you.

618

619 **MAYOR GOODMAN**

620 Alright, would any members of the Council would like to say anything at this time,
621 before we hear from the Councilwoman? Alright, Councilman Brown.

622

623 **COUNCILMAN BROWN**

624 Your Honor, just a question, and – perhaps it's addressed to Judge Kessler or Mr. Jerbic.
625 Obviously understanding what's legal and what's political, or discretion, but the – various
626 maps that were produced, one through 17, is it to be our understanding that all 17
627 versions met the legal requirements of redistricting?

628

629 **FRED KESSLER**

630 We'll answer that question, yes they all met the legal requirements. Every one of them, I
631 would be proud to – stand up and – support. And, if I could just add a little bit of an
632 aside, on the reason for the change of population figures, when we did the first handful of

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633 maps, and I inquired at Mr. Perrigo and Mr. Powell what the basis were. I realized they
634 were just using the past census and just making an estimate based on that census. And
635 that didn't reflect the change in population, which I know had occurred, and the changes
636 that had occurred particularly, in Councilman Reese's district on ethnicity. And so, I
637 asked them if they would go head and try to get more accurate data, and I'm very pleased
638 that they did. And the – accurate data, the – data and – maps after the first three is – got
639 the more accurate data, based on birth and death – records.

640

641 **COUNCILMAN BROWN**

642 And – I appreciate that, but again, Your Honor, at least from my perspective, that was an
643 important point that seem to get lost over the last couple weeks, and, certainly through
644 the process, that redistricting we certainly want to meet all the legal requirements. I think
645 that's paramount. But past the legal requirements comes into the political or
646 discretionary, whatever you want to call it. And it's important that the public know that
647 all those options meet the first requirement of legality, and fall into the second, of six
648 members, all have their preferences, all may wanna have certain things. And it simply
649 comes down in – some precinct options that multiple representatives want to represent
650 that area. And I – concur with Councilwoman, there has been outreach. I know at least
651 four or five of the members have discussed certain precincts, certain parts of the city, as
652 far as the domino affect. If – you take this than that's gonna move two or three other,
653 effect two or three other wards. Your Honor again, I just want the public record to
654 clearly show that we have met all our legal requirements. And, a lot of the issues that
655 have been discussed over the last few weeks come down to political preference or
656 discretion, what ever the semantics wanna describe that as. Thank you.

657

658 **MAYOR GOODMAN**

659 Thank you. Councilman Reese.

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660 **MAYOR PRO TEM REESE**

661 Yes, there's been a lot of, to me misrepresentation – out there, as far as the tax revenues
662 that's gonna be created. Could I ask Mr. Vincent to step forward please, and again go
663 over one more time how this roof top tax gets involved? And I – think that, as far as I'm
664 concerned, the roof top tax that I've been receiving has been probably the lowest, as was
665 stated. But again, though I – feel like that the other council members have supported –
666 those want and needs that I have had to have in my ward. And I know without their
667 support with roof top – tax money alone I wouldn't had to have, I wouldn't have been able
668 to do the things that I've been able to do. And so, Mark, are you able to tell us what
669 effect you think that this would have by taking some of these so called roof top tax
670 generators out of Ward 1? I mean, I – personally feel like we're not endangering – the
671 parks or any other needs that maybe arising in Ward 1. And, I – know that – the council
672 members have always supported me, and I feel obligated to say that in the future, I don't
673 care whether it's next week, next month, next year I will certainly support, as we all have
674 before, those needs in the separate wards. Whether it be roof tax top money or whatever,
675 I know that Councilman Brown and Councilman Mack when he was here and
676 Councilman Ross, they have yielded some of the funding because the roof top tax money
677 that they've received.

678

679 **MAYOR GOODMAN**

680 Alright, Mr. Raven hope this is basically the area of concern that you had that's being
681 addressed.

682

683 **MR. RAVEN**

684 And I do appreciate it, and then I ask that you know, that we have some share to share
685 alike (inaudible) to address that (inaudible) –

686

687 **MAYOR GOODMAN**

688 Yes we have, but I – think it's important you hear Mr. Vincent because it's not an issue I
689 think that should cause you any sleepiness nights.

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690 **MR. RAVEN**

691 Thank you.

692

693 **MAYOR GOODMAN**

694 – but we'll hear it.

695

696 **MARK VINCENT**

697 Thank you, Mark Vincent, Director of Finance and Business Services. Let me first
698 describe what residential construction tax is. We talked, sometimes people call it roof top
699 tax. It is – a tax based on the value of the – value, assumed value per square foot of
700 residential – space. It has been rising slightly this year, we anticipate about three million
701 dollars in residential construction tax revenue. It is ear marked for neighborhood parks,
702 can only be used in parks in (inaudible) 25 acres. The law requires us to create parks
703 districts, and the money has to stay within the district in which that tax was collected.
704 For – administrative reasons or convenience reasons – we have always defined, since the
705 inception of this tax, we've always defined the park regions – parks districts, as ward
706 boundaries, that's a simple way for us to deal with that. About 84, 85 percent of that
707 three million dollars is really generated by activity in two wards primarily, that's Wards 4
708 and 6, which are experiencing some of the most, more significant residential construction
709 So that leaves very little money to be spread amongst the remaining four wards.

710

711 **MAYOR GOODMAN**

712 Can the folks, can you hear him, barely. I – didn't think so. Why don't you use a hand
713 held mic. These speakers stink.

714

715 **MARK VINCENT**

716 Well, at least you didn't say I stunk.

717

718 **MAYOR GOODMAN**

719 No, I didn't say the speaker stinks, I said these speakers stink.

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720 **MARK VINCENT**

721 Can you hear me better now?

722

723 **MAYOR GOODMAN**

724 Yes.

725

726 **MARK VINCENT**

727 But it wouldn't be unlike you to say I stunk though.

728

729 **MAYOR GOODMAN**

730 Only if you put in writing.

731

732 **MARK VINCENT**

733 So, to put it – is the only revenue source, again because it's designated for neighborhood
734 park constructions rentals, any revenue source that we get that is ward specific. Since I've
735 been here, I've been here eight and a half years, we have always looked at our budgetary
736 resources, as city wide resources. Council makes the decisions about where we apply
737 those resources both in operating basis, in terms of support for rapid response or code
738 enforcement or whatever programs we have. You also make the decisions about how we
739 allocate those resources in our capital budget plan, which is where residential
740 construction tax comes into play. We, in any given year, depending whether we're
741 issuing bonds or not for – a parks project we might have 20 to 40 million maybe more
742 maybe less in some years, but we allocate towards new capital projects. So when you
743 consider that residential construction tax is only three million, only about 10 percent of a
744 revenue for parks and recreation capital projects is being driven by residential
745 construction tax.

746 It's obvious that, and – I think I said this last week, that particularly in the smaller wards,
747 it's even true in Councilman Ross's ward, Ward 6, that residential construction tax in and
748 of itself, can not really finance any substantial parks project. You certainly can use it to
749 do other additions, you certainly can use it to – renovate existence parks or make small

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750 improvements, but if you were going to do any large project, it's not sufficient to – fund
751 that. And so those monies have to be supplemented from general fund revenue, from bond
752 revenues, from allocations, from the Las Vegas Convention and Visitors Authority, so
753 there are other sources. And, but it is, to be perfectly honest, it is also true that – shifting
754 in the boundaries is going to effect the – designation of those new monies, and what ward
755 they can be used in. But again, if there's any project of any significance it's going to have
756 to be supplemented by other sources anyway. So I mean, to sort of, I feel like you put me
757 on the spot a little bit, Councilman –

758

759 **MAYOR PRO TEM REESE**

760 That's fine.

761

762 **MARK VINCENT**

763 – but to – the extent that council continues to work collaboratively and make decisions
764 that are in the best interest of the City, I don't see that there's a – major issue with that.

765

766 **MAYOR GOODMAN**

767 Alright, basically I'm going to paraphrase what I asked you during the recommending
768 hearing. It is – correct is it not, that Ward 3 which – was represented by Councilman
769 Reese received very little monies with the roof top taxes, correct?

770

771 **MARK VINCENT**

772 For the sixth year period that we put together, Ward 3 received the – least amount of new
773 residential construction tax. I did not go back to the inception of the tax, and obviously
774 changing the ward boundaries would change that distribution going forward. But for the
775 six year period, that was correct. They would of been (inaudible) –

776

777 **MAYOR GOODMAN**

778 And would it be a fair statement that during that six year period there was about 50
779 million dollars worth of park projects in his ward?

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780 **MARK VINCENT**

781 Yes.

782

783 **MAYOR GOODMAN**

784 Or more, 50 million or more.

785

786 **MARK VINCENT**

787 Yeah –

788

789 **MAYOR GOODMAN**

790 So basically the – proof is in the pudding, that the Council has supported each other, not
791 withstanding the amount of roof top tax that they get. Has that, is that a fair observation?

792

793 **MARK VINCENT**

794 I think that's fair. And, I think Councilman Brown mentioned last week as well, that –
795 there's only so much resources. So there are projects that do get delayed, that do get
796 planned out in the out years. But I think his statement, and which I think is correct, that
797 unless a council member voluntarily took a project off the list they all got funded
798 eventually.

799

800 **MAYOR GOODMAN**

801 Right, okay and we are, if it makes people comfortable, we are in a position that we can
802 discuss redefining the park areas.

803

804 **MARK VINCENT**

805 That was one of the questions that was asked of me last week, privately. And I said that
806 the Council has discretion of how you wanna define the parks district. We just happen, as
807 a matter of expedience to define it by wards but certainly you could redefine it another
808 way. The other thing I didn't say last week, and that is that when, this is the, I've been
809 here eight and a half years or so and this will be the third ward change, boundary change

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810 I will have experienced. The last two, the way we did it – for residential construction tax
811 we ended up having two sets of park district boundaries. Because we don't – go out and –
812 move the money from existing wards, as of today to the new wards. It stays where it is
813 and is consumed in that geographic area, as it has been collected to date. And then going
814 forward, new money collected going forward would then be – targeted for projects within
815 the new boundaries. So we don't reallocate anything, we just have two sets of maps if
816 you were going forward.

817

818 **MAYOR GOODMAN**

819 Thank you. Any other council members' wanna speak before Councilwoman Tarkanian?

820 Alright Councilwoman.

821

822 **COUNCILWOMAN TARKANIAN**

823 Could I just ask a question? Is this what they're discussing in the paper today about the
824 County wanting to keep some of their park revenue. Would that affect us, as far as
825 having less monies for parks?

826

827 **MARK VINCENT**

828 It –

829

830 **COUNCILWOMAN TARKANIAN**

831 I'm talking about smaller parks in mature areas not about the larger regional parks which
832 are mentioned in the paper.

833

834 **MARK VINCENT**

835 The, of the roughly six million, close to six million that we will be, would be receiving
836 for room tax rebates, we have already pledged over four and a half million of that.

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837 **COUNCILWOMAN TARKANIAN**

838 Excuse me I wasn't talking about the roof tax, I was talking about monies in general for
839 parks.

840

841 **MARK VINCERNT**

842 Well yeah –

843

844 **COUNCILWOMAN TARKANIAN**

845 Will this put a squeeze on it, we have people –

846

847 **MARK VINCENT**

848 – I'm – sorry, maybe I'm making this –

849

850 **COUNCILWOMAN TARKANIAN**

851 –from our staff who are quoted in the newspapers saying it will, so I'm just asking to
852 have it put on the record.

853

854 **MARK VINCENT**

855 I'm making the my answer too difficult. It's – going to have an impact. And the question
856 that we're all asking and I think the question that of Doctor Selby's been asking is what,
857 how do we make sure we have guarantees that whatever the County's going to do with
858 that is gonna be benefiting equally with the residents in the cities –

859

860 **COUNCILWOMAN TARKANIAN**

861 – right, because we're gonna –

862

863 **MARK VINCENT**

864 – and that's – the question, that if we can't answer that, then I –

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865 **COUNCILWOMAN TARKANIAN**

866 – because funds we're getting now that we can use for parks, if they keep a larger
867 percentage they would keep those. Getting down to the – roof tax, you said you used six
868 years, are those years 2000 through 2005?

869

870 **MARK VINCENT**

871 Yes. I think that's correct.

872

873 **COUNCILWOMAN TARKANIAN**

874 Okay, in 2005 the difference between, in the year 2000, the difference between Ward 1
875 and Ward 3 was less than 5,000 dollars difference on roof tax money. In the year 2001,
876 Ward 3 got approximately 50,000 dollars more than Ward 1 got. In the year 2002 the
877 difference between the two was less than 6,000. I went through this with you, I think
878 yesterday.

879

880 **MARK VINCENT**

881 Yes you did.

882

883 **COUNCILWOMAN TARKANIAN**

884 In the year 2003, Ward 3 got approximately 26,541 more dollars than Ward 1. One year
885 Ward 1, and that was when it came to Allure Towers, got quite a bit more. A million
886 dollars from the Allure Towers the year, and that was 2004. Two thousand five the
887 difference was 2,125. So out of the five years it goes back and forth, who got more who
888 got less. But it's very, very close on those two wards. The only year there's a difference
889 is when the Allure project came on and gave that big money for roof tax funding. I just
890 wanted to clarify that. It's not as if, you know, Ward 1 has had a whole lot out of this,
891 they had it from the Allure. And by the fact that we're going to be taking all the
892 development and redevelopment away from Ward 1, any chance for that happening again
893 is almost nil. And so it would be going all to another ward, which again gives you the

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894 topsy turvey. I just wanted to put that on the record. These are the figures you and I
895 went over yesterday.

896

897 **MARK VINCENT**

898 That's correct. And I – would say Councilwoman, that – it is – correct that the biggest
899 impact that the inner city wards are gonna have with respect to potential residential
900 construction taxes is gonna be with condominium development, and that's – a fact. I don't
901 think –

902

903 **COUNCILWOMAN TARKANIAN**

904 – which somebody here mentioned, I think that you know, now that something coming in
905 people want it, and – they – want the funding. And, I just want a good protection for
906 Ward 1 is what I'm trying to say. But these figures are, if you look at the figures that
907 were given to you by Mr. Vincent, you will see exactly what I told you is accurate, as far
908 as who gets what. Less than 5,000 difference, 2,000, less than 50,000 more in Ward 3
909 2001, less than six thousand 2002, 26,541 more in 2003 to Ward 3. The one big
910 difference was that year where we were over a million dollars, 1,135,000 in the year two
911 hundred four, which was the Allure Tower coming on, and then 2005 a – difference of
912 2,125 between the districts. Those were the figures, and I have the copy of a memo here.
913 I just wanted to clarify that, I – don't understand, and I asked – why? Why did, was this
914 taken , I don't see it substantiated by population, all four precincts taken. It certainly has
915 nothing to do with going into Mr. Weekly's ward because where if it's in three or one, it's
916 still isn't in his ward, those people that are living there. And I, if there's somebody on this
917 Council that can give me an answer. Now what is the answer to why it's so important to
918 take those four precincts out of Ward 1 now and put them in Ward 3?

919

920 **COUNCILMAN WOLFSON**

921 Mayor Goodman, may I ask Mr. Vincent a question?

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922 **MAYOR GOODMAN**

923 Certainly, Councilman Wolfson.

924

925 **COUNCILMAN WOLFSON**

926 Thank you. Mr. Vincent, you said that, was it three million dollars for '05 that came in,

927 as a result of the –

928

929 **MARK VINCENT**

930 Fiscal year '06.

931

932 **COUNCILMAN WOLFSON**

933 I'm sorry.

934

935 **MARK VINCENT**

936 Fiscal year, '06.

937

938 **COUNCILMAN WOLFSON**

939 Fiscal year '06. That's three million, that's city wide correct? That's not the individual
940 wards?

941

942 **MARK VINCENT**

943 That is correct.

944

945 **COUNCILMAN WOLFSON**

946 Then the monies that Councilwoman Tarkanian was talking about, as far as the per ward
947 amounts over these five or six years, have all those monies been spent?

948

949 **MARK VINCENT**

950 No, they have not. The – report that I provided to all of you indicated that there was
951 balances that were remaining. In, typically what we end up doing is, when we're

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952 preparing for the fiscal year Capitol Project Budget in the Fall, we would meet with all of
953 you, and say this is what we think you have available or will have available in – your –
954 residential construction tax that you can go to supplement whatever projects you want,
955 bring forward. At that time, I think when we met with, and I've talked to you
956 Councilman (sic) Tarkanian about it, at the time I don't think we had considered the
957 Allure Project in there. That was probably one of the issues we had, as well –

958

959 **COUNCILWOMAN TARKANIAN**

960 Yes, and I believe – that in two oh oh five, it was something like 2,125 dollars there
961 which you couldn't do much with.

962

963 **MARK VINCENT**

964 That's right.

965

966 **COUNCILWOMAN TARKANIAN**

967 And we just recently gotten that monies that make the difference in 2006 and that's why
968 you didn't count 2006 in your years. You counted 2000 to 2005, which I wanted to
969 clarify when we began speaking.

970

971 **MARK VINCENT**

972 That's right.

973

974 **COUNCILWOMAN TARKANIAN**

975 But those were monies that were in there at that time to be spent. I mean, I was
976 scrounging around for a hundred and fifty thousand dollars for lights, for a field. So they,
977 it wasn't there at that time, we took it from Harmony Park. Which we then will put
978 Harmony Park back, which is another little rural tiny park. But I – just wanted to put
979 those things on the record. I – would like to have a good answer why, if it's not the
980 population, if it's not the other, if any of these maps will due, if the map Mr. Thompson

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981 had or map six or whatever would do? What is the, why is it that we had to take this
982 from Ward 1, what's the reasoning?

983

984 **MAYOR GOODMAN**

985 Alright, well I guess, as the Mayor, I have to give the reason. Once you get past the –
986 legal analysis, that apparently, you can have a seat Mr. Vincent, this really doesn't pertain
987 to you, once you, and thank you very much, once you get past the legal analysis that was
988 discussed by Judge Kessler, where the – map and each of the 17 maps, which were
989 prepared, meet the legal requirements of percentages and ethnicity, it then shifts into a
990 political process or a process where various persons who are affected, and that would be
991 the council members because myself, as the Mayor I'm – the Mayor of all the wards, the
992 council people have desires, I could speculate that one would want the – growth that is
993 taking place in a redevelopment area to – celebrate that, and would want that in their
994 ward. I think that Mr. Vincent said it best, when I was touring the Finance Department
995 earlier in the week. He says, it's an incredible thing that's happened. He said, four years
996 ago everybody was fighting to get out of the redevelopment area, and now the
997 redevelopment area is the plum where the actions taking place, and everybody wants to
998 celebrate it. And it was a very astute observation but a very truthful one. So you get into
999 a situation where the folks on the Council who have been here longer than other people,
1000 and there has been a historical perspective at least, that seniority does have weight to it.
1001 And the council members felt that their seniority entitled them to getting certain precincts
1002 that they didn't have. That – was one of the things. Other council members felt that they
1003 hadn't gotten what they believe they were entitled to have in the past and they were going
1004 to make up for it in the future. And, basically it turned into a give and take with the
1005 expectation that it would be worked out amongst ourselves. It didn't happen that way,
1006 there – were discussions but the end of the day there wasn't agreement and therefore we
1007 get what's before us today. Basically, because of – positions of seniority and desire. And
1008 that's the political process and that's the way the political process works, whether people
1009 like it or not, that's the truth. And if I'm gonna get criticized for telling the truth, so be it.
1010 But that's the answer Councilwoman.

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1011 **COUNCILWOMAN TARKANIAN**

1012 Thank you, Mr. Mayor. I (inaudible) speaker but if you want to, I would like to say my
1013 few words.

1014

1015 **MAYOR GOODMAN**

1016 I'd – like to hear from you.

1017

1018 **COUNCILWOMAN TARKANIAN**

1019 I'm the last one, right?

1020

1021 **MAYOR GOODMAN**

1022 Absolutely.

1023

1024 **COUNCILWOMAN TARKANIAN**

1025 Did you wanna hear him?

1026

1027 **MAYOR GOODMAN**

1028 No.

1029

1030 **CHARLES THOMPSON**

1031 Didn't we just define gerrymandering, with your speech?

1032

1033 **MAYOR GOODMAN**

1034 Could be but, as I said it's, that's –

1035

1036 **CHARLES THOMPSON**

1037 And, didn't you quote earlier that you your – Council's up there—

1038

1039 **MAYOR GOODMAN**

1040 – wait a second –

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1041 **CHARLES THOMPSON**

1042 – to go beyond your term, and now all of the sudden you're talking about making
1043 changes just for the people that are there –

1044

1045 **MAYOR GOODMAN**

1046 That is correct, that's the way the political aspect works –

1047

1048 **CHARLES THOMPSON**

1049 But aren't we working for the City not ourselves?

1050

1051 **MAYOR GOODMAN**

1052 Yep, we're working for what's best in our opinion?

1053

1054 **CHARLES THOMPSON**

1055 And, isn't this wrong –

1056

1057 **MAYOR GOODMAN**

1058 Alright, I'm not gonna get into an argument; I don't wanta you know. And so, I gave you
1059 your opportunity to speak before. Councilwoman.

1060

1061 **COUNCILWOMAN TARKANIAN**

1062 I know some of this may have been said already but I'll go relatively quickly.
1063 Redistricting is a topic that not many people have a need to know about. And, I've come
1064 through this experience to know and understand quite a bit more about redistricting. As a
1065 twelve year member of the school board, I had participated in redistricting. The process
1066 used by the City was very different from my past experience. And I can only speak for
1067 myself, but I felt there was very little communication, in terms of the process and of what
1068 contributes to the decisions that are made. Although it may seem complex at schools are
1069 really quite simple. I think the Judge mentioned them, and in them, and some of the other
1070 speakers have mentioned them.

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1071 Redistricting needs to address three areas, when drawing boundaries. One is growth, the
1072 next is compactness and then communities of interest. Redistrict, we redistrict when
1073 there is growth which changes the population in different wards. We do this to ensure
1074 equal representation, that we meet the law of the land. Wards needs to be compact,
1075 which means not dispersed over a large area, and communities of interest which can be
1076 thought of as neighborhoods or areas that has stoically shared interest, need to be
1077 preserved.

1078 I can not, I still do not support the current proposed plan for a variety of reasons. First,
1079 because I feel it does not address adequately growth or the disparity among ward
1080 population, it disperses my ward over a large area, and changes its historical
1081 configuration. It also separates many communities of interest, such as downtown Las
1082 Vegas, the neighborhoods in the area of Buffalo and Charleston and continues up the
1083 Rainbow corridor. It eliminates almost entirely any development or redevelopment in
1084 Ward 1 that offers the life and viability that older mature wards need. And, I have seen
1085 the tremendous job that has happened in Ward 5 by the fact that the Councilman is
1086 utilizing what he has there to develop his viability with redevelopment, development
1087 funds. Taking away the downtown precincts from Ward 1 is not necessary for population
1088 needs in any other ward contiguous to Ward 1. Nor would retaining these precincts in
1089 Ward 1 in any way adversely effect minority's representation in Ward 5. I – would tell
1090 you, I am appalled at the lack of true informed public involvement in this process. I feel
1091 that sometimes, we give more notice to neighbors when someone is constructing a wall
1092 then replacing the representative they elected. To place an ad in the Sunday paper, hold
1093 recommending committee three days later and vote on it today, one day later is not
1094 sufficient. We have not involved the residents that this directly effects in this process.
1095 We have held no evening public meetings.

1096 I believe strongly in representative democracy, I believed it when I was on the board, I
1097 believe it now. I pushed it so strongly. Sometimes democracy (sic) gets a little messy,
1098 it's gets to messy because you bring the people into it and everybody has a difference of
1099 opinion and a different thought. But that's what our country's based on and our base, and
1100 our country has lasted all these years, as strongly as it has, based upon those types of

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1101 principle. There has been much more public outcry opposing this proposed plan. To be
1102 exact, when I came in today to this meeting, I asked how many calls, 1,085 letters,
1103 signatures, hotline calls. One thousand eighty four, all in opposition to this proposed
1104 map, not one single one in support.

1105 When dealing with the fundamental right to representation, we must act with great
1106 diligence and the best interests of our citizens. I'm very concerned that our Charter states
1107 that the, it has, the City Council has the ability to place the representative you voted for
1108 with someone else by resolution. By resolution, your representation can be over done by
1109 resolution of the City Council. Quote, by any measure which is found permissible by the
1110 City Council unquote. By any measure. I – just don't see that that is the right thing to do
1111 for citizens.

1112 Some may say that, and that's why I think we must act with great diligence when we do
1113 this, with great care, with great public input, so it's the best of the citizens throughout the
1114 entire city.

1115 Some say that redistricting is a purely political process but I think we've lost track.
1116 We've lost our way in it becoming overly political. We should redistrict to address
1117 growth and have responsible balance growth to ensure representation to all citizens. And,
1118 that the right of the elected representation, I feel is one of our most important rights in our
1119 country. And, for those reasons, the population, the not meeting the needs of the
1120 redistricting, the fact I just don't feel we had enough of the public involvement in this.
1121 It's difficult to get to a four o' clock Recommending Committee meeting. It's difficult to
1122 get to a meeting in the morning if you work, and most of our citizens certainly work.
1123 And so, I – go down very strongly what ever the vote on this, however, I'm – proud of
1124 Ward 1 residents. Thank you.

1125

1126 **MAYOR GOODMAN**

1127 Alright thank you Councilwoman. Alright, its fine, you're welcome to applaud. Very
1128 good. Alright thank you very much. Thank you very much; alright may I have a motion
1129 please. Alright, I'll make the motion. **Motion to approve Bill Number 2006 dash 38.**

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1130 Let's vote on it. Post, motion carries. (Motion carried unanimously with Tarkanian

1131 voting no)

1132 **(END OF DISCUSSION)**

1133 /sw; sc