



Las Vegas

Agenda Item No.: 85.

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF OCTOBER 18, 2006

DEPARTMENT: CITY MANAGER
DIRECTOR: DOUGLAS A. SELBY

Consent Discussion

SUBJECT:
RESOLUTIONS:

R-83-2006 - discussion and possible action on a Resolution setting forth the policy of the City regarding the use of eminent domain to take private property for transfer to another for private commercial enterprise.

Fiscal Impact

No Impact

Augmentation Required

Budget Funds Available

Dept./Division:

Amount:

Funding Source:

PURPOSE/BACKGROUND:

The purpose of this item is to clarify and memorialize the position of the Las Vegas City Council with respect to eminent domain as it relates to such takings of privately owned property for transfer to another private commercial enterprise.

RECOMMENDATION:

Recommend approval.

BACKUP DOCUMENTATION:

1. Resolution R-83-2006
2. Submitted at meeting Comments by Tom McGowan

Motion made by GARY REESE to Approve

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

LOIS TARKANIAN, LAWRENCE WEEKLY, LARRY BROWN, OSCAR B. GOODMAN, GARY REESE, STEVE WOLFSON, STEVEN D. ROSS; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-None)

Minutes:

CHRIS KNIGHT, Director of Administrative Services, reported that legislative and court-case history has driven some issues and prompted legislative actions that are pending and forthcoming in the next legislative session regarding the use of eminent domain by local governments. In response, City staff put together a resolution intended to clarify the City's position on the use of eminent domain, which is that the City will not use eminent domain to take private property, without the consent of the owner, for the purposes of transferring or leasing to another private commercial enterprise. MAYOR GOODMAN clarified that it codifies the philosophy of this Council.

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TOM McGOWAN, Las Vegas resident, read and submitted his written comments, a copy of which is made a part of the minutes.

EDDIE READUM attempted to expose his concerns regarding Towbin Infinity and the lack of assistance he has received from the police; however, MAYOR GOODMAN advised him to speak under the Citizens Participation portion of the agenda.