

City of Las Vegas

RECOMMENDING COMMITTEE MEETING
CITY HALL, 400 STEWART AVENUE
CITY MANAGERS CONFERENCE ROOM, EIGHTH FLOOR
CITY OF LAS VEGAS INTERNET ADDRESS: <http://www.lasvegasnevada.gov>
JANUARY 02, 2007
4:00 P.M.

RECOMMENDING COMMITTEE: COUNCILWOMAN TARKANIAN AND COUNCILMAN BROWN

THE RECOMMENDING COMMITTEE WILL RECEIVE PUBLIC INPUT ON EACH ITEM OF LEGISLATION BEING CONSIDERED. THE RECOMMENDING COMMITTEE MAY, THEREAFTER, CONTINUE THE HEARING TO A FUTURE DATE OR FORMULATE A RECOMMENDATION TO THE CITY COUNCIL FOR PASSAGE, REJECTION OR AMENDMENT OF THE PROPOSED BILL. ANY MEMBER OF THE CITY COUNCIL MAY SUBSTITUTE FOR A MEMBER OF THE RECOMMENDING COMMITTEE AT ANY TIME.

DUPLICATE AUDIO CDS MAY BE AVAILABLE AT A COST OF \$5.00 EACH THROUGH THE CITY CLERKS OFFICE.

1. [CALL TO ORDER](#)

Minutes: COUNCILWOMAN TARKANIAN called the meeting to order at 4:02; 4:02 PM

Minutes: PRESENT: COUNCILMEMBERS TARKANIAN and ROSS; 4:02 PM

Minutes: Also Present: DEPUTY CITY MANAGER STEVE HOUCHENS, CHIEF DEPUTY CITY ATTORNEY VAL STEED and DEPUTY CITY CLERK YDOLEENA YTURRALDE; 4:02 PM

2. [ANNOUNCEMENT RE: COMPLIANCE WITH OPEN MEETING LAW](#)

Minutes: ANNOUNCEMENT MADE - Meeting noticed and posted at the following locations: City Clerk's Bulletin Board, City Hall Plaza, 2nd Floor Skybridge Bulletin Board, City Hall Plaza (next door to Metro Records), Las Vegas Library, 833 Las Vegas Boulevard North, Clark County Government Center, 500 S. Grand Central Parkway, Grant Sawyer Building, 555 E. Washington Avenue ; 4:02 PM

3. [Bill No. 2006-70 Amends the legal description and map describing and depicting the boundaries of the Pedestrian Mall to reflect certain street vacation actions. Proposed by: Bradford R. Jerbic, City Attorney](#)

Motion made by STEVEN D. ROSS to Approve as a Do Pass with a correction to replace...

Passed For: 2; Against: 0; Abstain: 0

LOIS TARKANIAN, STEVEN D. ROSS,; (None); (None)

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Minutes: COUNCILWOMAN TARKANIAN declared the Public Hearing open. ; 4:04 PM

Minutes: VAL STEED, Chief Deputy City Attorney, stated the bill amends the two chapters of the Code which pertain to the pedestrian mall to create a clearer legal description, given vacation actions that have taken place over the year. He noted that Section 4 of the bill authorizes and directs the clerk to fill in the blanks as the City is unaware of what number the ordinance would bear. He requested an amendment to the bill to add a new Section 5 which would address the codifier. This would direct the codifier to reflect the correct ordinance number. He recommended approval.

; 4:03 PM

Minutes: TOM McGOWAN, Las Vegas resident, questioned if the pedestrian mall is known as the Fremont Street Experience but DEPUTY CITY ATTORNEY STEED confirmed that it could pertain to the Fremont Street Experience and/or other malls. MR. McGOWAN requested a copy of the public mass transit service route prior to official action. He noted that funds collected towards admission fees to pedestrian malls were to be designated to serve the homeless and inquired about the status of such funds.

; 4:06 PM

Minutes: COUNCILWOMAN TARKANIAN declared the Public Hearing closed. ; 4:02 PM

4. [Bill No. 2006-71 Adopts provisions regarding the use of public streets for motorized racing events.](#)
[Sponsored by: Councilman Gary Reese and Councilman Lawrence Weekly](#)

Motion made by STEVEN D. ROSS to Approve as a Do Pass

Passed For: 2; Against: 0; Abstain: 0

LOIS TARKANIAN, STEVEN D. ROSS,; (None); (None)

Minutes: COUNCILWOMAN TARKANIAN declared the Public Hearing open. ; 4:02 PM

Minutes: VAL STEED, Chief Deputy City Attorney, stated the bill was designed to address the agreement approved by Council which allows the Grand Prix event to take place. He noted that some ordinances could be violated by allowing the event to occur but the City plans to set forth a process to address traffic and safety issues and therefore recommended approval. ; 4:07 PM

Minutes: TOM McGOWAN, Las Vegas resident, questioned if there would be qualifying days prior to the racing event but CHIEF DEPUTY CITY ATTORNEY STEED was unable to confirm. MR. McGOWAN requested a copy of the public mass transit impact and public safety report prior to the racing event. ; 4:08 PM

Minutes: COUNCILMAN ROSS confirmed for COUNCILWOMAN TARKANIAN that there would certainly be a qualifying event and added that the event is welcomed downtown as the beginning of many similar and successful events. MR. McGOWAN concurred. ; 4:10 PM

Minutes: COUNCILWOMAN TARKANIAN declared the Public Hearing closed. ; 4:02 PM

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5. [Bill No. 2006-72 Adopts the 2005 Edition of the National Electrical Code, together with amendments and supplementary material. Proposed by: Paul K. Wilkins, Director of Building and Safety](#)

Motion made by STEVEN D. ROSS to Approve as a Do Pass with a first amendment

Passed For: 2; Against: 0; Abstain: 0

LOIS TARKANIAN, STEVEN D. ROSS,; (None); (None)

Minutes: COUNCILWOMAN TARKANIAN declared the Public Hearing open. ; 4:02 PM

Minutes: PAUL WILKINS, Director of Building and Safety, stated the department has worked on the bills several months and he recommended approval.; 4:11 PM

Minutes: ROCCO PROCK, Efficient Electric, announced his participation with the amendment and supported the adoption of the code.
; 4:11 PM

Minutes: TOM MCGOWAN, Las Vegas resident, stated that the assembly should make reference to the entire public. ; 4:11 PM

Minutes: VAL STEED, Chief Deputy City Attorney, stated there is a change of the document known as the Southern Nevada Amendments and the change in Section 4 would be incorporated into the amendments. This would allow the amendment to be included into the document instead of the text. He recommended approval with the first amendment. ; 4:12 PM

Minutes: COUNCILWOMAN TARKANIAN clarified that the term "audience" refers to those present and is a suitable term when referencing the public. ; 4:12 PM

Minutes: COUNCILMAN ROSS inquired about the need to abstain since he is a master electrician but CHIEF DEPUTY CITY ATTORNEY STEED stated there would be no need. ; 4:13 PM

Minutes: COUNCILWOMAN TARKANIAN declared the Public Hearing closed. ; 4:02 PM

6. [Bill No. 2006-73 Adopts the 2006 Edition of the Southern Nevada Pool Code. Proposed by: Paul K. Wilkins, Director of Building and Safety](#)

Motion made by STEVEN D. ROSS to Approve as a Do Pass

Passed For: 2; Against: 0; Abstain: 0

LOIS TARKANIAN, STEVEN D. ROSS,; (None); (None)

Minutes: COUNCILWOMAN TARKANIAN declared the Public Hearing open. ; 4:02 PM

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Minutes: PAUL WILKINS, Director of Building and Safety, stated that all bills would be adopted by all entities in Southern Nevada so as to work together and he recommended approval. ; 4:14 PM

Minutes: COUNCILMAN ROSS stated that this bill would allow the ordinance to apply to all jurisdictions and MR. WILKINS confirmed. ; 4:14 PM

Minutes: COUNCILWOMAN TARKANIAN declared the Public Hearing closed. ; 4:02 PM

7. [Bill No. 2006-74 Adopts the 2006 Edition of the Uniform Mechanical Code, together with amendments thereto, as the Citys Mechanical Code. Proposed by: Paul K. Wilkins, Director of Building and Safety](#)

Motion made by STEVEN D. ROSS to Approve as a Do Pass

Passed For: 2; Against: 0; Abstain: 0

LOIS TARKANIAN, STEVEN D. ROSS,; (None); (None)

Minutes: COUNCILWOMAN TARKANIAN declared the Public Hearing open. ; 4:02 PM

Minutes: PAUL WILKINS, Director of Building and Safety, recommended approval.
; 4:15 PM

Minutes: BLAKE BALLARD, Sahara Air Conditioning and Heating, stated some members have been on the committee and he supported the proposed changes and amendment. ; 4:15 PM

Minutes: COUNCILMAN ROSS acknowledged that the entire industry has made recommendations and expressed appreciation for their input. COUNCILWOMAN TARKANIAN concurred. ; 4:16 PM

Minutes: COUNCILWOMAN TARKANIAN declared the Public Hearing closed. ; 4:02 PM

8. [Bill No. 2006-75 Adopts the 2006 Edition of the Uniform Plumbing Code, together with amendments thereto, as the Citys Plumbing Code. Proposed by: Paul K. Wilkins, Director of Building and Safety](#)

Motion made by STEVEN D. ROSS to Approve as a Do Pass

Passed For: 2; Against: 0; Abstain: 0

LOIS TARKANIAN, STEVEN D. ROSS,; (None); (None)

Minutes: COUNCILWOMAN TARKANIAN declared the Public Hearing open. ; 4:02 PM

Minutes: PAUL WILKINS, Director of Building and Safety, recommended approval.; 4:16 PM

Minutes: JOE CASARRO, AA Casarro Pulumbing, expressed support of the amendments and requested approval.; 4:17 PM

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Minutes: COUNCILWOMAN TARKANIAN declared the Public Hearing closed. ; 4:02 PM

9. [Bill No. 2006-76 Adopts the 2006 Edition of the International Energy Conservation Code, along with amendments thereto. Proposed by: Paul K. Wilkins, Director of Building and Safety](#)

Motion made by STEVEN D. ROSS to Approve as a Do Pass

Passed For: 2; Against: 0; Abstain: 0

LOIS TARKANIAN, STEVEN D. ROSS,; (None); (None)

Minutes: COUNCILWOMAN TARKANIAN declared the Public Hearing open. ; 4:02 PM

Minutes: PAUL WILKINS, Director of Building and Safety, noted the importance of energy conservation, thanked everyone for their involvement and recommended approval. ; 4:18 PM

Minutes: ROCCO PROCK, member of NFPA, the ICC local chapter and the IAEL, noted participation from the entire industry and expressed support. ; 4:18 PM

Minutes: COUNCILWOMAN TARKANIAN declared the Public Hearing closed. ; 4:02 PM

10. [Bill No. 2006-77 Adopts the 2006 Editions of the International Building Code and the International Residential Code, together with amendments thereto. Proposed by: Paul K. Wilkins, Director of Building and Safety](#)

Motion made by STEVEN D. ROSS to Approve as a Do Pass with a first amendment

Passed For: 2; Against: 0; Abstain: 0

LOIS TARKANIAN, STEVEN D. ROSS,; (None); (None)

Minutes: COUNCILWOMAN TARKANIAN declared the Public Hearing open. ; 4:02 PM

Minutes: PAUL WILKINS, Director of Building and Safety, stated he would never recommend approval unless the industry were involved. He recognized the hard work and diligence of the many involved and gave his thanks.; 4:19 PM

Minutes: JOHN WARD, Pulte Homes, thanked the Building Department for allowing such involvement and expressed appreciation that the adoption would affect all municipalities.; 4:19 PM

Minutes: ROCCO PROCK, Master Electrician, expressed supported and requested approval.; 4:20 PM

Minutes: VAL STEED, Chief Deputy City Attorney, noted a typo on the heading of page 6. He stated that the second attachment, labeled the Southern Nevada Amendments, also found on page 6, has a table addressing the International Residential Code that was to be amended. He suggested removing that amendment without affecting the rest of the document. His recommendation was for approval with a first

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amendment. ; 4:20 PM

Minutes: TOM McGOWAN, Las Vegas resident, stated the process is an example of the value of public and private participation in a democratic process which allows the Recommending Committee to be properly informed. He commended the members for allowing such a process in the interest of all. ; 4:21 PM

Minutes: COUNCILWOMAN TARKANIAN declared the Public Hearing closed. ; 4:02 PM

11. [Bill No. 2006-78 Updates the Citys Administrative Code, relating to the administration of the various building and technical codes. Proposed by: Paul K. Wilkins, Director of Building and Safety](#)

Motion made by STEVEN D. ROSS to Approve as a Do Pass

Passed For: 2; Against: 0; Abstain: 0

LOIS TARKANIAN, STEVEN D. ROSS,; (None); (None)

Minutes: COUNCILWOMAN TARKANIAN declared the Public Hearing open. ; 4:02 PM

Minutes: PAUL WILKINS, Director of Building and Safety, stated this bill finalizes the Administrative Code which sets guideline and directive issues. ; 4:22 PM

Minutes: TOM McGOWAN, Las Vegas resident, stated that compliance and enforcement of codes are key and crucial to administration in the public interest but is only demand-driven. He inquired about provisions to ensure proactive monitoring and enforcement. MR. WILKINS responded that the Building Department is aggressive and adamantly enforces compliance with Code, and is well-known for operating in a fair and consistent manner. ; 4:22 PM

Minutes: ROCCO PROCK, Efficient Electric, stated that the Code is stringent and he confirmed that the City is effienctly handling the process. ; 4:24 PM

Minutes: COUNCILWOMAN TARKANIAN declared the Public Hearing closed. ; 4:02 PM

12. [Bill No. 2006-79 Allows small wind energy systems as a conditional use in the R-A, R-E and R-D Zoning Districts. Sponsored by: Councilman Steven D. Ross](#)

Motion made by STEVEN D. ROSS to Approve do pass

Passed For: 2; Against: 0; Abstain: 0

LOIS TARKANIAN, STEVEN D. ROSS,; (None); (None)

Minutes: COUNCILWOMAN TARKANIAN declared the Public Hearing open. ; 4:02 PM

Minutes: VAL STEED, Chief Deputy City Attorney, stated the bill is a result of legislation passed in Carson City which began as a bill to mandate permitting wind energy systems in residential uses. The bill allows

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local government to decide how to address permitting of small wind systems and sets forth the Las Vegas approach for residential use. He recommended approval.; 4:24 PM

Minutes: TOM McGOWAN, Las Vegas resident, inquired how the subject bill would apply to Green Buildings. ; 4:25 PM

Minutes: COUNCILMAN ROSS verified that the intent of the bill is for residential uses only; however, the City is aggressively encouraging Green Buildings to save money and the environment. ; 4:27 PM

Minutes: COUNCILWOMAN TARKANIAN declared the Public Hearing closed. ; 4:02 PM

13. [Bill No. 2006-80 - Ordinance Creating Special Improvement District No. 1516 - Fremont Street Maintenance District \(Las Vegas Boulevard to 8th Street\) Sponsored by: Step Requirement](#)

Motion made by STEVEN D. ROSS to Approve as a Do Pass

Passed For: 2; Against: 0; Abstain: 0
LOIS TARKANIAN, STEVEN D. ROSS,; (None); (None)

Minutes: COUNCILWOMAN TARKANIAN declared the Public Hearing open. ; 4:02 PM

Minutes: CHARLIE KAJKOWSKI, Director of Public Works, stated that City Council approved pedestrian street improvements and maintenance on Fremont Street. He outlined the timeline of events for the bill and recommended approval ; 4:29 PM

Minutes: TOM McGOWAN, Las Vegas resident, requested the verbiage text of medallions for Fremont Street prior to official action. ; 4:29 PM

Minutes: MR. KAJKOWSKI referenced a drawing and noted that the Office of Business Development (OBD) came up with some historical medallions to be placed at various locations through the pedestrian improvements. ; 4:30 PM

Minutes: STEVE VAN GORP, Office of Business Development, stated the selection of the medallions is complete and ready for when construction begins. There was a public process with the owners' association and City staff to select the medallions. MR. VAN GORP stated there were many involved from Planning and OBD staff as well as outside sources and plaques were selected to represent historic memories. COUNCILMAN ROSS inquired as to whether public input was incorporated and MR. VAN GORP confirmed that both public and private parties were involved. ; 4:31 PM

Minutes: MR. McGOWAN stated that the public was excluded from the 2nd floor meeting rooms of the El Cortez Hotel and Casino and that the City Attorney's staff could attest to the exclusion. There were many entertainers present but not acknowledged by MR. VAN GORP. MR. McGOWAN stated that redevelopment of the area affects the many people, not just the owners of the sidewalks. ; 4:33 PM

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Minutes: COUNCILMAN ROSS inquired about whether the Special Improvement District would cover the construction. MR. KAJKOWSKI responded that total construction costs are \$5.2 million and the cost to the property owners would be under \$2 million. There are City funds and federal enhancement monies involved and the project would span from building face to building face and from Las Vegas Boulevard to 8th Street. ; 4:35 PM

Minutes: COUNCILWOMAN TARKANIAN declared the Public Hearing closed. ; 4:02 PM

14. [Bill No. 2006-81 - Grants to Nevada Power Company, a Nevada Corporation, a non-exclusive franchise to install, operate and maintain an electrical distribution system to provide electrical service to consumers within the City subject to and in accordance with the terms and conditions of the Franchise Agreement between the City and Nevada Power Company. Proposed by: Mark R. Vincent, Director of Finance and Business Services](#)

Motion made by STEVEN D. ROSS to Approve as a Do Pass

Passed For: 2; Against: 0; Abstain: 0

LOIS TARKANIAN, STEVEN D. ROSS,; (None); (None)

Minutes: COUNCILWOMAN TARKANIAN declared the Public Hearing open. ; 4:02 PM

Minutes: CHRIS WARE, Franchise Officer, highlighted the proposed agreement with Nevada Power and noted it had not been renegotiated since 1979. The term of the new agreement would be 18 years and kept coterminous with the franchise accounting to allow successors an opportunity to renegotiate with the County and Nevada Power. The franchise fees would remain at a five percent gross revenue which was nearly \$24 million last fiscal year.

The franchise agreement grants Nevada Power non-exclusive rights but rights to the City and other entities are preserved to provide electric service if the state of affairs changes.

The agreement requires permitting and restoration of public rights-of-way in addition to new provisions concerning the American with Disabilities Act. For example, if there were a pole in the middle of a sidewalk, the agreement would allow Nevada Power to conduct remedial work up to \$100,000.

There would be more specific and newer provisions to detail party's rights concerning the use of the City poles by Nevada Power. There are new provisions concerning third party attachments to Nevada Power poles, such as Embarq and/or Cox, and would prevent problems that have arisen in the past. Additional provisions would continue to allow the City to utilize Nevada Power poles for non-commercial purposes and would be safely oriented. There are new provisions that would also address historical relocation problems.

The delinquent damages provisions in the agreement is broadened and would constitute nearly \$500 per day to cover any type of material violations while allowing Nevada Power to care for those issues. The agreement would continue standard indemnification clauses, increase standard insurance requirements, continue the \$500,000 insurance bonds and include a more specific auditing provision. Lastly, there is a provision about conservation whereby Nevada Power agrees to work with the City to meet greater energy

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efficiency and includes supporting the Green Building program. ; 4:38 PM

Minutes: VAL STEED, Chief Deputy City Attorney, added that the granting franchise has an independent public hearing associated and more comments could be heard at that time. This meeting would not constitute all comments and is not a substitute for the formal public hearing to be scheduled. ; 4:45 PM

Minutes: TOM McGOWAN, Las Vegas resident, stated that it is probable that there would not be enough public comment. He inquired if the audit would be internal or independently conducted and by whom. MR. WARE stated that there is not a specific audit planned at this time and noted that the prior agreement did not have language specific to an audit. He commended EDGAR PATINA from Nevada Power for his professionalism while negotiating this agreement. ; 4:47 PM

Minutes: EDGAR PATINA supported the document and recommended approval; 4:47 PM

Minutes: MR. McGOWAN expressed his appreciation and support. ; 4:48 PM

Minutes: COUNCILWOMAN TARKANIAN declared the Public Hearing closed. ; 4:02 PM

15. CITIZENS PARTICIPATION

Minutes: TOM McGOWAN noted his candidacy for Mayor and stated that if elected Mayor, he would assure that all matters include all relevant information to allow committees the opportunity to make decision in the public's best interest. He submitted his comments in written form. ; 4:48 PM

16. ADJOURNMENT

Minutes: Meeting adjourned at 4:49 p.m.

Respectfully submitted:

Ydoleena Yturralde, Deputy City Clerk II
February 5, 2007; 4:02 PM

ALL INTERESTED PERSONS ARE INVITED TO ATTEND: Copies of the above Bills may be obtained through the Office of the City Clerk, Monday through Friday, 8:00 A.M. to 5:00 P.M.

Facilities are provided throughout City Hall for the convenience of disabled persons. Reasonable efforts will be made to assist and accommodate physically handicapped persons. If you need an accommodation to attend and participate in this meeting, please call the City Clerks office at 229-6311 and advise of your need at least 48 hours in advance of the meeting.

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THIS MEETING HAS BEEN PROPERLY NOTICED AND POSTED AT THE FOLLOWING LOCATIONS:

City Clerks Bulletin Board, City Hall Plaza, 2nd Floor Skybridge
Bulletin Board, City Hall Plaza, (next door to Metro Records)
Las Vegas Library, 833 Las Vegas Boulevard North
Clark County Government Center, 500 S. Grand Central Parkway
Grant Sawyer Building, 555 E. Washington Avenue