



Las Vegas

Agenda Item No.: 7.

AGENDA SUMMARY PAGE
RECOMMENDING COMMITTEE MEETING OF: MAY 6, 2008

DEPARTMENT: CITY ATTORNEY
DIRECTOR: BRADFORD R. JERBIC

Consent Discussion

SUBJECT: Bill No. 2008-25 Eliminates the requirement that a general business-related gaming establishment licensed to sell alcoholic beverages obtain a separate special use permit for the gaming use. Sponsored by: Mayor (Scott) Goodman

Fiscal Impact

No Impact Augmentation Required
 Budget Funds Available

Amount:
Funding Source:
Dept./Division:

PURPOSE/BACKGROUND:

This bill will eliminate the requirement that a general business-related gaming establishment licensed to sell alcoholic beverages obtain a separate special use permit for the gaming use. Such uses (supper clubs and urban lounges) must obtain a special use permit for alcoholic beverage service, and typically include up to the maximum 5 slot machines allowed. The requirement for two separate special use permits has been deemed an unnecessary duplication of process. A single special use permit process should be sufficient to consider both the alcohol- and gaming-related aspects of the use.

RECOMMENDATION:

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

BACKUP DOCUMENTATION:

Bill No. 2008-25

Motion made by RICKI Y. BARLOW to Forward to Council with no recommendation, with direction to staff to provide the Council members with more information before this bill is eligible for adoption

Passed For: 2; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0
LOIS TARKANIAN, RICKI Y. BARLOW; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-None)

Minutes:

COUNCILWOMAN TARKANIAN declared the Public Hearing open.

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CHIEF DEPUTY CITY ATTORNEY STEED said the summary explains the intent of the bill. Supper clubs and urban lounges are permitted five slots, but the operators have to apply separately for a special use permit for each use. The proposed ordinance would allow the applicants to come in once for both uses, with a requirement of a public hearing. He recommended approval.

COUNCILMAN BARLOW asked how the change would affect gaming should the liquor license be revoked. CHIEF DEPUTY CITY ATTORNEY STEED answered that a business could not have slots alone. Once the principal use of liquor is terminated, the gaming use has to be terminated as well. Gaming requires a principal use.

COUNCILWOMAN TARKANAIN said she was of the understanding that higher standards existed for gaming. Her constituents are saying that gaming does not have to saturate Las Vegas just because it is legal. She would not want to encourage the opening of more liquor establishments through adoption of this ordinance. The Council should be given full discretion, because gaming should not be permitted automatically with a liquor use. CHIEF DEPUTY CITY ATTORNEY STEED advised that the Committee had three options: send the bill to Council without a recommendation, with a pass recommendation, or a denial recommendation. The Committee could also hold it in abeyance to obtain more information. COUNCILWOMAN TARKANAIN said she could not support the bill as she understood it.

COUNCILMAN BARLOW asked how the ordinance would be applied in the Entertainment District. Would each liquor establishment automatically be allowed five slots? CHIEF DEPUTY CITY ATTORNEY STEED said passage of the ordinance would not override any other law on the books.

COUNCILMAN BARLOW was concerned that combining the two might cause a loss in revenue. CHIEF DEPUTY CITY ATTORNEY STEED advised that gaming is the revenue generator. Fees do not offset the cost of processing the applications.

CHIEF DEPUTY CITY ATTORNEY STEED indicated that the public hearing would be held 5/21/2008 before the bill is considered by the Council for adoption on the same date.

COUNCILMAN BARLOW insisted that it would be better to keep the applications separate.

See Item 8 for related discussion.

COUNCILWOMAN TARKANIAN declared the Public Hearing closed.