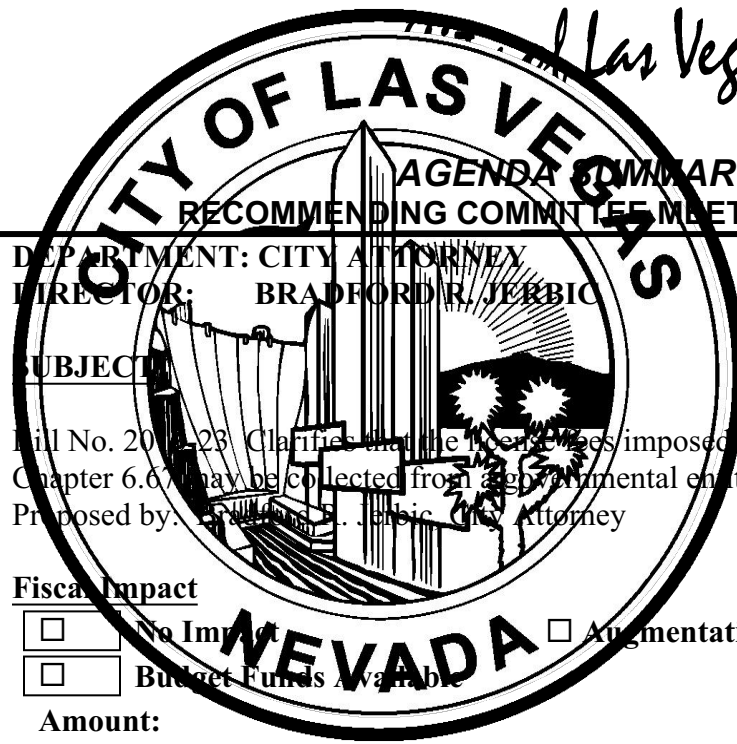




Agenda Item No.: 3.

DEPARTMENT: CITY ATTORNEY
DIRECTOR: BRADFORD R. JERBIC

☐ Consent ☒ Discussion

SUBJECT:

Bill No. 2010-23 Clarifies that the license fees imposed on a public utility pursuant to LVMC Chapter 6.67 may be collected from a governmental entity that is a customer of the public utility.
Proposed by: Bradford R. Jerbic, City Attorney

Fiscal Impact

☐ No Impact ☐ Augmentation Required
☐ Budget Funds Available

Amount:

Funding Source:

Dept./Division:

PURPOSE/BACKGROUND:

Pursuant to LVMC Chapter 6.67, the City imposes license fees on public utilities, which in turn are passed through to customers of those public utilities. Recently, there has been a challenge to the authority under which local governments, including the City, have authorized or mandated the payment of those fees by utility customers that are governmental entities. This bill will clarify that such entities are (and have been) subject to the payment of City-imposed utility license fees to the same extent as other utility customers.

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

1. Bill No. 2010-23
2. Business Impact Statement

Minutes:

DEPUTY CITY ATTORNEY VAL STEED explained that a question was raised whether or not the City had the authority to collect license fees from customers who are governmental entities. There is a clause within our general licensing provisions that states the City does not collect licensing fees from governmental entities; however, it was intended to mean that the City does not license governments. If approved, this bill would clarify what currently exists within the Code, which is the City's ability to collect such fees. Staff recommended approval.

Subsequent to the adjournment of the meeting, DEPUTY CITY ATTORNEY VAL STEED announced that this bill is eligible for adoption at the 6/16/2010 City Council meeting.