

City of Las Vegas

RECOMMENDING COMMITTEE MEETING
CITY HALL, 495 S. MAIN STREET
CITY CLERK'S 2ND FLOOR CONFERENCE ROOM
CITY OF LAS VEGAS INTERNET ADDRESS: www.lasvegasnevada.gov
MAY 14, 2013
9:00 A.M.

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.

ITEMS LISTED ON THE AGENDA MAY BE TAKEN OUT OF ORDER PRESENTED; TWO OR MORE AGENDA ITEMS FOR CONSIDERATION MAY BE COMBINED; AND ANY ITEM ON THE AGENDA MAY BE REMOVED OR RELATED DISCUSSION MAY BE DELAYED AT ANY TIME.

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

1. CALL TO ORDER
2. ANNOUNCEMENT RE: COMPLIANCE WITH OPEN MEETING LAW
3. Bill No. 2013-23 - For Possible Action - Changes the billing and payment of sewer service charges from an annual basis to a quarterly basis, and increases the amount of the fee for releasing a sewer lien. Sponsored by: Councilman Steven D. Ross
4. Bill No. 2013-24 - For Possible Action - Amends the City's version of the Southern Nevada Amendments to the 2009 International Energy Conservation Code to exempt certain activity regarding buildings constructed before 2009 from complying with energy conservation standards that otherwise would apply. Sponsored by: Councilman Bob Beers
5. CITIZENS PARTICIPATION: Public comment during this portion of the agenda must be limited to matters within the jurisdiction of the committee. No subject may be acted upon by the committee unless that subject is on the agenda and is scheduled for action. If you wish to be heard, come to the podium and give your name for the record. The amount of discussion on any single subject, as well as the amount of time any single speaker is allowed, may be limited
6. ADJOURNMENT

ALL INTERESTED PERSONS ARE INVITED TO ATTEND: Copies of the above Bills may be obtained through the Office of the City Clerk, Monday through Thursday, 7:00 A.M. to 5:30 P.M.

City of Las Vegas

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 Clerk's office at 229-6311 and advise of your need at least 48 hours in advance of the meeting. The City's TDD number is 386-9108.

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

City Hall, 495 South Main Street, 1st Floor
Clark County Government Center, 500 South Grand Central Parkway
Grant Sawyer Building, 555 East Washington Avenue
City of Las Vegas Development Services Center, 333 North Rancho Drive

AGENDA SUMMARY PAGE
RECOMMENDING COMMITTEE MEETING OF: MAY 14, 2013

DEPARTMENT: CITY CLERK
DIRECTOR: BEVERLY K. BRIDGES

SUBJECT:
CALL TO ORDER



AGENDA SUMMARY PAGE
RECOMMENDING COMMITTEE MEETING OF: MAY 14, 2013

DEPARTMENT: CITY CLERK

DIRECTOR: BEVERLY K. BRIDGES

SUBJECT:

ANNOUNCEMENT RE: COMPLIANCE WITH OPEN MEETING LAW



AGENDA SUMMARY PAGE
RECOMMENDING COMMITTEE MEETING OF: MAY 14, 2013

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

Consent Discussion

SUBJECT:

Bill No. 2013-23 - For Possible Action - Changes the billing and payment of sewer service charges from an annual basis to a quarterly basis, and increases the amount of the fee for releasing a sewer lien. Sponsored by: Councilman Steven D. Ross

Fiscal Impact

No Impact

Augmentation Required

Budget Funds Available

Amount:

Funding Source:

Dept./Division:

PURPOSE/BACKGROUND:

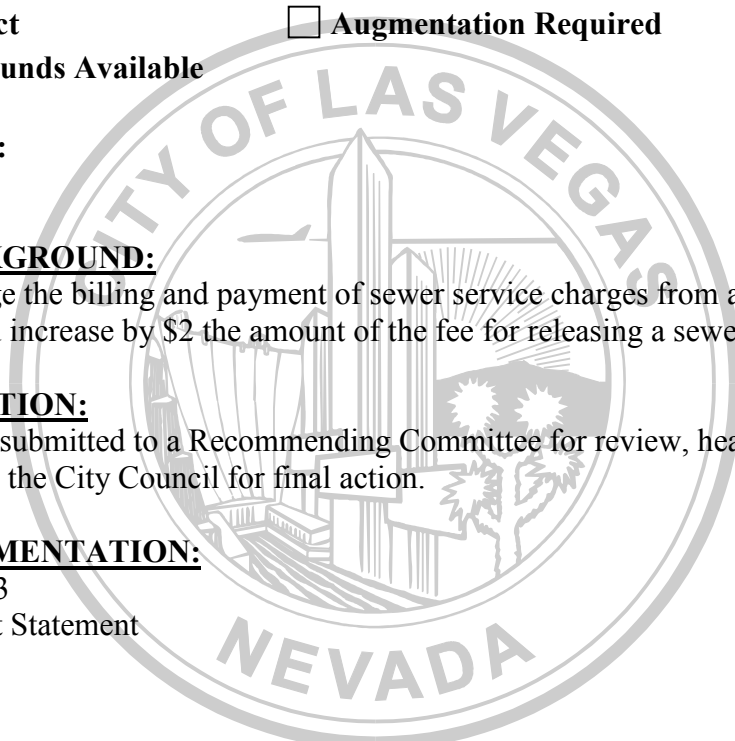
This bill will change the billing and payment of sewer service charges from an annual basis to a quarterly basis, and increase by \$2 the amount of the fee for releasing a sewer lien.

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. 2013-23
2. Business Impact Statement



1 **BILL NO. 2013-23**

2 **ORDINANCE NO. _____**

3 AN ORDINANCE TO CHANGE THE BILLING AND PAYMENT OF SEWER SERVICE
4 CHARGES FROM AN ANNUAL BASIS TO A QUARTERLY BASIS, INCREASE THE FEE FOR
5 RELEASING A SEWER LIEN, AND PROVIDE FOR OTHER RELATED MATTERS.

6 Sponsored by: Councilman Steven D. Ross

7 Summary: Changes the billing and payment of
8 sewer service charges from an annual basis to a
9 quarterly basis, and increases the fee for
10 releasing a sewer lien.

11 THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY ORDAIN
12 AS FOLLOWS:

13 SECTION 1: Title 14, Chapter 4, Section 80, of the Municipal Code of the City of
14 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

15 **14.04.080:** (A) All bills for services rendered by or through the municipal sewage disposal
16 system shall be rendered annually in advance on the first day of the month on which the annual cycle
17 billing established for such premises shall commence, shall be payable annually in advance unless the
18 customer elects to pay the annual bill in quarterly installments. The first quarterly installment payment
19 must be paid in advance, with any remaining amount due constituting a lien against the property.
20 Payment of all bills rendered shall be made to the Department of Finance and Business Services, and
21 any business license for a multiple dwelling or place of business that is associated with such billing
22 may be withheld or suspended unless the remaining portion of the current year's annual billing, or,
23 if the customer has elected to pay in quarterly installments, the remaining portion of the current
24 quarterly installment thereof, as the case may be, is paid in advance. Each quarterly payment must be paid in advance by the first day of the month which begins the billing cycle for the premises commences. Payment shall be made to the Department of Finance. Any business license for a multiple dwelling or place of business associated with a billing may be withheld or suspended for nonpayment.

25 (B) Customers who are owners of residential premises are required to pay the
26 quarterly billing of the annual charge rate per ERU set forth in Section 14.04.030 whether or not the
27 premises are occupied, notwithstanding any provision of this Chapter to the contrary.
28

1 (C) The Department shall have all powers which may be necessary or appropriate
2 for a complete and effective exercise of its jurisdiction, including, but not limited to, the power to
3 enter and inspect any commercial or multiple-residential premises to make determinations concerning
4 sewer service billing. An inspection of commercial premises must be made during regular business
5 hours. A prior appointment is required in order to perform an inspection at a residential premises, if
6 occupied.

7 SECTION 2: Title 14, Chapter 4, Section 90, of the Municipal Code of the City of
8 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

9 **14.04.090:** [(A) The full amount of the sewer service bill is due on the first day of the
10 customer's annual billing cycle, unless the customer elects to pay quarterly installments as provided
11 for in Section 14.04.080.

12 (B)] If any portion of the sewer service bill[, or, if the customer has elected to pay
13 such bill in quarterly installments, any portion of either or any of such quarterly installments] remains
14 unpaid for fifteen days or more following the date on which the same was due, the amount outstanding
15 shall be deemed delinquent and a fifteen percent penalty shall be charged thereon.

16 SECTION 3: Title 14, Chapter 4, Section 100, of the Municipal Code of the City of
17 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

18 **14.04.100:** Until paid, the sewer service bill established by this Chapter, including any penalty
19 thereon, shall constitute a perpetual lien on and against the real property and premises which received
20 the sewer service, from the date the sewer service bill and penalties become due, as well as
21 constituting a debt owing to the City by the sewer service customer and by the record owner of such
22 property, if such owner is someone other than the sewer service customer. The City may bring a civil
23 action in any court of competent jurisdiction to recover the amount due and penalties. Additionally,
24 the City may enforce said lien by recording a notice of lien in the office of the County Recorder after
25 the amount due becomes delinquent and foreclosing the same against such property in the same
26 manner as provided by the laws of the State for the foreclosure of mechanic's liens. A service charge
27 of [fifteen] seventeen dollars will be assessed the sewer service customer for a release of the lien filed
28 with the office of the County Recorder in addition to any and all recording costs incurred by the City

1 in recording the release of lien.

2 SECTION 4: This Ordinance shall become effective the day following its publication,
3 but Sections 1 and 2 thereof shall be deemed effective as of June 1, 2013.

4 SECTION 5: If any section, subsection, subdivision, paragraph, sentence, clause or
5 phrase in this ordinance or any part thereof is for any reason held to be unconstitutional or invalid or
6 ineffective by any court of competent jurisdiction, such decision shall not affect the validity or
7 effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the
8 City of Las Vegas hereby declares that it would have passed each section, subsection, subdivision,
9 paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections,
10 subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional,
11 invalid or ineffective.

12 SECTION 6: All ordinances or parts of ordinances or sections, subsections, phrases,
13 sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada,
14 1983 Edition, in conflict herewith are hereby repealed.

15 PASSED, ADOPTED and APPROVED this _____ day of _____, 2013.

16 APPROVED:

17
18 By _____
CAROLYN G. GOODMAN, Mayor

19 ATTEST:

20 _____
21 BEVERLY K. BRIDGES, MMC
City Clerk

22 APPROVED AS TO FORM:

23 _____ 7-17-13
Date

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1 The above and foregoing ordinance was first proposed and read by title to the City Council on the
2 _____ day of _____, 2013, and referred to a committee for recommendation, the
3 committee being composed of the following members _____
4 _____; thereafter the said committee reported favorably on said ordinance on the
5 _____ day of _____, 2013, which was a _____ meeting of said
6 Council; that at said _____ meeting, the proposed ordinance was read by title
7 to the City Council as first introduced and adopted by the following vote:

8 VOTING "AYE": _____
9 VOTING "NAY": _____
10 ABSENT: _____

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12 APPROVED:

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14 By _____
CAROLYN G. GOODMAN, Mayor

15 ATTEST:
16 _____
17 BEVERLY K. BRIDGES, MMC
City Clerk

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BUSINESS IMPACT STATEMENT

BILL NO. 2013-23

(Changes the billing and payment of sewer service charges from an annual basis to a quarterly basis, and increases the amount of the fee for releasing a sewer lien)

This business impact statement was prepared pursuant to NRS 237.090 to address the impact of a proposed ordinance, Bill No. 2013-23, that would change the billing and payment of sewer service charges from an annual basis to a quarterly basis, and increase the amount of the fee for releasing a sewer lien.

1. The following constitutes a description of the number of the manner in which comment was solicited from affected businesses, a summary of their responses and an explanation of the manner in which other interested persons may obtain a copy of the summary.

No comments were solicited from businesses. The billing change is expected to have no negative impact and a possible beneficial impact on businesses. The increase in the lien release fee will have no across-the-board impact on businesses, the only impact being on those unidentifiable businesses that might in the future become delinquent

2. The estimated economic effect of the proposed rule on businesses, including, without limitation, both adverse and beneficial effects, and both direct and indirect effects:

Adverse effects:

Slight increase in lien release fee for businesses that become delinquent

Beneficial effects:

Potential benefit to being billed quarterly in advance instead of annually

Direct effects:

See above

Indirect effects:

None identified

3. The following constitutes a description of the methods the local government considered to reduce the impact of the proposed rule on businesses and a statement regarding whether any, and if so which, of these methods were used:

Not applicable

4. The governing body estimates the annual cost to the local government for enforcement of the proposed rule is:

No additional cost

5. If the proposed rule provides for a new fee or increases an existing fee, the total annual amount expected to be collected is:

Estimated at \$30,000

6. If the proposed rule provides for a new fee or increases an existing fee, the money generated by the new fee or increase in existing fee will be used by the local government to:

Help offset cost of supplies, postage and labor

7. If the proposed rule includes provisions that duplicate or are more stringent than federal, state or local standards regulating the same activity, the following explains when such duplicative or more stringent provisions are necessary:

Not applicable

Date: April 17, 2013

AGENDA SUMMARY PAGE
RECOMMENDING COMMITTEE MEETING OF: MAY 14, 2013

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

Consent Discussion

SUBJECT:

Bill No. 2013-24 - For Possible Action - Amends the City’s version of the Southern Nevada Amendments to the 2009 International Energy Conservation Code to exempt certain activity regarding buildings constructed before 2009 from complying with energy conservation standards that otherwise would apply. Sponsored by: Councilman Bob Beers

Fiscal Impact

No Impact

Augmentation Required

Budget Funds Available

Amount:

Funding Source:

Dept./Division:

PURPOSE/BACKGROUND:

This bill will amend the City’s version of the Southern Nevada Amendments to the 2009 International Energy Conservation Code to exempt buildings constructed before 2009 from having to comply with energy conservation standards in the 2009 Code if the original construction of the building and subsequent modifications complied with corresponding standards that were in effect at the time of the construction or modification.

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. 2013-24
2. Business Impact Statement

1 **BILL NO. 2013-24**

2 **ORDINANCE NO. _____**

3 AN ORDINANCE TO AMEND THE CITY'S VERSION OF THE SOUTHERN NEVADA
4 AMENDMENTS TO THE 2009 INTERNATIONAL ENERGY CONSERVATION CODE TO
5 EXEMPT CERTAIN ACTIVITY REGARDING BUILDINGS CONSTRUCTED BEFORE 2009
6 FROM COMPLYING WITH ENERGY CONSERVATION STANDARDS THAT OTHERWISE
7 WOULD APPLY, AND TO PROVIDE FOR OTHER RELATED MATTERS.

6 Sponsored by: Councilman Bob Beers

Summary: Amends the City's version of the Southern Nevada Amendments to the 2009 International Energy Conservation Code to exempt certain activity regarding buildings constructed before 2009 from complying with energy conservation standards that otherwise would apply.

10 THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY ORDAIN
11 AS FOLLOWS:

12 SECTION 1: The document entitled "Southern Nevada Amendments to the 2009
13 International Energy Conservation Code," which was adopted by Ordinance No. 6144, is hereby
14 amended as set forth in Section 2 of this Ordinance.

15 SECTION 2: A new Section 101.4.3.1 is added to the "Southern Nevada Amendments
16 to the 2009 International Energy Conservation Code," reading as follows:

17 **101.4.3.1 Buildings Constructed Before 2009.** Notwithstanding any other provision of this
18 Code, the conversion of a building originally constructed before 2009, or any addition, alteration,
19 renovation or repair thereto, need not comply with the minimum energy conservation standards of the
20 2009 International Energy Conservation Code if the original construction of the building and any
21 subsequent addition, alteration, renovation or repair complied with any corresponding standards that
22 were in effect at the time of the original construction or the subsequent addition, alteration, renovation
23 or repair.

24 SECTION 3: If any section, subsection, subdivision, paragraph, sentence, clause or
25 phrase in this ordinance or any part thereof is for any reason held to be unconstitutional or invalid or
26 ineffective by any court of competent jurisdiction, such decision shall not affect the validity or
27 effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the
28 City of Las Vegas hereby declares that it would have passed each section, subsection, subdivision,

1 paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections,
2 subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional,
3 invalid or ineffective.

4 SECTION 4: All ordinances or parts of ordinances or sections, subsections, phrases,
5 sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada,
6 1983 Edition, in conflict herewith are hereby repealed.

7 PASSED, ADOPTED and APPROVED this _____ day of _____, 2013.

8 APPROVED:
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10 By CAROLYN G. GOODMAN, Mayor

11 ATTEST:
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13 BEVERLY K. BRIDGES, MMC
City Clerk

14 APPROVED AS TO FORM:
15 Val Steed 4-22-13
Date

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1 The above and foregoing ordinance was first proposed and read by title to the City Council on the
2 _____ day of _____, 2013, and referred to a committee for recommendation, the
3 committee being composed of the following members _____
4 _____; thereafter the said committee reported favorably on said ordinance on the
5 _____ day of _____, 2013, which was a _____ meeting of said
6 Council; that at said _____ meeting, the proposed ordinance was read by title
7 to the City Council as first introduced and adopted by the following vote:

8 VOTING "AYE": _____
9 VOTING "NAY": _____
10 ABSENT: _____

12 APPROVED:

14 By _____
CAROLYN G. GOODMAN, Mayor

15 ATTEST:
16 _____
17 BEVERLY K. BRIDGES, MMC
City Clerk

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BUSINESS IMPACT STATEMENT

BILL NO. 2013-24

(Amends the City's version of the Southern Nevada Amendments to the 2009 International Energy Conservation Code to exempt certain activity regarding buildings constructed before 2009 from complying with energy conservation standards that otherwise would apply)

This business impact statement was prepared pursuant to NRS 237.090 to address the impact of a proposed ordinance, Bill No. 2013-24, that would amend the City's version of the Southern Nevada Amendments to the 2009 International Energy Conservation Code to exempt certain activity regarding buildings constructed before 2009 from complying with energy conservation standards that otherwise would apply.

1. The following constitutes a description of the number of the manner in which comment was solicited from affected businesses, a summary of their responses and an explanation of the manner in which other interested persons may obtain a copy of the summary.

No comments were solicited from businesses. The proposal is not expected to have any negative impact on businesses

2. The estimated economic effect of the proposed rule on businesses, including, without limitation, both adverse and beneficial effects, and both direct and indirect effects:

Adverse effects:

None identified

Beneficial effects:

Potential benefit in terms of less costly renovations

Direct effects:

See above

Indirect effects:

None identified

3. The following constitutes a description of the methods the local government considered to reduce the impact of the proposed rule on businesses and a statement regarding whether any, and if so which, of these methods were used:

Not applicable

4. The governing body estimates the annual cost to the local government for enforcement of the proposed rule is:

No additional cost

5. If the proposed rule provides for a new fee or increases an existing fee, the total annual amount expected to be collected is:

Not applicable

6. If the proposed rule provides for a new fee or increases an existing fee, the money generated by the new fee or increase in existing fee will be used by the local government to:

Not applicable

7. If the proposed rule includes provisions that duplicate or are more stringent than federal, state or local standards regulating the same activity, the following explains when such duplicative or more stringent provisions are necessary:

Not applicable

Date: April 22, 2013

AGENDA SUMMARY PAGE
RECOMMENDING COMMITTEE MEETING OF: MAY 14, 2013

DEPARTMENT: CITY CLERK

DIRECTOR: BEVERLY K. BRIDGES

SUBJECT:

CITIZENS PARTICIPATION: PUBLIC COMMENT DURING THIS PORTION OF THE AGENDA MUST BE LIMITED TO MATTERS WITHIN THE JURISDICTION OF THE COMMITTEE. NO SUBJECT MAY BE ACTED UPON BY THE COMMITTEE UNLESS THAT SUBJECT IS ON THE AGENDA AND IS SCHEDULED FOR ACTION. IF YOU WISH TO BE HEARD, COME TO THE PODIUM AND GIVE YOUR NAME FOR THE RECORD. THE AMOUNT OF DISCUSSION ON ANY SINGLE SUBJECT, AS WELL AS THE AMOUNT OF TIME ANY SINGLE SPEAKER IS ALLOWED, MAY BE LIMITED



AGENDA SUMMARY PAGE
RECOMMENDING COMMITTEE MEETING OF: MAY 14, 2013

DEPARTMENT: CITY CLERK

DIRECTOR: BEVERLY K. BRIDGES

Consent Discussion

SUBJECT:
ADJOURNMENT

