

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
FEBRUARY 19, 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. 2013-5 - For Possible Action - Continues to authorize, on a temporary basis, the waiver of the origination charge for new urban lounge and tavern-limited licenses. Proposed by: Bradford R. Jerbic, City Attorney
4. Bill No. 2013-6 - For Possible Action - Revises the definition of "traffic signal system improvements" for purposes of LVMC Chapter 4.32, relating to the City's Traffic Signal Impact Fee Program. Proposed by: Jorge Cervantes, Director of Public Works
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.

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: FEBRUARY 19, 2013

DEPARTMENT: CITY CLERK

DIRECTOR: BEVERLY K. BRIDGES

SUBJECT:

CALL TO ORDER



AGENDA SUMMARY PAGE

RECOMMENDING COMMITTEE MEETING OF: FEBRUARY 19, 2013

DEPARTMENT: CITY CLERK

DIRECTOR: BEVERLY K. BRIDGES

SUBJECT:

ANNOUNCEMENT RE: COMPLIANCE WITH OPEN MEETING LAW



AGENDA SUMMARY PAGE

RECOMMENDING COMMITTEE MEETING OF: FEBRUARY 19, 2013

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐ Consent ☒ Discussion

SUBJECT:

Bill No. 2013-5 - For Possible Action - Continues to authorize, on a temporary basis, the waiver of the origination charge for new urban lounge and tavern-limited licenses. Proposed by: Bradford R. Jerbic, City Attorney

Fiscal Impact

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No Impact

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Augmentation Required

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Budget Funds Available

Amount:

Funding Source:

Dept./Division:

PURPOSE/BACKGROUND:

In February 2010 the City Council adopted an ordinance to authorize, on a temporary basis, the waiver of the origination charge for new urban lounge and tavern-limited licenses. The intent was to encourage the establishment of such operations in the downtown area. The Council extended that authorization by ordinance in 2011 and 2012. It has been proposed by means of this bill to authorize another one year extension.

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. 2013-5
2. Business Impact Statement

BILL NO. 2013-5

ORDINANCE NO. _____

AN ORDINANCE TO CONTINUE TO AUTHORIZE, ON A TEMPORARY BASIS, THE WAIVER OF THE ORIGINATION CHARGE FOR NEW URBAN LOUNGE AND TAVERN-LIMITED LICENSES, AND TO PROVIDE FOR OTHER RELATED MATTERS.

Proposed by: Bradford R. Jerbic, City Attorney

Summary: Continues to authorize, on a temporary basis, the waiver of the origination charge for new urban lounge and tavern-limited licenses.

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

SECTION 1: In February 2010, the City Council adopted Ordinance No. 6077, which authorized, on a temporary basis, the waiver of the origination charge for new urban lounge and tavern-limited licenses. The intent of that ordinance was to encourage new urban lounge and tavern-limited licenses within the City. In 2011 and 2012, by means of Ordinance Nos. 6132 and 6178, respectively, the City Council extended for another year in each case the effects of Ordinance No. 6077. The City Council desires again to extend for another year the effects of that ordinance for new applications. Therefore, the Department of Planning or its successor, in accordance with Section 2 of this Ordinance, may waive origination charges otherwise imposed by LVMC 6.50.380 for urban lounge and tavern-limited licenses.

SECTION 2: The waiver referred to in Section 1 of this Ordinance may be granted pursuant to a qualifying waiver application that is filed with the Department of Planning between the effective date of this Ordinance and one year thereafter. Any such waiver shall be conditioned upon activation of the business license within the following time periods after the submittal of a qualifying waiver application:

(A) One year, for a business to be located within an existing structure; or

(B) Two years, otherwise.

SECTION 3: Notwithstanding any provision of Title 6 of the Las Vegas Municipal Code to the contrary, a business license concerning which a waiver has been granted pursuant to this Ordinance and which has been activated:

- 1 (A) May not be sold or transferred to a third party; and
- 2 (B) May not be transferred to a new location unless the location is within the district
- 3 to which the license pertains, the location is approved in accordance with the requirements of Title
- 4 19, and the license holder remains the same.

5 SECTION 4: For purposes of Sections 2 and 3 of this Ordinance:

6 (A) “Activation of a business license” means that the license has been issued and

7 the business authorized by the license has opened for business operation.

8 (B) “Qualifying waiver application” means an application for waiver that is:

- 9 (1) Submitted in connection with a business license application; and
- 10 (2) Accompanied by a copy of an application for special use permit that has
- 11 been filed with the Department of Planning (or its successor) pursuant to Title 19 of the Las Vegas
- 12 Municipal Code.

13 SECTION 5: Nothing in this Ordinance shall be deemed to affect waiver applications

14 filed before the effective date of this Ordinance.

15 SECTION 6: If any section, subsection, subdivision, paragraph, sentence, clause or

16 phrase in this ordinance or any part thereof is for any reason held to be unconstitutional or invalid or

17 ineffective by any court of competent jurisdiction, such decision shall not affect the validity or

18 effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the

19 City of Las Vegas hereby declares that it would have passed each section, subsection, subdivision,

20 paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections,

21 subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional,

22 invalid or ineffective.

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SECTION 7: All ordinances or parts of ordinances or sections, subsections, phrases, sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, in conflict herewith are hereby repealed.

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

APPROVED:

By _____
CAROLYN G. GOODMAN, Mayor

ATTEST:

BEVERLY K. BRIDGES, MMC
City Clerk

APPROVED AS TO FORM:

Val Steed 1-23-13
Date

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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APPROVED:

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By _____
CAROLYN G. GOODMAN, Mayor

15 ATTEST:

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BEVERLY K. BRIDGES, MMC
City Clerk

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BUSINESS IMPACT STATEMENT

BILL NO. 2013-5

(Continues to authorize, on a temporary basis, the waiver of the origination charge for new urban lounge and tavern-limited licenses)

This business impact statement was prepared pursuant to NRS 237.090 to address the impact of a proposed ordinance, Bill No. 2013-5, that will continue to authorize, on a temporary basis, the waiver of the origination charge for new urban lounge and tavern-limited licenses.

1. The following constitutes a description 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.

Not applicable

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:

Not applicable

Beneficial effects:

Availability of waiver of origination charges

Direct effects:

Availability of waiver of origination charges

Indirect effects:

Not applicable

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:

Not applicable

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 why such duplicative or more stringent provisions are necessary:

Not applicable

Date: January 23, 2013

AGENDA SUMMARY PAGE

RECOMMENDING COMMITTEE MEETING OF: FEBRUARY 19, 2013

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐ Consent ☒ Discussion

SUBJECT:

Bill No. 2013-6 - For Possible Action - Revises the definition of “traffic signal system improvements” for purposes of LVMC Chapter 4.32, relating to the City’s Traffic Signal Impact Fee Program. Proposed by: Jorge Cervantes, Director of Public Works

Fiscal Impact

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No Impact

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Augmentation Required

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Budget Funds Available

Amount:

Funding Source:

Dept./Division:

PURPOSE/BACKGROUND:

This bill will revise the definition of “traffic signal system improvements” for purposes of LVMC Chapter 4.32, relating to the City’s Traffic Signal Impact Fee Program. The revised definition is clarifying in nature and doesn’t represent a substantive change.

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. 2013-6

BILL NO. 2013-6

ORDINANCE NO. _____

AN ORDINANCE TO REVISE THE DEFINITION OF "TRAFFIC SIGNAL SYSTEM IMPROVEMENTS" FOR PURPOSES OF LVMC CHAPTER 4.32, RELATING TO THE CITY'S TRAFFIC SIGNAL IMPACT FEE PROGRAM, AND TO PROVIDE FOR OTHER RELATED MATTERS.

Proposed by:
Jorge Cervantes, Director of Public Works

Summary: Revises the definition of "traffic signal system improvements" for purposes of LVMC Chapter 4.32, relating to the City's Traffic Signal Impact Fee Program.

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

SECTION 1: Title 4, Chapter 32, Section 40, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

4.32.040: For purposes of interpreting this Chapter, certain words used herein are defined as follows:

"Applicant" means the person applying for a building permit from the City.

"Impact Fee Administrator" or "Administrator" means the Director of Public Works or the Director's designee.

"Impact Fee" means the traffic signal impact fee authorized and imposed by this Chapter.

"Impact Fee CIP" means the 2009-2019 Capital Improvements Plan for Traffic Signal Impact Fees, as adopted by the City and as amended or replaced from time to time.

"Manual on Uniform Traffic Control Devices" means the manual of that name, in the version that has been adopted by the Nevada Department of Transportation pursuant to NRS 484.781 and Section 408.411 of the Nevada Administrative Code.

"Traffic signal system improvements" means the installation of traffic signals at intersections identified in the Impact Fee CIP as intersections for potential signalization or intersections where signals are under design or construction. Traffic signal system improvements also include intersection improvements in excess of minimum standards for a non-signalized intersection that represent partial completion of improvements needed for later signalization. [The components of a typical traffic signal

1 system improvement include without limitation] For purposes of this definition, the components of
2 a traffic signal system may include, but are not limited to, the following: four Type “L” or “M”
3 foundations (type dependent on mast arm length); four signal poles, either Type XX-A or Type XX-B,
4 with four hundred watt luminaries; four mast arms ranging from twenty-five to sixty-five feet long;
5 one controller foundation, one controller cabinet; one 2070 controller; one service pedestal; four street
6 name signs (internally illuminated); twelve M-2 signal head assemblies; four M-5 signal head
7 assemblies; four B-14T signal head assemblies; four B1-T signal head assemblies; eight pedestrian
8 signal head assemblies; eight audible/tactile pedestrian push buttons; one #7 traffic signal pull box;
9 five #5 traffic signal pull boxes; seven P-30 fiber optic interconnect pull boxes; one thousand two
10 hundred linear feet of three inches traffic signal conduit; two thousand seven hundred linear feet of
11 three inches to four inches interconnect conduit and fiber optic cable; a minimum of one fiber optic
12 splice enclosure; one self healing optical transceiver; one video detection processor with four cameras;
13 one emergency vehicle opticom preemption system; seven hundred linear feet of twenty-five
14 conductor signal cable; signage and polymer pavement markings; and one thousand two hundred
15 square feet of tack-on median island. The term “traffic signal system improvements” includes
16 improvements that are constructed in phases. For example, a six-lane road may be initially striped for
17 four lanes, with the initial signal improvements corresponding to four lanes subsequently being
18 upgraded to accommodate six lanes when the road is ultimately striped for six lanes.

19 SECTION 2: If any section, subsection, subdivision, paragraph, sentence, clause or
20 phrase in this ordinance or any part thereof is for any reason held to be unconstitutional or invalid or
21 ineffective by any court of competent jurisdiction, such decision shall not affect the validity or
22 effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the
23 City of Las Vegas hereby declares that it would have passed each section, subsection, subdivision,
24 paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections,
25 subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional,
26 invalid or ineffective.

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SECTION 3: All ordinances or parts of ordinances or sections, subsections, phrases, sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, in conflict herewith are hereby repealed.

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

APPROVED:

By _____
CAROLYN G. GOODMAN, Mayor

ATTEST:

BEVERLY K. BRIDGES, MMC
City Clerk

APPROVED AS TO FORM:

Val Steed 1-23-13
Date

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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APPROVED:

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By _____
CAROLYN G. GOODMAN, Mayor

15 ATTEST:

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BEVERLY K. BRIDGES, MMC
18 City Clerk

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AGENDA SUMMARY PAGE

RECOMMENDING COMMITTEE MEETING OF: FEBRUARY 19, 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: FEBRUARY 19, 2013

DEPARTMENT: CITY CLERK

DIRECTOR: BEVERLY K. BRIDGES

☐ Consent ☒ Discussion

SUBJECT:

ADJOURNMENT

