

City of Las Vegas

SPECIAL CITY COUNCIL
8th FLOOR CONFERENCE
400 EAST STEWART AVENUE
LAS VEGAS, NEVADA 89101
FRIDAY, MARCH 26, 1999
10:00 A.M.

CALL TO ORDER:

ANNOUNCEMENT RE: COMPLIANCE WITH OPEN MEETING LAW - THIS MEETING MAY BE CONDUCTED WITH MEMBERS OF THE COUNCIL VIA TELEPHONE CONFERENCE.

DEPARTMENT OF FINANCE & BUSINESS SERVICES - DISCUSSION

LIQUOR - New/Request for Temporary License

1. Discussion and possible action regarding a request for a new Temporary Package Liquor License. Smith's Food & Drug Centers, Inc. dba Smith's Food & Drug #347, 9851 West Charleston Boulevard, Kenneth Thrasher, Dir, EVP, Roger A. Cooke, Dir, SVP, Secy, Robert B. Diamond, VP, Treas, Mary Z. Hicks, Liquor Supervisor, Subject to the provisions of the planning and fire codes and Health Department regulations

GAMING - New/Request for Temporary License

2. Discussion and possible action regarding a request for a new Temporary Restricted Gaming License. Slot Operator Space Lease Location Restricted Gaming: 15 Slots, Anchor Coin db at Smith's Food & Drug #347, 9851 West Charleston Boulevard, Approved by the Nevada Gaming Commission on March 25, 1999

CITIZENS PARTICIPATION

ITEMS RAISED UNDER THIS PORTION OF THE AGENDA CANNOT BE DELIBERATED OR ACTED UPON UNTIL THE NOTICE PROVISIONS OF THE OPEN MEETING LAW HAVE BEEN MET. IF YOU WISH TO SPEAK ON A MATTER NOT LISTED ON THE AGENDA, PLEASE CLEARLY STATE YOUR NAME AND ADDRESS. IN CONSIDERATION OF OTHERS, AVOID REPETITION, AND LIMIT YOUR COMMENTS TO NO MORE THAN (3) MINUTES. TO ENSURE ALL PERSONS EQUAL OPPORTUNITY TO SPEAK, EACH SUBJECT MATTER WILL BE LIMITED TO (10) MINUTES.

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

Downtown Transportation Center, City Clerk's Board
Senior Citizen Center, 450 E. Bonanza Road
Clark County Government Center, 500 S. Grand Central Parkway
Court Clerk's Office Bulletin Board, City Hall Plaza
City Hall Plaza, Special Outside Posting Bulletin Board

AFFIDAVIT OF MAILING

(Mailing required under the provisions of NRS Chapter 241)

STATE OF NEVADA)
) ss
COUNTY OF CLARK)

Eva Cotton, an employee of the City of Las Vegas, Nevada being first duly sworn, deposes and says that on the **22nd** day of **March 1999**, a copy of NOTICE, the attached of which is a true and correct copy of the Public Hearing - re **Special City Council Meeting** to be held on the **26th** day of **March, 1999**, was deposited in the United States Mail, Postage prepaid, First Class Mail, to each person and/or organization whose name appears on the list maintained in the Office of the City Clerk.



SIGNATURE

City Clerk
DEPARTMENT

Subscribed and sworn to before me
this 22nd day of March, 1999.


NOTARY PUBLIC in and for
said County and State



AFFIDAVIT OF POSTING

(Posting required under the provisions of NRS Chapter 241)

STATE OF NEVADA)
) ss
 COUNTY OF CLARK)

Eva Cotton, an employee of the City of Las Vegas, Nevada being first duly sworn, depose and say that on the **23rd day of March 1999**, at the hour of **8:00 A.M.**, there were posted copies of a NOTICE, the attached of which is a true and correct copy of a **Special City Council Meeting** to be held on the **26th day of March, 1999, at 10:00 A.M. in City Hall, 8th Floor Conference Room, 400 E. Stewart Avenue, Las Vegas, Nevada;** to be posted on Public Bulletin Boards at the following locations:

1. *gpc* On the City Clerk's Bulletin Board at the Downtown Transportation Center;
2. *gpc* Senior Citizens Center, 450 E. Bonanza Road;
3. *gpc* On the Special Bulletin Board at the Plaza Level of City Hall, 400 E. Stewart Avenue (near the entrance to the Court Clerk's Office);
4. *gpc* On the Special Bulletin Board at the Plaza Level of City Hall, 400 E. Stewart Avenue (in the walkway area between Metro and Municipal Court).
5. *gpc* Clark County Government Center, 500 S. Grand Central Parkway (sent by fax to the County Manager's Office for posting).

[Signature]

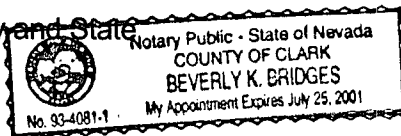
 SIGNATURE

City Clerk

 DEPARTMENT

Subscribed and sworn to before me
 this 22nd day of March, 1999.

[Signature]
 NOTARY PUBLIC in and for said County and State



Memorandum

City of Las Vegas Office of the City Attorney

To: Barbara Jo Ronemus, City Clerk

From: Councilman Michael McDonald
Councilman Gary Reese

CC: Mayor Jan Lavery Jones
Councilman Arnie Adamsen
Councilman Larry Brown
Virginia Valentine, City Manager
Bradford R. Jerbic, City Attorney

Date: March 19, 1999

Re: Special Council Meeting Regarding Liquor License for Smiths' Food King

Pursuant to the City Charter, Councilman Michael McDonald and Councilman Gary Reese hereby call for a special meeting of the Las Vegas City Council to be held on Friday, March 26, 1999, at a time to be determined by the City Clerk, for the purpose of discussing and taking possible action to approve a liquor license and/or temporary liquor license for Smiths' Food King. All backup materials will be supplied by the Department of Finance and Business Services.

:/BRJ/ph

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RECEIVED
CITY CLERK
1999 MAR 22 A 10:17

CITY COUNCIL

SPECIAL MEETING OF

MARCH 26, 1999

10:00 A.M.

*City of Las Vegas***AGENDA & MINUTES**

Page 1

8th FLOOR CONFERENCE ROOM 400 E STEWART AVE**ITEM****ACTION**

I. CALL TO ORDER

ANNOUNCEMENT MADE.

**ANNOUNCEMENT RE: COMPLIANCE WITH
OPEN MEETING LAW**PRESENT: MAYOR PRO TEM McDONALD and
COUNCILMEN ADAMSEN and REESENOTE: COUNCILMEN ADAMSEN and REESE participated
via telephone conference.

EXCUSED: MAYOR JONES and COUNCILMAN BROWN

Also Present: DEPUTY CITY MANAGER STEVEN
HOUCHENS, CITY ATTORNEY BRAD JERBIC, and CITY
CLERK BARBARA JO RONEMUSANNOUNCEMENT MADE - Meeting noticed and posted at the
following locations:Downtown Transportation Center, City Clerk's Board
Senior Citizens Center, 450 E. Bonanza Road
Clark County Government Center, 500 S. Grand Central Pkwy
Court Clerk's Bulletin Board, City Hall
City Hall Plaza, Posting Board

(10:12)

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CITY COUNCIL

SPECIAL MEETING OF

MARCH 26, 1999

10:00 A.M.

*City of Las Vegas***AGENDA & MINUTES**

Page 2

8th FLOOR CONFERENCE ROOM 400 E STEWART AVE**ITEM****ACTION****DEPARTMENT OF FINANCE & BUSINESS SERVICES - DISCUSSION**LIQUOR - New/Request for Temporary License

Discussion and possible action regarding a request for a new Temporary Package Liquor License.

1

SMITH'S FOOD & DRUG CENTERS, INC.
dba
SMITH'S FOOD & DRUG #347
9851 West Charleston Boulevard

Kenneth Thrasher, Dir, EVP
Roger A. Cooke, Dir, SVP, Secy
Robert B. Dimond, VP, Treas
Mary Z. Hicks, Liquor Supervisor

Subject to the provisions of the planning and fire codes and Health Department regulations

GAMING - New/Request for Temporary License

Discussion and possible action regarding a request for a new Temporary Restricted Gaming License.

SLOT OPERATOR SPACE LEASE LOCATION
RESTRICTED GAMING: 15 Slots

2

ANCHOR COIN
db at
SMITH'S FOOD & DRUG #347
9851 West Charleston Boulevard

Approved by the Nevada Gaming Commission on March 25, 1999

McDONALD - APPROVED Temporary Package Liquor License - UNANIMOUS with Jones and Brown excused

The applicant was not present.

JIM DiFIORE, Finance & Business Services, explained the request was made because the grand opening for the Smith's Food King is planned prior to the first Council meeting in April. Metro has an incomplete report but the applicant meets the criteria for a temporary license since an investigation was completed in May 1998 and received a favorable police report at that time. He recommended approval of the temporary license at this time.

COUNCILMAN REESE requested that the store location be put on record. MAYOR PRO TEM McDONALD identified the location as 9851 West Charleston Boulevard.

There were no questions and no further discussion.

(10:12 - 10:14)

1 - 8

McDONALD - APPROVED Temporary Restricted Gaming License - UNANIMOUS with Jones and Brown excused

The applicant was not present.

JIM DiFIORE, Finance & Business Services, advised that the applicant was approved 3/25/99 at the Nevada Gaming Commission for a limited license through September 1999. He recommended, under the same circumstances, a temporary gaming license following that same time frame.

There were no questions and no further discussion.

(10:14 - 10:15)

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CITY COUNCIL

MEETING OF

March 26, 1999

AGENDA DOCUMENTATION

TO:

City CouncilFROM: **MARK R. VINCENT, DIRECTOR****DEPT. OF FINANCE & BUSINESS SERVICES**SUBJECT: **LIQUOR - New/Request for Temporary License****PURPOSE/BACKGROUND**

Appearing on the Department of Finance & Business Services portion of the agenda is an application for temporary approval of a new package liquor license submitted by Smith's Food & Drug Center, Inc. dba. Smith's Food & Drug #347, 9851 West Charleston Boulevard.

The applicant is requesting approval of a temporary license as provided by LVMC 6.02.070(E) as amended July 13, 1998. This subsection was amended to read as follows:

..."The provisions of this Section authorizing the issuance of a temporary business license do not apply to any business subject to the provisions of Chapter 6.06 of this Title or to any business which requires formal approval by the City Council unless:

...(2) All principals required to be approved for suitability have submitted a complete investigation packet for determination of suitability and paid all applicable investigative fees;

(3) The Director makes a preliminary finding that all of the principals of the business are suitable; and

(4) The City Council approves the issuance of a temporary business license."

The principals of Smith's Food & Drug Centers, Inc. submitted all of the required documentation and paid all applicable fees for investigation on January 29, 1999. These principals were investigated and approved for suitability by the Board of Clark County Commissioners for a package license for the Smith's Food & Drug Center located at 2385 East Windmill in May 1998. In the event the Special Investigations Section, Las Vegas Metropolitan Police Department, should develop an area of concern with this principal this item will be brought back before the Council for appropriate action.

FISCAL IMPACT**RECOMMENDATIONS**

Agenda Item

1

**Smith's Food & Drug Centers, Inc.**

1550 South Redwood Rd., Salt Lake City, Utah 84104 • P.O. Box 30550, Salt Lake City, Utah 84130
Telephone (801) 974-1400

February 11, 1999

**CITY OF LAS VEGAS
LIQUOR LICENSING DIVISION**

Re: Smith's Food & Drug Centers, Inc. -- Authorized Officers

TO WHOM IT MAY CONCERN:

Smith's Food & Drug Centers, Inc. ("Smith's") hereby requests the following for purposes of pursuing and maintaining liquor licensing in Las Vegas:

1. Please accept Roger Cooke, Ken Thrasher and Robert Dimond as authorized officers for Smith's. Messrs. Cooke, Thrasher and Dimond have been approved by you, all required personal information has been submitted for each of them, and the Metro Police Department has previously investigated them.
2. Please remove Peter Barth as an authorized officer for Smith's. Mr. Barth is overseeing Smith's Human Resources Department and is not as actively involved in the business operations of the Company's stores.
3. In place of Mr. Barth, we would like to add Abel Porter, Smith's President and CEO, as an authorized officer. In connection with this request, we ask that we be allowed to submit the required personal information for Mr. Porter, including his Personal History Application, as soon as we have finished compiling those materials.

If you have any questions regarding the above requests or need additional information, please contact Jan Brown at (801) 974-1511. We appreciate your consideration of the foregoing and await approval at your earliest opportunity.

Very truly yours,

SMITH'S FOOD & DRUG CENTERS, INC.

Robert B. Dimond

Vice President of Administration

RBD:st

cc: Abel Porter
Wade Williams
Jan Brown

CITY COUNCIL

MEETING OF

March 26, 1999

AGENDA DOCUMENTATION

TO:

City CouncilFROM: **MARK R. VINCENT, DIRECTOR****DEPT. OF FINANCE & BUSINESS SERVICES****SUBJECT: GAMING - New/Request for Temporary License****PURPOSE/BACKGROUND**

Appearing on the Department of Finance & Business Services portion of the agenda is an application for a temporary restricted gaming license, 15 slots, submitted by Anchor Coin db at Smith's Food & Drug #347, 9851 West Charleston Boulevard. This application was recommended for approval by the Gaming Control Board on March 11, 1999 and is scheduled for final action by the Nevada Gaming Commission on March 25, 1999.

The applicant is requesting approval of a temporary license as provided by LVMC 6.02.070(E) as amended July 13, 1998. This subsection was amended to read as follows:

..."The provisions of this Section authorizing the issuance of a temporary business license do not apply to any business subject to the provisions of Chapter 6.06 of this Title or to any business which requires formal approval by the City Council unless:

...(2) All principals required to be approved for suitability have submitted a complete investigation packet for determination of suitability and paid all applicable investigative fees;

(3) The Director makes a preliminary finding that all of the principals of the business are suitable; and

(4) The City Council approves the issuance of a temporary business license."

Restricted gaming is incidental to the primary business and the City Council is hearing the application for Smith's Food & Drug Centers, Inc. on this same agenda.

FISCAL IMPACT**RECOMMENDATIONS**

Agenda Item

2



Date: March 22, 1999

No. of Pages, Including Cover: 1

To: Mr. Eddie Raines
Las Vegas City Business License
Fax: (702) 382-6642

From: John Horstdaniel
Phone: (702) 896-7568 Fax: (702) 896-6221

Dear Mr. Raines:

I understand that there may be a special City Council meeting on March 24, 1999, or near that date, to consider Smith's #347 for a temporary liquor license.

If the meeting does occur, I would request to be heard at the same time for a temporary gaming license.

I have been approved by the Nevada Gaming Control Board, and will appear before the Gaming Commission this Thursday, March 25, 1999, for final approval.

Should this matter be heard and approved by the City Council, Smith's 347 and Anchor will be able to open as planned on April 7, 1999, with off-sale liquor and gaming.

Respectfully,

John D. Horstdaniel
Route Operations Manager

CITY COUNCIL

SPECIAL MEETING OF

MARCH 26, 1999

10:00 A.M.

*City of Las Vegas***AGENDA & MINUTES**

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8th FLOOR CONFERENCE ROOM 400 E STEWART AVE

ITEM

ACTION

XI. CITIZENS PARTICIPATION

Items raised under this portion of the City Council Agenda cannot be deliberated or acted upon until the notice provisions of the Open Meeting Law have been met. If you wish to speak on a matter not listed on the agenda, please step up to the podium and clearly state your name and address. In consideration of others, avoid repetition, and limit your comments to no more than three (3) minutes. To ensure all persons equal opportunity to speak, each subject matter will be limited to ten (10) minutes.

None.

(10:15)

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MEETING ADJOURNED at 10:15 A.M. (1 - 84)