

# City of Las Vegas

S.V.

RECOMMENDING COMMITTEE MEETING  
CITY HALL, 400 STEWART  
CITY MANAGER'S CONFERENCE ROOM  
CITY OF LAS VEGAS INTERNET ADDRESS: <http://www.ci.las-vegas.nv.us>  
MONDAY, NOVEMBER 15, 1999  
4:00 P.M.

CALL TO ORDER:

ANNOUNCEMENT RE: COMPLIANCE WITH OPEN MEETING LAW

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.

THE FOLLOWING BILLS MAY BE ELIGIBLE FOR ADOPTION AT THE 12/1/99 CITY COUNCIL MEETING.

1. **Bill No. 99-62** - Eliminates the ability to obtain a waiver of the minimum 400-foot distance requirements applicable to a liquor establishment (off-premise consumption). Sponsored by: Councilman Gary Reese  
Committee: Councilmen Larry Brown and Michael McDonald
2. **Bill No. 99-63** - Amends the Zoning Code to set forth the circumstances in which child care group homes are permitted in the R-CL and R-PD zoning districts. Sponsored by: Councilman Larry Brown  
Committee: Councilmen Larry Brown and Michael McDonald
3. **Bill No. 99-64** - Annexation No. A-42-99(A) - Property Located: At the northeast corner of Gilmore Avenue and Tee Pee Lane; Petitioned by: Clark County School District, Acreage: Approximately 10.31 acres; Zoned: R-E (County Zoning), U (ML) (City Equivalent). Sponsored by: Councilman Larry Brown  
Committee: Councilmen Larry Brown and Michael McDonald

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 THREE (3) MINUTES. TO ENSURE ALL PERSONS EQUAL OPPORTUNITY TO SPEAK, EACH SUBJECT MATTER WILL BE LIMITED TO TEN (10) MINUTES.

ALL INTERESTED PERSONS ARE INVITED TO ATTEND: A tape recording of all the proceedings will be kept on file in the Office of the City Clerk until final disposition is made. Copies of the above Bills may be obtained through the Office of the City Clerk, Monday through Friday, 8:00. to 5:00 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.

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

Downtown Transportation Center, City Clerk's Board  
Senior Citizens Center, 450 E. Bonanza  
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

SV  
SM





Tom/Reed's Committee - 4th Nov 15th '99 (8th Plr) (Brown/McDonnell)

Item #11 - TM. 720 - I RECOMMEND ADOPTION - THANK YOU.

Item #12 TM. 720 ... I recommend ALL CITY CAREGIVER HOUSES BE SUBJECT TO AUDIT, ACCOUNTING AND STRICT INVESTIGATION OF THE BACKGROUND, RESUME, CRITERIA COMPLIANCE QUALIFICATIONS AND MORAL AND CRIMINAL RECORD OF ALL STAFF PERSONS, INCLUSIVELY. - THANK YOU.

Tom McGowan, 720 So. Casino Center Blvd. --

(PK)

(\*) THE SOLE EVALUATIVE PURPOSE OF PUBLIC GOVERNMENT IS TO SERVE THE GENUINE BEST PUBLIC INTEREST INCLUSIVELY, ABOVE ALL SUB-TENDING LIMITED INTERESTS.

THEREAS, THE AGENDA-ITEMIZED 'APPOINTMENTS' PROCESS SCHEDULED FOR WED. 17 NOV., '99, WILL HAVE RAMIFICATIONS RANGING WELL BEYOND THE APPOINTMENTS PROCESS, PER SE, AND WHICH WILL BE OF PROFOUND SIGNIFICANCE AND ENDURING IMPACTIVE CONSEQUENCE UPON BOTH THE ELECTION PROCESS AND THE APPOINTMENTS PROCESS, ~~AND~~ AND MAY CREATE THE FIRST POTENTIAL 'MINORITY/MAJORITY' CITY COUNCIL IN THE HISTORY -- OF THE ~~CITY~~ CITY OF LAS VEGAS AND THE STATE OF NEVADA.

THEREAS, IN THE ABSENCE OR ABSTENTION OF TWO (2) NON-MINORITY COUNCIL MEMBERS, THREE (3) APPOINTED MEMBERS WHO HAVE NEVER BEEN ELECTED TO ANY PUBLIC OFFICE WILL BE AUTHORIZED AND EMPOWERED TO FORMULATE AND DIRECT PUBLIC POLICY FOR THIS CITY AND EVERYBODY IN IT.

PUBLIC COMMENT AS WELL AS PUBLIC OPINION IS ADVISORY-ONLY AND NON-DIRECTIVE OF THE ACTIONS OF THE CITY COUNCIL, ... WHICH IS STATUTORILY MANDATED AS THE ONLY ENTITY AUTHORIZED AND EMPOWERED TO DISCHARGE THE DUTIES AND RESPONSIBILITIES OF THE APPOINTMENTS PROCESS, - NOTWITHSTANDING PUBLIC OPINION, PUBLIC COMMENT OR PUBLIC DEMONSTRATIONS BY MEETING-ATTENDANT MEMBERS OF THE PUBLIC, ... OR BIASED REPORTING BY LOCAL NEWS-MEDIA FUNCTIONARIES, EDITORS AND PUBLISHERS, ... TO ANY EXTENT INTENDED AS PERSUASIVE OF THE VOTE OF ANY COUNCIL MEMBER AS EITHER SUPPORTIVE OF OR OPPOSED TO ANY SPECIFIC APPOINTMENT(S) CANDIDATE(S).

HOWEVER, IT IS IMPORTANT TO RECOGNIZE, ... THE RANGE OF POSSIBLE STRATEGIC ALTERNATIVES IS NOT NECESSARILY LIMITED, AND MEANS: ...

- THE STOP-TO-CONQUER OPTION MAY BE A VIABLE ALTERNATIVE!! ...
- IT'S EASY TO TAKE CANDY FROM A BABY, ... OR OUTMANEUVER A RELATIVE 'NEOPHYTE' (!) ...
- BUT IT TAKES A MAN TO EXHIBIT THE INTESTINAL FORTITUDE, THE WISDOM AND THE INTEGRITY TO TH SUBORDINATE THE LIMITED INTEREST IN DEFERENCE TO THE GENUINE BEST PUBLIC INTEREST.

AND, AS ANY EXPERIENCED LOW-ENFORCEMENT OFFICER KNOWS, ... THE SECRET OF 'POWER' IS NOT IN USING IT, - BUT IN NOT HAVING TO USE IT!!

(INDEPENDENTLY)

THEREFORE, AS YOU PREPARE TO CAST THE MOST IMPORTANT VOTE IN YOUR ENTIRE LIFE, ... STEEL YOURSELVES TO DO THE RIGHT THING - BE SURE IN THE REALIZATION THAT: "IN MY FATHER'S HOUSE THERE ARE MANY MANSIONS," - - AND WHAT INITIALLY MAY APPEAR TO BE THE 'BEST' ALTERNATIVE, MAY NOT BE THE 'BEST' ONE. AFTER ALL (!) ... .. THANK YOU.

RECOMMENDING COMMITTEE MEETING MINUTES  
CITY HALL, 400 EAST STEWART AVENUE  
8<sup>TH</sup> FLOOR CONFERENCE ROOM  
MONDAY, NOVEMBER 15, 1999  
4 00 P.M.

**ATTENDANCE:**

Councilman Larry Brown  
Councilman Michael J McDonald

**ALSO PRESENT:**

Doug Selby, Deputy City Manager  
Val Steed, Chief Deputy of Governmental Affairs  
Tim Chow, Director, Planning and Development

**CALL TO ORDER:**

Councilman McDonald called the meeting to order at 4:09 p.m.

**ANNOUNCEMENT MADE:**

Meeting noticed and posted at the following locations.

Downtown Transportation Center, City Clerk's Board  
Senior Citizens Center, 450 E. Bonanza  
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

1. **Bill No. 99-62 - ELIMINATES THE ABILITY TO OBTAIN A WAIVER OF THE MINIMUM 400-FOOT DISTANCE REQUIREMENTS APPLICABLE TO A LIQUOR ESTABLISHMENT (OFF-PREMISE CONSUMPTION).** Sponsored by. Councilman Gary Reese

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Committee: Councilmen Larry Brown and Michael McDonald

Greg Borgel, Mendenhall Moreno and Associates, appeared representing Sharon Haberfeld regarding an application, as well as other applications, that might be affected by the subject Bill. He asked if applications in process as of the adoption date would be heard in the ordinary course, considered on their merits, and not precluded by the adoption of the ordinance. Mr. Steed indicated that ordinarily zoning ordinance amendments do not include any language that would allow a choice. He advised that if the Committee wishes to protect applications that are currently in process, then a section could be added with the Committee's recommendation.

Councilman Brown noted that an application that would require a waiver for property located at Tenaya Way and Alexander Road was submitted by a developer that has been very considerate of the neighbors. He would not like to stop that development because there has been a lot of cooperation with the neighborhood or because of a technicality.

Mr. Steed recommended a provision stating that applications currently on file as of the effective date would be treated under the previous rule. Mr. Borgel hoped that the effective date would not be before December 1, 1999, so that current applications can go through the entire process. Councilman Brown indicated that the intent is to give consideration to those applications that are currently in the process.

Tom McGowan, 720 South Casino Center Boulevard, recommended adoption.

Attorney Scott Eaton, Lionel Sawyer, and Collins, indicated he represents several clients that have several concerns because they would be affected by the subject ordinance. Obviously, the ordinance is consistent with City policy concerning certain areas that are inappropriate for liquor and gaming licenses. However, removal of the Council's discretion regarding this type of matter would definitely discourage economic development and redevelopment in certain areas. He preferred that the City Council maintain discretion in these type of matters. If the intent is to further discourage liquor establishments from being near public-use facilities, such as a school, then the waiver prohibition should apply to those cases only, but everything else should be within the Council's discretion.

Councilman Brown was concerned about how the subject Bill would apply to liquor businesses in the Fremont Street Experience, the Neonopolis, and Town Center. Mr. Steed indicated that the Bill would also apply to those areas, unless language is added to make exceptions for those areas, such as was done with taverns.

Councilman Brown felt the matter should be held to the next Recommending Committee meeting.

NOTE: Councilman Brown directed Mr. Chow to look into unintentional consequences to get a better idea of what direction to take, especially in regards to the Neonopolis and Town Center developments, where liquor establishments are almost being encouraged to be concentrated within 400 feet of each other in certain areas.

There was no further discussion

**Councilman Brown recommended Bill No. 99-62 be held in ABEYANCE to the 11-30-99 Recommending Committee meeting. Councilman McDonald concurred.**

(4:10 - 4:18)

1-9

2. **Bill No. 99-63 - AMENDS THE ZONING CODE TO SET FORTH THE CIRCUMSTANCES IN WHICH CHILD CARE GROUP HOMES ARE PERMITTED IN THE R-CL AND R-PD ZONING DISTRICTS. Sponsored by: Councilman Larry Brown**  
Committee: Councilmen Larry Brown and Michael McDonald

Mr. Steed stated the subject Bill recognizes that in the past R-CL zoning prohibited child care homes. The intent is to allow child care on single-family residential lots in R-CL and

R-PD zoning, as long as certain standards are met. Likewise, the Bill allows staff discretion regarding certain uses in R-PD zoning, by Special Use Permit

Tom McGowan, 720 South Casino Center Boulevard, recommended that all child care group homes be subjected to complete investigation of all staff persons.

No one appeared in opposition.

There was no further discussion.

**Councilman Brown recommended Bill No. 99-63 be forwarded to the Full Council with a "Do Pass" recommendation. Councilman McDonald concurred.**

(4:18 - 4:20)

**1-266**

3. **Bill No. 99-64 - ANNEXATION NO A-42-99(A) - PROPERTY LOCATED: AT THE NORTHEAST CORNER OF GILMORE AVENUE AND TEE PEE LANE, PETITIONED BY: CLARK COUNTY SCHOOL DISTRICT; ACREAGE. APPROXIMATELY 10.31 ACRES, ZONED. R-E (COUNTY ZONING), U (ML) (CITY EQUIVALENT). Sponsored by: Councilman Larry Brown**

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Committee Councilmen Larry Brown and Michael McDonald

Mr. Steed stated the subject Bill is in order

No one appeared in opposition.

There was no discussion

**Councilman Brown recommended Bill No. 99-64 be forwarded to the Full Council with a "Do Pass" recommendation. Councilman McDonald concurred.**

(4:20 - 4:21)

**1-321**

CITIZENS PARTICIPATION.

Tom McGowan, 720 South Casino Center Boulevard, submitted verbatim comments (made part of these minutes) of regarding his concerns and recommendations regarding the appointment of the two new Councilmen on 11/17/99

(4:21 - 4:24)

**1-345**

ADJOURNMENT:

The meeting adjourned at 4:24 p.m.

/gpb