

S.V.

City of Las Vegas

RECOMMENDING COMMITTEE MEETING
CITY HALL, 400 STEWART AVENUE
CITY MANAGER'S EIGHTH FLOOR CONFERENCE ROOM
CITY OF LAS VEGAS INTERNET ADDRESS: www.lasvegasnevada.gov
JANUARY 19, 2010
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.

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 2010-1 -- Authorizes, on a temporary basis, the waiver of the origination charge for new urban lounge and tavern-limited licenses Sponsored by Mayor Oscar B. Goodman
4. Bill No 2010-2 -- Eliminates the sewer service rate increase otherwise effective in 2010, and provides for the establishment of a Senior Citizen Sewer Charge Rebate Program in lieu of the current hardship determination pertaining to sewer charge increases Sponsored by Councilman Steven D. Ross
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 Friday, 8.00 A.M 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:
City Clerk's Bulletin Board, City Hall Plaza, 2nd Floor Skybridge
Bulletin Board, City Hall Plaza, (next door to Metro Records)
Las Vegas Library, 833 Las Vegas Boulevard North
Clark County Government Center, 500 S Grand Central Parkway
Grant Sawyer Building, 555 E. Washington Avenue

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AGENDA SUMMARY PAGE
RECOMMENDING COMMITTEE MEETING OF: JANUARY 19, 2010

DEPARTMENT: CITY CLERK
DIRECTOR: BEVERLY K. BRIDGES

SUBJECT:
CALL TO ORDER

Minutes:
COUNCILMAN BARLOW called the meeting to order at 9:06 a.m.

PRESENT: COUNCILMEN BARLOW and ANTHONY

Also Present: DEPUTY CITY MANAGER JIM NICHOLS, DEPUTY CITY ATTORNEY VAL STEED and CITY CLERK BEVERLY K. BRIDGES



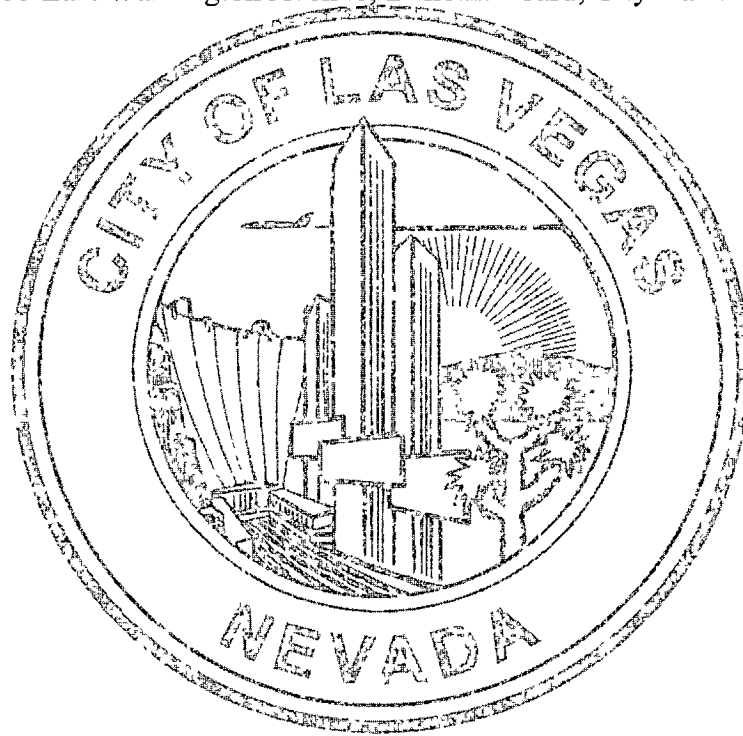
AGENDA SUMMARY PAGE
RECOMMENDING COMMITTEE MEETING OF: JANUARY 19, 2010

DEPARTMENT: CITY CLERK
DIRECTOR: BEVERLY K. BRIDGES

SUBJECT:
ANNOUNCEMENT RE: COMPLIANCE WITH OPEN MEETING LAW

Minutes:

ANNOUNCEMENT MADE - Meeting noticed and posted at the following locations: City Clerk's Bulletin Board, City Hall Plaza, 2nd Floor Skybridge; Clark County Government Center, 500 South Grand Central Parkway; Las Vegas Library, 833 Las Vegas Boulevard North; Grant Sawyer Building, 555 East Washington Avenue; Bulletin Board, City Hall Plaza (next to Metro Records)



AGENDA SUMMARY PAGE

RECOMMENDING COMMITTEE MEETING OF: JANUARY 19, 2010

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

Consent Discussion

SUBJECT:

Bill No 2010-1 – Authorizes, on a temporary basis, the waiver of the origination charge for new urban lounge and tavern-limited licenses. Sponsored by: Mayor Oscar B. Goodman

Fiscal Impact

No Impact

Augmentation Required

Budget Funds Available

Amount:

Funding Source:

Dept./Division:

PURPOSE/BACKGROUND:

This bill will authorize, for a period of one year, the waiver of the origination charge for new urban lounge and tavern-limited licenses. The availability of the waiver is intended to encourage and facilitate the establishment of these uses in the downtown area. The bill sets forth the requirements and limitations applicable to a waiver application and the approval thereof

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 2010-1
2. Business Impact Statement

Motion made by STAVROS S. ANTHONY to Approve as-Do Pass

Passed For: 2; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

RICKI Y BARLOW, STAVROS S. ANTHONY; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-None)

Minutes:

COUNCILMAN BARLOW declared the Public Hearing open.

DAVID BRATCHER, Major Projects Development Manager, Office of Business Development, indicated that this tavern-limited licenses within the Entertainment District. The tavern-limited license has an origination fee of \$20,000, and the urban lounge has an origination fee of \$50,000. These are temporary waivers in an effort to stimulate development in both the Arts District and Entertainment District. These licenses will still have the normal fees associated with the license application process. For the first six months, total fees for the Arts District would be

RECOMMENDING COMMITTEE MEETING OF: JANUARY 19, 2010

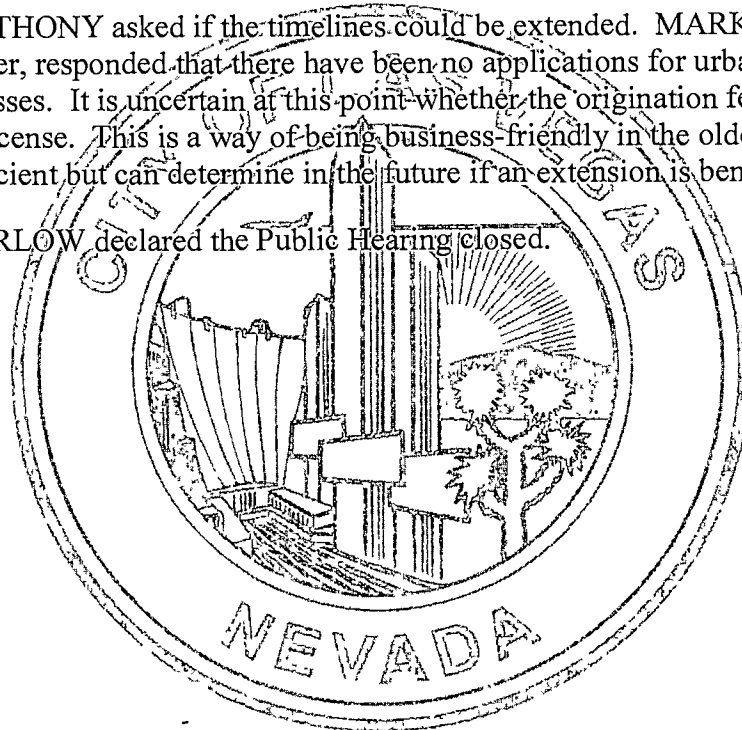
approximately \$2,700 and \$2,250 for the Entertainment District. The origination fee waiver can only be applied once and there would be a two-year timeframe to apply for a new structure and one year for an existing structure, should the bill be adopted by the City Council.

MR. BRATCHER discussed with COUNCILMAN BARLOW the application process and pointed out that the applicant would need to apply for a special use permit, as a temporary license is not allowed for this type of waiver request. The waiver cannot be transferred to another business or sold, as it remains with the license holder.

COUNCILMAN ANTHONY questioned the reason for the one and two-year timelines. MR. BRATCHER replied that the two-year timeline is for new construction. The timeline for existing structures is one-year as it did not seem fair imposing a two-year timeline.

COUNCILMAN ANTHONY asked if the timelines could be extended. MARK VINCENT, Chief Financial Officer, responded that there have been no applications for urban lounges and tavern-limited businesses. It is uncertain at this point whether the origination fee is a deterrent from applying for a license. This is a way of being business-friendly in the older districts. Staff feels one year is sufficient but can determine in the future if an extension is beneficial.

COUNCILMAN BARLOW declared the Public Hearing closed.



1 **BILL NO. 2010-1**

2 **ORDINANCE NO. _____**

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

5 Sponsored by: Mayor Oscar B. Goodman

6 Summary: Authorizes, on a temporary basis, the
7 waiver of the origination charge for new urban
lounge and tavern-limited licenses.

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

10 SECTION 1: In order to encourage new urban lounge and tavern-limited licenses
11 within the districts to which they pertain, the Department of Finance and Business Services, in
12 accordance with Section 2 of this Ordinance, may waive the origination charge otherwise imposed by
13 LVMC 6.50.380 and Ordinance Nos. 6047 and 6071.

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

- 19 (A) One year, for a business to be located within an existing structure; or
20 (B) Two years, otherwise.

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

- 24 (A) May not be sold or transferred to a third party; and
25 (B) May not be transferred to a new location unless the location is within the district
26 to which the license pertains, the location is approved in accordance with the requirements of Title
27 19, and the license holder remains the same.

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

1 (A) "Activation of a business license" means that the license has been issued and
2 the business authorized by the license has opened for business operation.

3 (B) "Qualifying waiver application" means an application for waiver that is:
4 (1) Submitted in connection with a business license application; and
5 (2) Accompanied by a copy of an application for special use permit that has
6 been filed with the Planning and Development Department pursuant to Title 19 of the Las Vegas
7 Municipal Code.

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

16 SECTION 6: All ordinances or parts of ordinances or sections, subsections, phrases,
17 sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada,
18 1983 Edition, in conflict herewith are hereby repealed.

19 PASSED, ADOPTED and APPROVED this ____ day of _____, 2010.

20 APPROVED:
21 By _____
22 OSCAR B. GOODMAN, Mayor

23 ATTEST:
24 _____
25 BEVERLY K. BRIDGES, MMC
City Clerk

26 APPROVED AS TO FORM:
27 Val Hood 12-17-09
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 _____, 2010, and referred to the following committee composed of
3 _____ and _____ for recommendation;
4 thereafter the said committee reported favorably on said ordinance on the _____ day of
5 _____, 2010, which was a _____ meeting of said Council; that at said
6 _____ meeting, the proposed ordinance was read by title to the City Council
7 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 _____
OSCAR B. GOODMAN, Mayor

15 ATTEST:

16 _____
17 BEVERLY K. BRIDGES, MMC
City Clerk

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BUSINESS IMPACT STATEMENT

BILL NO. 2010-1

**(Authorizes, 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. 2010-1, that would 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 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.

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:

None

Beneficial effects:

Availability of waiver of origination charges

Direct effects:

Availability of waiver of origination charges

Indirect effects:

None

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: December 17, 2009

AGENDA SUMMARY PAGE
RECOMMENDING COMMITTEE MEETING OF: JANUARY 19, 2010

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

Consent Discussion

SUBJECT:

Bill No. 2010-2 – Eliminates the sewer service rate increase otherwise effective in 2010, and provides for the establishment of a Senior Citizen Sewer Charge Rebate Program in lieu of the current hardship determination pertaining to sewer charge increases. Sponsored by: Councilman Steven D. Ross

Fiscal Impact

No Impact

Augmentation Required

Budget Funds Available

Amount: \$1,993,000

Funding Source: Sanitation EF

Dept./Division: Public Works

PURPOSE/BACKGROUND:

This bill will eliminate the annual sewer service rate increase otherwise effective in 2010, providing relief for sewer customers. NOTE: The approximate fiscal impact will be as stated above, representing reduction in revenue. The bill will also establish a new sewer rebate program for senior citizens in lieu of the current hardship determination pertaining to sewer charge increases. The new rebate program is intended to be more effective and user-friendly than the current process

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. 2010-2
2. Business Impact Statement

Motion made by STAVROS S. ANTHONY to Approve as Do Pass

Passed For: 2; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

RICKI Y. BARLOW, STAVROS S. ANTHONY; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-None)

Minutes:

COUNCILMAN BARLOW declared the Public Hearing open.

RECOMMENDING COMMITTEE MEETING OF: JANUARY 19, 2010

MARK VINCENT, Chief Financial Officer, explained that the proposed bill would suspend the annual sewer rate increase for the year, and potentially pick up again next year, unless it is extended. In addition, a rebate hardship program would be established and is intended to be more effective and user-friendly than the current process. That in itself will increase the potential for the total rebate and reach more potential applicants.

COUNCILMAN BARLOW verified with MR. VINCENT that the rebate program pertains to single-family owner-occupied residences. Another bill will be coming forward that would pertain to apartments and condominiums.

COUNCILMAN BARLOW declared the Public Hearing closed.



1 **BILL NO. 2010-2**

2 **ORDINANCE NO. _____**

3 AN ORDINANCE RELATING TO SEWER SERVICE CHARGES; ELIMINATING THE ANNUAL
4 SEWER SERVICE RATE INCREASE OTHERWISE EFFECTIVE IN 2010; PROVIDING FOR
5 THE ESTABLISHMENT OF A SENIOR CITIZEN SEWER CHARGE REBATE PROGRAM IN
LIEU OF THE CURRENT HARDSHIP DETERMINATION PERTAINING TO SEWER CHARGE
INCREASES; AND PROVIDING FOR OTHER RELATED MATTERS.

6 Sponsored by: Councilman Steven D. Ross

Summary: Eliminates the annual sewer service rate increase otherwise effective in 2010 and provides for the establishment of a Senior Citizen Sewer Charge Rebate Program in lieu of the current hardship determination pertaining to sewer charge increases.

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10 THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY ORDAIN

11 AS FOLLOWS:

12 SECTION 1: Title 14, Chapter 4, Section 30, of the Municipal Code of the City of
13 Las Vegas, Nevada, 1983 Edition, is hereby repealed in its entirety.

14 SECTION 2: Title 14, Chapter 4, of the Municipal Code of the City of Las Vegas,
15 Nevada, 1983 Edition, is hereby amended by adding thereto two new sections, designated as Sections
16 30 and 40, reading respectively as follows:

17 **14.04.030:** (A) The annual charge rate per ERU for a particular user shall be as set forth below
18 (which includes the five percent assessment fee pursuant to Section 14.04.130):

19

User	Annual charge per ERU through December 31, 2010
Domestic Strength	\$228.98
High Strength Users:	
Bottlers	\$323.65
Dairies	\$300.09
Restaurants with garbage grinders	\$431.54
Laundries	\$302.67

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26 (B) An annual seven dollar surcharge per ERU shall be assessed to a particular user
27 in addition to the charge rate set forth in Subsection (A) of this Section, which shall be due and
28 payable at the same time and under the same terms and conditions as set forth in this Chapter for

1 payment of the charge rate.

2 (C) The charge rate per ERU set forth in Subsection (A) of this Section shall be
3 increased by the Director of Finance and Business Services on the first day of January, 2011, and
4 annually thereafter, in an amount equal to the annual charge rate of the preceding fiscal year,
5 multiplied by the lesser of five percent or the average percentage for the preceding five years of
6 increase in the Consumer Price Index for All Urban Consumers for All Items, U.S. City Average
7 (1967=100) that is published by the Bureau of Labor Statistics, United States Department of Labor.

8 **14.04.040:** (A) The City shall establish a program by which a rebate of twenty percent of the
9 annual sewer charge rate calculated pursuant to Section 14.04.030 may be issued to the owner of a
10 single family dwelling who qualifies under this Section.

11 (B) A person qualifies for a rebate under this Section if he or she:

12 (1) Is an owner and occupant of the dwelling and has paid the annual sewer
13 charge for the dwelling; and

14 (2) In accordance with Subsection (C) of this Section, meets the eligibility
15 criteria for the rebate and successfully completes an application for rebate.

16 (C) To the extent feasible, eligibility for the rebate shall be determined (and
17 applications processed) in accordance with the provisions of Sections 6.67.120 to 6.67.160, inclusive,
18 relating to public utility surcharge refunds. The City may make such adaptations as deemed necessary
19 to fit the rebate program.

20 (D) No more than one rebate may be issued for any particular dwelling in a given
21 year.

22 SECTION 3: This Ordinance shall become effective the day following its publication,
23 but shall be deemed effective as of January 1, 2010.

24 SECTION 4: 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 5. 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 _____, 2010.

8 APPROVED:

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10 By OSCAR B. GOODMAN, Mayor

11 ATTEST:

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13 BEVERLY K. BRIDGES, MMC
14 City Clerk

15 APPROVED AS TO FORM:

16 Valsteel 12-21-09
17 Date

1 The above and foregoing ordinance was first proposed and read by title to the City Council on the
2 _____ day of _____, 2010, and referred to the following committee composed of
3 _____ and _____ for recommendation;
4 thereafter the said committee reported favorably on said ordinance on the _____ day of
5 _____, 2010, which was a _____ meeting of said Council; that at said
6 _____ meeting, the proposed ordinance was read by title to the City Council
7 as first introduced and adopted by the following vote:

8 VOTING "AYE": _____

9 VOTING "NAY": _____

10 ABSENT: _____

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APPROVED:

By _____
OSCAR B. GOODMAN, Mayor

ATTEST:

BEVERLY K. BRIDGES, MMC
City Clerk

**BUSINESS IMPACT STATEMENT
BILL NO. 2010-2**

(Eliminates the annual sewer service rate increase otherwise effective in 2010, and provides for the establishment of a Senior Citizen Sewer Charge Rebate Program in lieu of the current hardship determination pertaining to sewer charge increases)

This business impact statement was prepared pursuant to NRS 237.090 to address the impact of a proposed ordinance, Bill No. 2010-2, that would eliminate the annual sewer service rate increase otherwise effective in 2010, and provide for the establishment of a Senior Citizen Sewer Charge Rebate Program in lieu of the current hardship determination pertaining to sewer charge increases.

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.

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:

None

Beneficial effects:

Relief from 2010 CPI increase in sewer rates

Direct effects:

Relief from 2010 CPI increase in sewer rates

Indirect effects:

None

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: December 21, 2009

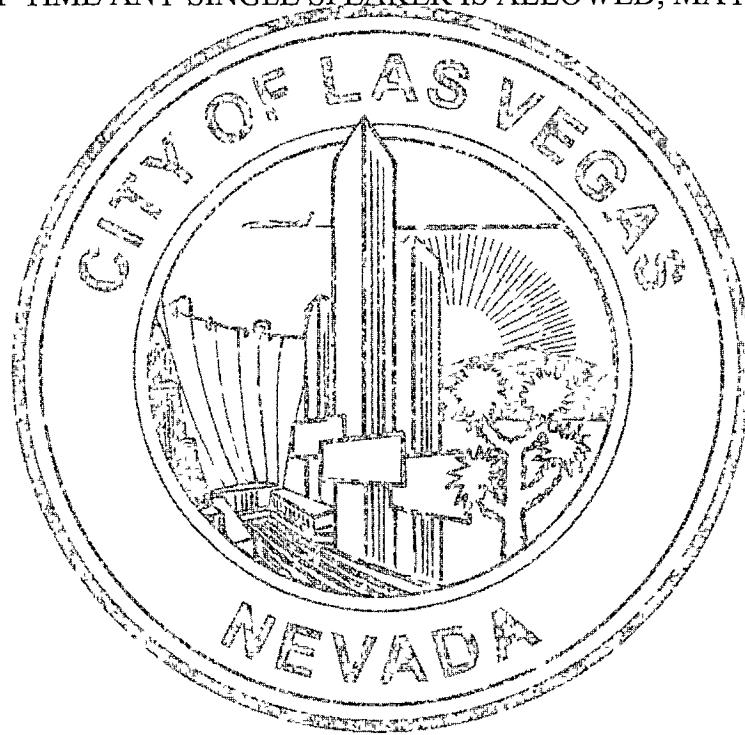
AGENDA SUMMARY PAGE
RECOMMENDING COMMITTEE MEETING OF: JANUARY 19, 2010

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

Minutes:
None.



AGENDA SUMMARY PAGE
RECOMMENDING COMMITTEE MEETING OF: JANUARY 19, 2010

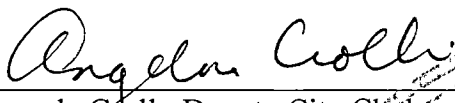
DEPARTMENT: CITY CLERK
DIRECTOR: BEVERLY K. BRIDGES

Consent Discussion

SUBJECT:
ADJOURNMENT

Minutes
The meeting was adjourned at 9:17 a.m.

Respectfully submitted,



Angela Colli, Deputy City Clerk
January 19, 2010

