

**ANNOTATED AGENDA
RECOMMENDING COMMITTEE MEETING
CITY HALL, 400 EAST STEWART AVENUE
10TH FLOOR, CITY MANAGER'S CONFERENCE ROOM
4:00 P.M.
MAY 17, 1993**

CALL TO ORDER: Mayor Jones called the meeting to order at 4:05 p.m. in the City Manager's Conference Room, 10th Floor, City Hall, 400 East Stewart Avenue, Las Vegas, Nevada.

ATTENDANCE: Mayor Jan Jones
Councilman Arnie Adamsen
Councilman Scott Higginson
Councilman Frank Hawkins Jr.
Bradford Jerbic, City Attorney
Larry Bettis, Deputy City Attorney
Larry Barton, Deputy City Manager for
Community Services
John Tucker, Director of Building & Safety
Norman Standerfer, Director of Community Planning
and Development
John Schlegel, Deputy Director of Community
Planning and Development
Kay Scherer, Public Information Officer

EXCUSED: Councilman Bob Nolen

NEW BUSINESS:

1. BILL NO. 93-16 - ESTABLISHES IN EACH CITY WARD A CITIZEN ADVISORY BOARD VESTED WITH THE AUTHORITY TO MEET IN OPEN MEETINGS ON A REGULAR BASIS IN ACCORDANCE WITH A POSTED AGENDA FOR THE PURPOSE OF GATHERING COMMUNITY INFORMATION ON MATTERS OF IMPORTANCE TO THE CITY WARD FOR USE BY THE MAYOR AND COUNCILMEMBER ELECTED TO REPRESENT THE CITY WARD.
Committee: Full Council

COUNCILMAN ADAMSEN asked that this Bill be heard after the last Bill on this agenda hoping Councilman Nolen would be able to attend the meeting by that time.

(4:40)

MAYOR JONES introduced this Bill after Bill No. 93-18.

COUNCILMAN HAWKINS referred to Page 1, Subsection 2, stating he thought it would be better to have 3 members appointed by the Councilman for that Ward, 1 member appointed by the Mayor and 1 member appointed by the entire City Council. He was also concerned as to how members would be removed from the Board. Thirdly, usually appointees' terms expire when their Council member's term expires. Under Fiscal Impact it says there is not going to be a cost, but he felt there would be a cost. However, he is in favor of this Bill because it would get more constituents involved in the community.

COUNCILMAN ADAMSEN said with the current amount of interest in the community he sees an awakening in civic issues. There is a certain

segment of the population that cannot attend City meetings that are held in the daytime because the people are at work. An evening meeting in a central location within the Ward would allow for greater participation.

COUNCILMAN HIGGINSON pointed out that the five members on the Board may feel one way about an issue and he may get twenty telephone calls from constituents who feel another way about an issue. He felt the members role on the Board is not advisory, but just for the Councilman to take their input.

CITY ATTORNEY JERBIC said the Board would just make recommendations, but not take any action.

COUNCILMAN HIGGINSON asked who would create the agendas for the Board meetings. He felt the Councilman should have the responsibility of what is on the agenda.

CITY ATTORNEY JERBIC said the Board would create its own agendas. Each Councilman could make suggestions as to what would be on the agenda, but would not have any control over the agenda.

COUNCILMAN HAWKINS hoped the Board issues would be placed on the City Council agenda to make the Council aware of what is going on in the entire city. He created the Neighborhood Advisory Board so it could do some things within his Ward.

MAYOR JONES felt the Citizens Advisory Board should be made aware of issues that have come before the City Council members.

The Recommending Committee members agreed an item could be placed on the Advisory Board agenda by any member of that Board or a Council member.

COUNCILMAN HIGGINSON asked about City staff attending the Citizens Advisory Board meetings which comprise four meetings a month.

CITY ATTORNEY JERBIC said overtime work is a provision in the Union Contract.

COUNCILMAN HIGGINSON thought on Page 2, Line 22, the by-laws should be the same for each Ward, which everyone agreed would be appropriate.

CITY ATTORNEY JERBIC said the by-laws could be Robert's Rules of Order. There is a clause in the Bill that says the members serve at the pleasure of the appointed authority and may be appointed to a two year term, but may be removed with thirty days notice by either not attending 75% of the meetings or giving thirty days notice to a member of that Board. There are several other statutes for removal of members on Boards.

COUNCILMAN ADAMSEN suggested these meetings could be advertised in some way, such as on Channel 31, to eliminate large mailings.

COMMITTEE decided to leave the way the Citizens Advisory Board members are appointed in the Bill as three by the Mayor and two by the Council member in that Ward. The terms of the members are to expire when the

Councilman's term expires.

TOM MCGOWAN was in favor of this Bill. He read a statement pertaining to this Bill which is made a part of these minutes.

DEPUTY CITY MANAGER BARTON said there are requirements involved in these meetings such as legal postings, mailings, recording, etc. Staff's responsibilities have not been identified.

COMMITTEE recommended ADOPTION of Bill No. 93-16 at the 6/2/93 City Council meeting as per First Amendment.

(4:40 - 5:15)

2. BILL NO. 93-17 - ADOPTS COMPREHENSIVE REGULATIONS PERTAINING TO SIGNS

COUNCILMAN ADAMSEN indicated that the Ordinance dealing with all kinds of signs required some legal clean-up and increases in Building Code regulations to make the Ordinance compatible. This Bill has been in the process for two years and now has a significant number of changes dealing with bootleg signs reclassified to weekend directional signs, fee schedules on a per sign basis for weekend directional and subdivision signs to be used for enforcement. Initially two full-time positions will be necessary to enforce the number of signs, distance requirements and hours of exposure from 6:00 p.m. Fridays to 6:00 a.m. Mondays. A healthy fine would be imposed on signs not removed by 6:00 a.m. Mondays. A provision for developers who fail to remove signs after a series of four notices would include a possible City issued stop-work order. As proposed, this Bill represents a compromise between sign businesses and the public.

CITY ATTORNEY JERBIC outlined the First Amendment issues to be addressed dealing with possible preferences regarding different types of speech and concerns regarding new definitions for different types of signs. Because of these changes, the Building Code changes and this Ordinance would need to be implemented at the same time. Many other smaller items have been raised and he recommended tabling this Bill until those items have been resolved and to thereafter allow for input from the advertising industry.

COUNCILMAN ADAMSEN introduced members of the Sign Committee for their input.

MAYOR JONES asked if this Bill would have a positive impact on people who live here and business. She expressed some concerns about adopting an Ordinance because of the two years it has taken rather than because it accomplished the goals.

MIKE PERRAH, 7716 Blackbird, expressed concern that the Bill has been under discussion for two years and is now being referred back to the City Attorney's Office after having been in that office for five months. He urged that it be dealt with in a timely manner and addressed as a priority.

CITY ATTORNEY JERBIC commented that attorney involvement can hamper

progress of a committee and that review at the end of a project means that only the problem areas are addressed, which is more time effective. It should be about one month before it is put back on the agenda.

COUNCILMAN ADAMSEN asked the time line involved with the Building Code changes.

JOHN TUCKER, Director of Building & Safety, stated that would be before the Council next week.

DON KRUEGER, Donrey Outdoor Advertising Company, 1211 Bonanza, outlined concerns that the Bill reviewed did not provide a clear permit fee schedule. It sets out that the fee is to establish funding for enforcement. Traditionally, outdoor advertisers follow the rules which everyone else ignores. Enforcement is in the industry's best interest but the draft does not include specific amounts or ranges. The second concern raised included a different fee structure with a renewal occurrence as discussed in committee. One of his sign applications was limited to a two-year review period. Tying a fee to renewal period would be unfairly imposed. Therefore, a flat fee would be better on an annual basis due the first of January every year. That might also generate more money more frequently for the City's benefit.

MAYOR JONES stated the Bill continues with the use of Special Use Permits and did not address proliferation of home builders' signs.

COUNCILMAN ADAMSEN confirmed with Mr. Krueger that the industry supported the enforcement aspects and was willing to pay the assessments per sign, per square footage, to fund that enforcement as being in the industry's best interests.

DON KRUEGER added that they were willing to pay their fair share of taxes and fees.

COUNCILMAN ADAMSEN asked how much was being paid for signs now.

DON KRUEGER explained that there is no fee and most municipalities do not charge an annual fee.

MAYOR JONES asked if numbers had been run in terms of estimated revenues from the fees and if one person could do the job.

JOHN SCHLEGEL replied that that had not been done because there was no basis on which to project figures.

MAYOR JONES asked for assurance that the fees would fund the two full-time positions necessary for enforcement.

COUNCILMAN HIGGINSON confirmed with Mr. Standerfer and Mr. Tucker that one of these positions would be in the Department of Community Planning and Development and the other in the Code Enforcement Division of Building and Safety, but were included in the budget proposals for this year.

DEPUTY CITY MANAGER BARTON explained that as a position funded by an Enterprise Fund, it could be included in the Final Budget at any time.

MIKE PERRAH indicated that his 20 years experience told him that it would take two people to bring the situation under control and thereafter one person could do the job.

TOM MCGOWAN, 720 S. Casino Center Boulevard, No. 5, noted concern that Councilman Nolen was not present at this meeting, leaving his Ward unrepresented. He agreed that enforcement would take more than one person.

COUNCILMAN ADAMSEN said there is a problem with bootleg signs (directional signs left up permanently) and subdivision signs where there are no regulations and an occasional outdoor sign where they infringe on residents' lifestyles. Funding needs to be found for enforcement personnel. Developers say 50% of their traffic in a subdivision comes from signs. In this valley there are approximately 225 subdivisions.

COUNCILMAN HIGGINSON noted that on Page 23, Line 18, there is a requirement to post a \$4,000,000 liability insurance bond. He felt that was excessive.

JOHN SCHLEGEL said that figure was worked out with the Sign Industry.

MAYOR JONES recommended this Bill be tabled for approximately thirty days for further review.

(4:07 - 4:35)

3. BILL NO. 93-18 - PERMITS GROUP INSTRUCTION AT PHYSICIAN'S OFFICES IN THE P-R ZONING DISTRICT.

Committee: Councilmen Adamsen and Higginson

COUNCILMAN ADAMSEN said the current P-R Ordinance prohibits any group instruction in Physician's Offices. There have been requests from constituents who offer in-office parenting classes, counseling, etc., and wanted the restriction eased. Staff did not have a problem as long as there was sufficient parking.

There was no one present in opposition.

COUNCILMAN HIGGINSON asked who would be verifying there is sufficient parking.

MR. STANDERFER said his office checks the parking situation on all their permits.

COMMITTEE recommended "DO PASS" of Bill No. 93-18 at the 6/2/93 City Council meeting.

(4:35 - 4:36)
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CITIZENS PARTICIPATION:

TOM MCGOWAN, 720 South Casino Center Boulevard, No. 5, said he would be attending the Tentative Budget meeting on May 18, 1993 to give his input.

(5:15)

ADJOURNMENT:

The meeting adjourned at 5:15 p.m.

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