

RESOLUTION NO. R-20-2014

A RESOLUTION RELATING TO A TOURISM IMPROVEMENT DISTRICT IN THE CITY OF LAS VEGAS; AND PROVIDING OTHER MATTERS PROPERLY RELATED THERETO.

WHEREAS, the City Council (the "City Council") of the City of Las Vegas, Nevada (the "City"), in the State of Nevada (the "State") desires to consider adopting an ordinance pursuant to NRS 271A.070 creating a Tourism Improvement District (the "TID" or "District") as further described as parcels adjacent to Grand Central Parkway and Bonneville Avenue (APNs 139-34-110-005, -007 to -009, 139-34-110-010, 139-34-211-002, 139-33-511-008, 139-33-610-025, -027, 139-33-699-003 and 139-33-710-005); and

WHEREAS, NRS 271A.080 provides as follows:

"NRS 271A.080. The governing body of a municipality shall not adopt an ordinance pursuant to NRS 271A.070 unless:

1. If the ordinance:

(a) Creates a district, the governing body has determined that no retailers will have maintained or will be maintaining a fixed place of business within the district on or within the 120 days immediately preceding the date of the adoption of the ordinance; or

(b) Amends the boundaries of the district to add any additional area, the governing body has determined that no retailers will have maintained or will be maintaining a fixed place of business within that area on or within 120 days immediately preceding the date of the adoption of the ordinance.

2. The governing body has made a written finding at a public hearing that the project will benefit the district.

3. The governing body has made a written finding at a public hearing, based upon reports from independent consultants which were addressed to the governing body and to the board of county commissioners, if the governing body is not the board of county commissioners for the county in which the tourism improvement district is or will be located, as to whether the project and the financing thereof pursuant to this chapter will have a positive fiscal effect on the provision of local governmental services, after considering:

(a) The amount of the proceeds of all taxes and other governmental revenue projected to be received as a result of the properties and businesses expected to be located in the district;

(b) The use of any money proposed to be pledged pursuant to NRS 271A.070;

(c) Any increase in costs for the provision of local governmental services, including, without limitation, services for education, including operational and capital costs, and services for police protection and fire protection, as a result of the project and the development of land within the district; and

(d) Estimates of any increases in the proceeds from sales and use taxes collected by retailers located outside of the district and of any displacement of the proceeds from sales and use taxes collected by those retailers, as a result of the properties and businesses expected to be located in the district.

↳ The reports required from independent consultants pursuant to this subsection must be obtained from independent consultants selected by the governing body from a list of independent consultants provided by the Commission on Tourism. For the purposes of this subsection, the Commission shall, upon the request of a governing body, provide the governing body with a list of at least three qualified independent consultants, each of whom must be located outside of this State.

4. If the governing body is not the board of county commissioners for the county in which the tourism improvement district is or will be located, the governing body has, at least 45 days before making the written finding required by subsection 3, provided to the board of county commissioners in the county in which the tourism improvement district is or will be located:

- (a) Written notice of the time and place of the meeting at which the governing body will consider making that written finding; and
- (b) Each analysis prepared by or for or presented to the governing body regarding the fiscal effect of the project and the use of any money proposed to be pledged pursuant to NRS 271A.070 on the provision of local governmental services.

➔ After the receipt of the notice required by this subsection and before the date of the meeting at which the governing body will consider making the written finding required by subsection 3, the board of county commissioners may conduct a hearing regarding the fiscal effect on local governmental services, if any, of the project and the use of any money proposed to be pledged pursuant to NRS 271A.070, and may submit to the governing body of the municipality any comments regarding that fiscal effect. The governing body may consider those comments when making any written finding pursuant to subsection 3 and shall consider those comments when considering the terms of any agreement pursuant to NRS 271A.110.

5. The governing body has determined, at a public hearing conducted at least 15 days after providing notice of the hearing by publication, that:

- (a) As a result of the project:
 - (1) Retailers will locate their businesses as such in the district; and
 - (2) There will be a substantial increase in the proceeds from sales and use taxes remitted by retailers with regard to tangible personal property sold at retail, or stored, used or otherwise consumed, in the district; and
- (b) A preponderance of that increase in the proceeds from sales and use taxes will be attributable to transactions with tourists who are not residents of this State.

6. The Commission on Tourism has determined, at a public hearing conducted at least 15 days after providing notice of the hearing by publication, that a preponderance of the increase in the proceeds from sales and use taxes identified pursuant to subsection 5 will be attributable to transactions with tourists who are not residents of this State.

7. If any property within the boundaries of the district is also included within the boundaries of any other tourism improvement district or any improvement district for which any money has been pledged pursuant to NRS 271.650, all of the governing bodies which created those districts have entered into an interlocal agreement providing for:

- (a) The apportionment of any money pledged pursuant to NRS 271.650 and 271A.070 with respect to such property; and
- (b) The priority of the application of that money between:
 - (1) Bonds issued pursuant to chapter 271 of NRS; and
 - (2) Bonds and notes issued, and agreements entered into, pursuant to NRS 271A.120.

➔ Any such agreement for the priority of the application of that money may be made irrevocable during the term of any bonds issued pursuant to chapter 271 of NRS to which all or any portion of that money is pledged, or during the term of any bonds or notes issued or any agreements entered into pursuant to NRS 271A.120 to which all or any portion of that money is pledged."

; and

WHEREAS, NRS 360.855 provides as follows:

"1. The State Controller, acting upon the collection data furnished by the Department, shall remit to the governing body of a municipality that adopts an ordinance pursuant to NRS 271A.070, in the manner provided pursuant to an agreement made pursuant to NRS 271A.100:

- (a) From the State General Fund the amount of money pledged pursuant to the ordinance in accordance with subparagraph (1) of paragraph (c) of subsection 1 of NRS 271A.070, which amount is hereby appropriated for that purpose; and
- (b) From the Sales and Use Tax Account in the State General Fund the amount of the proceeds pledged pursuant to the ordinance in accordance with subparagraphs (2) and (3) of paragraph (c) of subsection 1 of NRS 271A.070.

2. Except as otherwise provided in subsection 3, the governing body of a municipality that adopts an ordinance pursuant to NRS 271A.070 shall at the end of each fiscal year remit to the State Controller any amount received pursuant to this section in excess of the amount required to make payments due during that fiscal year of the principal of, interest on, and other payments or security-related costs with respect to, any bonds or notes issued pursuant to NRS 271A.120 and payments due during that fiscal year under any agreements made pursuant to NRS 271A.120. The State Controller

shall deposit any money received from a governing body of a municipality pursuant to this subsection in the appropriate account in the State General Fund for distribution and use as if the money had not been pledged by an ordinance adopted pursuant to NRS 271A.070, in the following order of priority:

(a) First, to the credit of the county school district fund for the county in which the improvement district is located to the extent that the money would have been transferred to that fund, if not for the pledge of the money pursuant to that ordinance, pursuant to paragraph (e) of subsection 3 of NRS 374.785 for the fiscal year in which the State Controller receives the money;

(b) Second, to the State General Fund to the extent that the money would not have been appropriated, if not for the pledge of the money pursuant to that ordinance, pursuant to paragraph (a) of subsection 1 for the fiscal year in which the State Controller receives the money; and

(c) Third, to the credit of any other funds and accounts to which the money would have been distributed, if not for the pledge of the money pursuant to that ordinance, for the fiscal year in which the State Controller receives the money.

3. The provisions of subsection 2 do not require a governing body to remit to the State Controller any money received pursuant to this section and expended for the purpose of prepaying, defeasing or otherwise retiring all or a portion of any bonds or notes issued pursuant to NRS 271A.120 or of prepaying amounts due under any agreements entered into pursuant to NRS 271A.120, or any combination thereof, with respect to a tourism improvement district if that use of the money has been:

(a) Authorized by the governing body in the ordinance creating the district pursuant to NRS 271A.070, or in an amendment thereto; and

(b) Approved by the governing body and the Commission on Tourism in the manner required to satisfy the requirements of subsections 5 and 6 of NRS 271A.080,

→ and after the provision of notice to and an opportunity to make comments by the board of county commissioners of the county in which the tourism improvement district is located in accordance with subsection 4 of NRS 271A.080.

4. The Nevada Tax Commission may adopt such regulations as it deems appropriate to ensure the proper collection and distribution of any money pledged by an ordinance adopted pursuant to NRS 271A.070."

; and

WHEREAS, the City desires to consider approving and authorizing and to seek approval of the use of money received pursuant to subsection 1 of NRS 360.855 that is not needed to make payments due during a fiscal year of the principal of, interest on, and other payments or security-related costs with respect to, any bonds or notes issued pursuant to NRS 271A.120 and payments due during that fiscal year under any agreements made pursuant to NRS 271A.120 for the purpose of prepaying, defeasing or otherwise retiring all or a portion of any bonds or notes issued pursuant to NRS 271A.120 or of prepaying amounts due under any agreements entered into pursuant to NRS 271A.120, or any combination thereof, with respect to the TID; and

WHEREAS, the City desires to select an independent consultant selected by the governing body from a list of independent consultants provided by the Commission on Tourism for the purposes of providing a report or reports for the Council to consider (i) making the findings specified in Subsections 2, 3 and 6 of NRS 271A.080, and (ii) approving the use of monies pursuant to paragraph (a) of Subsection 3 of NRS 360.855.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LAS VEGAS, NEVADA:

Section 1. The officers of the City be, and they hereby are, authorized and directed to take all action necessary or appropriate to effectuate the provisions of this Resolution.

Section 2. All resolutions, or parts thereof, in conflict herewith are hereby repealed to the extent only of such inconsistency. This repealer shall not be constructed to revive any resolution or part of any resolution heretofore repealed.

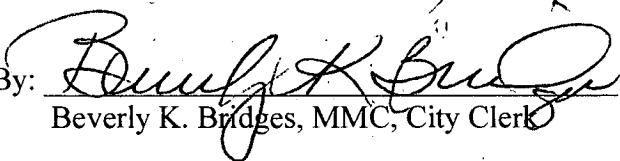
Section 3. If any section, paragraph, clause, or provision of this Resolution shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause, or provision shall in no way affect any remaining provisions of this Resolution.

Section 4. This Resolution shall take effect immediately upon its passage and adoption.

PASSED, ADOPTED AND APPROVED this ~~May 21, 2014~~ June 4, 2014.

By: 
Carolyn G. Goodman, Mayor

Attest:

By: 
Beverly K. Bridges, MMC, City Clerk

Approved as to form:

By: Val Steed 5-12-14
City Attorney

- (i) City Hall
495 S. Main Street
Las Vegas, Nevada
- (ii) City of Las Vegas
333 N. Rancho Drive
Las Vegas, Nevada
- (iii) Clark County Government Center
500 S. Grand Central Parkway
Las Vegas, Nevada
- (iv) Grant Sawyer Building
555 E. Washington Avenue
Las Vegas, Nevada
- (v) The City of Las Vegas website

and

(b) Prior to 9:00 a.m. at least 3 working days before such meeting, such notice was mailed to each person, if any, who has requested notices of meetings of the Council in compliance with NRS 241.020(3)(b) by United States Mail, or if feasible and agreed to by the requestor, by electronic mail.

5. Upon request, the Council provides at no charge, at least one copy of the agenda for its public meetings, any proposed ordinance or regulation which will be discussed at the public meeting, and any other supporting materials provided to the Council for an item on the agenda, except for certain confidential materials and materials pertaining to closed meetings, as provided by law.

6. A copy of such notice so given of the meeting of the Council on June 4, 2014 is attached to this certificate as Exhibit A.

IN WITNESS WHEREOF, I have hereunto set my hand on this June 4, 2014.


By: 
Beverly K. Bridges, MMC, City Clerk

EXHIBIT A

(Attach Copy of Notice of Meeting)



CITY COUNCIL AGENDA

COUNCIL CHAMBERS · 495 SOUTH MAIN STREET · PHONE 229-6011

CITY OF LAS VEGAS INTERNET ADDRESS: www.lasvegasnevada.gov

COUNCIL MEMBERS: CAROLYN G. GOODMAN, MAYOR (At-Large)

COUNCILMAN STAVROS S. ANTHONY, MAYOR PRO TEM (Ward 4)

LOIS TARKANIAN (Ward 1), STEVEN D. ROSS (Ward 6), RICKI Y. BARLOW (Ward 5)

BOB COFFIN (Ward 3), BOB BEERS, (Ward 2)

Facilities are provided throughout City Hall for convenience of persons with disabilities. For meetings held in the Council Chambers, sound equipment is available for persons with hearing impairments. 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. Dial 7-1-1 for Relay Nevada.

June 4, 2014

Session begins at 9:00 a.m.

Note: There will be no break between morning and afternoon items for this meeting.

ITEMS LISTED ON THE AGENDA MAY BE TAKEN OUT OF THE 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. BACKUP MATERIAL FOR THIS AGENDA MAY BE OBTAINED FROM BEVERLY K. BRIDGES, CITY CLERK, AT THE CITY CLERK'S OFFICE AT 495 SOUTH MAIN STREET, 2ND FLOOR OR ON THE CITY'S WEBPAGE AT www.lasvegasnevada.gov.

THE MAYOR AND CITY COUNCIL WELCOME YOUR ATTENDANCE, PUBLIC COMMENT RELATED TO THE ITEMS ON THE AGENDA AND CITIZEN PARTICIPATION ON ITEMS UNDER THE JURISDICTION OF THE CITY COUNCIL AT THIS MEETING. IF YOU WISH TO SPEAK, WE RESPECTFULLY ASK YOU TO COMPLETE AND SUBMIT A SPEAKER CARD TO THE CITY CLERK. CARDS ARE AVAILABLE ONLINE, IN THE CLERK'S OFFICE OR AT THE FRONT OF THE CHAMBERS AS YOU ENTER.

THESE PROCEEDINGS ARE BEING VIDEO RECORDED AS WELL AS PRESENTED LIVE ON KCLV, CABLE CHANNEL 2, AND ARE CLOSED CAPTIONED FOR OUR HEARING IMPAIRED VIEWERS. PLEASE NOTE CUSTOMERS OF CENTURYLINK CAN VIEW THIS PROGRAM IN HIGH DEFINITION ON CHANNEL 1002, AND SOME CUSTOMERS OF COX COMMUNICATIONS WHO DO NOT HAVE A CABLE BOX CAN VIEW THIS MEETING ON DIGITAL CHANNEL 89.5. THE COUNCIL MEETING, AS WELL AS ALL OTHER KCLV PROGRAMMING, CAN BE VIEWED ON THE INTERNET AT www.lasvegasnevada.gov. THE PROCEEDINGS WILL BE REBROADCAST ON KCLV CHANNEL 2 AND THE WEB THE WEDNESDAY OF THE MEETING AT 8:00 PM, AND ALSO ON FRIDAY AT 4:00 AM, SATURDAY AT 7:00 PM, SUNDAY AT 7:00 AM AND THE FOLLOWING MONDAY AT 1:00 PM.

NOTE: CELLULAR PHONES ARE TO BE TURNED OFF DURING THE COUNCIL MEETING.

CEREMONIAL MATTERS

1. CALL TO ORDER
2. ANNOUNCEMENT RE: COMPLIANCE WITH OPEN MEETING LAW
3. INVOCATION - REVEREND BONNIE POLLEY, CHRIST EPISCOPAL CHURCH
4. PLEDGE OF ALLEGIANCE
5. RECOGNITION OF THE CITIZEN OF THE MONTH
6. RECOGNITION OF THE ACTION TEAM AWARD WINNERS

7. RECOGNITION OF NATIONAL CPR AND AED AWARENESS WEEK
8. RECOGNITION OF THE PUMAS BASEBALL CLUB
9. RECOGNITION OF THE HELLDORADO DAYS PARADE WINNERS

BUSINESS ITEMS

PUBLIC COMMENT

10. PUBLIC COMMENT DURING THIS PORTION OF THE AGENDA MUST BE LIMITED TO MATTERS ON THE AGENDA FOR ACTION. IF YOU WISH TO BE HEARD, COME TO THE PODIUM AND GIVE YOUR NAME FOR THE RECORD. THE AMOUNT OF DISCUSSION, AS WELL AS THE AMOUNT OF TIME ANY SINGLE SPEAKER IS ALLOWED, MAY BE LIMITED

BUSINESS ITEMS

11. For Possible Action - Any items that the Council, staff and/or the applicant wish to be stricken, tabled, withdrawn or held in abeyance to a future meeting may be brought forward and acted upon at this time
12. For possible action to approve the Final Minutes by reference of the Special City Council meeting of February 25, 2014

CONSENT AGENDA

MATTERS LISTED ON THE CONSENT AGENDA ARE CONSIDERED TO BE ROUTINE AND HAVE BEEN RECOMMENDED FOR APPROVAL BY THE SUBMITTING DEPARTMENTS. ALL ITEMS ON THE CONSENT AGENDA MAY BE APPROVED IN A SINGLE MOTION. HOWEVER, IF A COUNCIL MEMBER SO REQUESTS, ANY CONSENT ITEM MAY BE MOVED TO THE DISCUSSION PORTION OF THE AGENDA AND OTHER ACTION, INCLUDING POSTPONEMENT OR DENIAL OF THE ITEM, MAY TAKE PLACE.

ADMINISTRATIVE - CONSENT

13. For possible action to approve the Interlocal Agreement between the disparate jurisdictions of the City of Las Vegas and Clark County (fiscal agent), as required by the Department of Justice/Bureau of Justice Assistance Byrne Justice Assistance Grant (JAG) FY14 Local Solicitation (CFDA #16.738) for funding to support all components of the criminal justice system (\$1,004,322 U.S. Department of Justice, Bureau of Justice Assistance FY2014 Local JAG Grant) - All Wards

ADMINISTRATIVE SERVICES - CONSENT

14. For possible action to approve not more than two Special Event Permits with alcohol each month for the Hardhat Lounge, 1675 Industrial Road, June 6, 2014 through June 5, 2015; Ross Williams is the Responsible Person in Charge - Ward 3 (Coffin)

CITY ATTORNEY - CONSENT

15. For possible action to approve a business impact statement regarding a proposed ordinance that would 1) repeal and replace LVMC Chapter 6.04 relating to business license fees, including provisions for various fee increases and decreases, and provisions consolidating or eliminating a number of fee categories; and 2) amend other LVMC Title 6 provisions to clarify the definition of "gross sales/gross revenue" for fee purposes and make other conforming amendments. (Bill No. 2014-40)

FINANCE - PURCHASING & CONTRACTS CONSENT

16. For possible action to approve Second Amendment to Agreement No. I20057-TF, Prime Design Services Agreement for Sidewalk Infill Areas 1 and 6 - Area 1 is bounded by Las Vegas Boulevard to Bruce Street and Charleston Boulevard to U.S. 95 and Area 6 is bounded by Martin Luther King Boulevard to Interstate 15 and Bonanza Road to Owens Avenue - Department of Public Works - Award recommended to: POGGEMEYER DESIGN GROUP, INC. (\$136,659 - Public Works Capital Projects Fund) - Wards 3 and 5 (Coffin and Barlow)

17. For possible action to approve award of Contract No. 140172-JH, Prime Design Services Contract for Gowan Outfall - Alexander Branch, Rancho to Decatur - Department of Public Works - Award recommended to: STANLEY CONSULTANTS, INC. (\$640,138 - Road and Flood Capital Projects Fund) - Ward 5 (Barlow)
18. For possible action to approve award of Contract No. 140055-JH, Engineering Design Services Agreement for Material Testing Construction Inspection and Geotechnical - Department of Operations and Maintenance - Award recommended to: AZTECH INSPECTIONS AND TESTING, LLC (Not-to-Exceed \$250,000 - Street Maintenance Special Revenue Fund, Road and Flood Capital Projects Fund and Sanitation Enterprise Fund) - All Wards
19. For possible action to approve award of Contract No. 140179-JH, Blanket Service Agreement for General and Civil Engineering Services - Department of Operations and Maintenance - Award recommended to: G.C. WALLACE, INC. (Not-to-Exceed \$350,000 - Street Maintenance Special Revenue Fund, Road and Flood Capital Projects Fund and Sanitation Enterprise Fund) - All Wards
20. For possible action to approve award of Modification No. 3 to Contract No. 130164-JL, Temporary Information Technologies Consultant - Department of Information Technologies - Award recommended to: ROBERT HALF INTERNATIONAL, INC. (\$85,000 - General Fund)
21. For possible action to approve Agreement No. 140173-JL, Sprout Social Software including indemnification provision - Office of Communications - Award recommended to: SPROUT SOCIAL, INC. (\$6,000 - General Fund)
22. For possible action to approve award of Contract No. 140159-TB, Prime Design Services Contractor for BNR Facilities Settlement Study, located at 6005 East Vegas Valley Drive - Department of Public Works - Award recommended to: Brown and Caldwell, Inc. (\$263,411 - Sanitation Enterprise Fund) - County

OPERATIONS AND MAINTENANCE - CONSENT

23. For possible action to authorize staff to obtain a Right-of-Way Grant from the Bureau of Land Management (BLM) for roadway, sewer and drainage purposes for the Bristle Falls Residential Subdivision, by Ryland Homes Nevada, LLC, located in the vicinity of Deer Springs Way and Conquistador Street, APN 125-19-301-006 - Ward 6 (Ross)
24. For possible action to approve a Declaration of Utilization for sewer purposes for the Dorrell Lane/ Hualapai Way West Project, by D.R. Horton Inc., located in the vicinity of Haley Avenue and Eula Street, APN's 125-19-202-001, -007 and -008 - Clark County

PUBLIC WORKS - CONSENT

25. For possible action to approve Supplemental Interlocal Contract No. 4 (470d) between the City of Las Vegas and the Regional Transportation Commission of Southern Nevada (RTC) for the City to increase project funding in the amount of \$4,500,000 and extend the project completion date to June 30, 2017 for engineering and construction of the Summerlin Parkway, CC-215 to US-95 (\$4,500,000 - Road and Flood Capital Project Fund [CPF]) - Wards 1, 2 and 4 (Tarkanian, Beers and Anthony)
26. For possible action to approve Supplemental Interlocal Contract No. 7 (638g) between the City of Las Vegas and the Regional Transportation Commission of Southern Nevada (RTC) for the City to increase project funding in the amount of \$50,000 for improvements associated with the city-wide maintenance, Fiscal Year 2011 Annual Restorations and Preservation projects (\$50,000 - Road and Flood Capital Project Fund [CPF]) - All Wards

RESOLUTIONS - CONSENT

27. R-17-2014 - For possible action to approve a Resolution concerning proposed Special Improvement Districts within the Summerlin area, an Improvements Reimbursement Agreement and other related matters - Ward 2 (Beers)
28. R-18-2014 - For possible action to approve a joint Resolution of the cities of Las Vegas and North Las Vegas supporting the exploration of shared services opportunities in connection with their Purchasing function - All Wards

29. R-19-2014 - For possible action to approve a Resolution consenting to the undertakings of the City of Las Vegas Redevelopment Agency (RDA) in connection with the Quick Start Program (QSP) Agreement between the RDA and Safety Building Institute, LLC, (Owner) located at 820 South Valley View Boulevard, to be in compliance with and in furtherance of the goals and objectives of the RDA - Ward 1 (Tarkanian) [NOTE: This item is related to RDA Item 5 (RA-7-2014)]

DISCUSSION/ACTION ITEMS

RESOLUTIONS - DISCUSSION

30. R-20-2014 - Discussion for possible action regarding a Resolution relating to a Tourism Improvement District (TID) and providing other matters properly related thereto for parcels on the southwest corner of Bonneville Avenue and Grand Central Parkway as well as the area bounded by Grand Central Parkway on the west and north, the Union Pacific Railroad tracks on the east and Bonneville Avenue on the south - Wards 1 and 5 (Tarkanian and Barlow)

RECOMMENDING COMMITTEE REPORT - DISCUSSION

BILLS ELIGIBLE FOR ADOPTION AT THIS MEETING

31. Bill No. 2014-26 - For Possible Action - Annexation No. ANX-52941 - Property location: 6131 Rio Vista Street; Petitioned by: Michael Baig, Acreage: 1.56 acres; Zoned: R-E (County zoning), R-E (City equivalent). Sponsored by: Councilman Steven D. Ross
32. Bill No. 2014-28 - For Possible Action - Establishes the "Residential Small Lot" Zoning District and standards pertaining thereto, and corrects entries regarding the R-CL Zoning District. (TXT-51220) Sponsored by: Councilman Steven D. Ross
33. Bill No. 2014-33 - For Possible Action - Establishes licensing regulations and standards for medical marijuana establishments. Sponsored by: Councilman Bob Coffin
34. Bill No. 2014-34 - For Possible Action - An ordinance amending LVMC 6.02 to increase civil penalties for violations of LVMC 6.50 and clarifying that the director may suspend an alcoholic beverage license on an administrative basis under certain circumstances, adding a new condition to LVMC 6.50 to clarify that a licensee's violation, or knowingly permitting an employee to violate a condition of an alcoholic beverage license is a misdemeanor, and creating a zone in the downtown area where the possession of glass or metal containers for the consumption of beverages is prohibited and the consumption of alcoholic beverages in its original packaging is prohibited, and to provide for other related matters. Proposed by: Bradford R. Jerbic, City Attorney

BILLS ELIGIBLE FOR ADOPTION AT A LATER MEETING

THERE IS NO PUBLIC COMMENT ON THESE ITEMS AND NO ACTION WILL BE TAKEN BY THE COUNCIL AT THIS MEETING, EXCEPT THOSE ITEMS WHICH MAY BE STRICKEN OR TABLED. PUBLIC TESTIMONY TAKES PLACE AT THE RECOMMENDING COMMITTEE MEETING HELD FOR THAT PURPOSE.

35. Bill No. 2014-31 - Adopts as the City's Fire Code the International Fire Code, 2012 Edition, together with local modifications and supplements thereto. Proposed by: William L. McDonald, Chief of Fire and Rescue
36. Bill No. 2014-32 - Updates LVMC Title 11 (pertaining generally to vehicles and traffic) to repeal obsolete provisions and make corrections and revisions deemed necessary or appropriate. Proposed by: Orlando Sanchez, Deputy City Manager

NEW BILLS

THERE IS NO PUBLIC COMMENT ON THESE ITEMS. NEW BILLS ARE READ INTO THE RECORD AND REFERRED TO RECOMMENDING COMMITTEE FOR A SEPARATE HEARING TO RECEIVE PUBLIC TESTIMONY BEFORE ACTION BY THE COUNCIL AT A LATER MEETING. EXCEPTION: EMERGENCY BILLS OR THOSE ITEMS TO BE STRICKEN OR TABLED.

37. Bill No. 2014-35 - Amends Ordinance No. 6292, relating to the annexation of property, to correct the zoning designation of that property (General Location - the southwest corner of Gilmore Avenue and Fort Apache Road). Proposed by: Flinn Fagg, Director of Planning

38. Bill No. 2014-36 - Annexation No. ANX-53394 - Property location: On the north side of Grand Teton Drive east and west of Pioneer Way; Petitioned by: Richmond American Homes Nevada, Inc.; Acreage: 11.28 acres; Zoned: R-D (County zoning), R-1 (City equivalent). Sponsored by: Councilman Steven D. Ross
39. Bill No. 2014-37 - Annexation No. ANX-53692 - Property location: the west side of Grand Canyon Road between Elkhorn Road and Dorrell Lane; Petitioned by: Toll North LV, LLC, Acreage: 15.20 acres; Zoned: R-E (County zoning), R-1 (City equivalent). Sponsored by: Councilman Steven D. Ross
40. Bill No. 2014-38 - Amends the Unified Development Code to describe the circumstances under which a farmers' market may operate as an open air vending/transient sales lot. (TXT-52778) Proposed by: Flinn Fagg, Director of Planning
41. Bill No. 2014-39 - Establishes licensing requirements and regulations, as well as updated zoning regulations, pertaining to short-term residential rentals. (TXT-51291) Sponsored by: Councilwoman Lois Tarkanian
42. Bill No. 2014-40 - Repeals and replaces LVMC Chapter 6.04 relating to business license fees, including provisions for various fee increases and decreases, and provisions consolidating or eliminating a number of fee categories; and amends other LVMC Title 6 provisions to clarify the definition of "gross sales/gross revenue" for fee purposes and make other conforming amendments. Sponsored/Proposed by: Undetermined

PLANNING

THE ITEMS LISTED BELOW, WHERE APPROPRIATE, HAVE BEEN REVIEWED BY THE VARIOUS CITY DEPARTMENTS RELATIVE TO REQUIREMENTS FOR STORM DRAINAGE AND FLOOD CONTROL, CONNECTION TO SANITARY SEWER, TRAFFIC CIRCULATION, AND BUILDING AND FIRE REGULATIONS. THEIR COMMENTS AND/OR RECOMMENDATIONS AND REQUIREMENTS HAVE BEEN INCORPORATED INTO THE ACTION.

PLANNING - DISCUSSION

43. SUP-52709 - ABEYANCE ITEM - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER: 1028 FREMONT STREET, LLC - For possible action on a request for a Special Use Permit FOR A PROPOSED 1,017 SQUARE-FOOT TAVERN-LIMITED ESTABLISHMENT WITH 1,732 SQUARE-FOOT OUTDOOR SEATING AREA at 1028 Fremont Street (APN 139-35-211-025), C-2 (General Commercial) Zone, Ward 3 (Coffin) [PRJ-52610]. The Planning Commission (6-0-1 vote) and Staff recommend APPROVAL.
44. VAR-51765 - ABEYANCE ITEM - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: C&C MEDICAL PLAZA, LLC - For possible action on a request for a Variance TO ALLOW SEVEN PARKING SPACES WHERE 13 PARKING SPACES ARE THE MINIMUM REQUIRED on 0.16 acres at 1640 East Charleston Boulevard (APN 162-02-113-006), C-1 (Limited Commercial) Zone, Ward 3 (Coffin) [PRJ-51608]. Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL.
45. VAR-51766 - ABEYANCE ITEM - VARIANCE RELATED TO VAR-51765 - PUBLIC HEARING - APPLICANT/OWNER: C&C MEDICAL PLAZA, LLC - For possible action on a request for a Variance TO ALLOW A FIVE-FOOT SIDE YARD SETBACK WHERE 10 FEET IS THE MINIMUM REQUIRED AND TO ALLOW A TRASH ENCLOSURE 18 FEET FROM RESIDENTIALLY ZONED PROPERTY WHERE 50 FEET IS THE MINIMUM REQUIRED on 0.16 acres at 1640 East Charleston Boulevard (APN 162-02-113-006), C-1 (Limited Commercial) Zone, Ward 3 (Coffin) [PRJ-51608]. Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL.
46. SDR-51764 - ABEYANCE ITEM - SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-51765 AND VAR-51766 - PUBLIC HEARING - APPLICANT/OWNER: C&C MEDICAL PLAZA, LLC - For possible action on a request for a Site Development Plan Review FOR A PROPOSED 868 SQUARE-FOOT EXPANSION TO AN EXISTING 1,677 SQUARE-FOOT MEDICAL OFFICE WITH WAIVERS TO ALLOW A ZERO-FOOT WIDE LANDSCAPE BUFFER ALONG THE NORTH AND SOUTH PROPERTY LINES WHERE 15 FEET IS THE MINIMUM REQUIRED on 0.16 acres at 1640 East Charleston Boulevard (APN 162-02-113-006), C-1 (Limited Commercial) Zone, Ward 3 (Coffin) [PRJ-51608]. Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL.

47. ROC-53918 - REVIEW OF CONDITION - PUBLIC HEARING - APPLICANT: MLK FOOD MART - OWNER: LUCKY CHAMP, INC. - For possible action on a request for a Review of Condition of an approved Special Use Permit (U-0091-99) TO DELETE CONDITION #3 WHICH STATES "THE SALE OF INDIVIDUAL CONTAINERS OF ANY SIZE OF BEER, WINE COOLERS OR SCREW CAP WINE IS PROHIBITED" at 1420 West Bonanza Road (APN 139-28-703-008), C-M (Commercial/Industrial) Zone, Ward 5 (Barlow). Staff recommends DENIAL.

SET DATE

48. SET DATE ON ANY APPEALS FILED OR REQUIRED PUBLIC HEARINGS FROM THE CITY PLANNING COMMISSION MEETINGS AND DANGEROUS BUILDING OR NUISANCE/LITTER ABATEMENTS

CITIZENS PARTICIPATION

49. CITIZENS PARTICIPATION: PUBLIC COMMENT DURING THIS PORTION OF THE AGENDA MUST BE LIMITED TO MATTERS WITHIN THE JURISDICTION OF THE CITY COUNCIL. NO SUBJECT MAY BE ACTED UPON BY THE CITY COUNCIL 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

COUNCIL MEMBER RECOGNITION

50. COUNCIL MEMBER RECOGNITION: COMMENTS MADE BY INDIVIDUAL CITY COUNCIL MEMBERS DURING THIS PORTION OF THE AGENDA WILL NOT BE ACTED UPON BY THE CITY COUNCIL UNLESS THAT SUBJECT IS ON THE AGENDA AND SCHEDULED FOR ACTION

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