

AGENDA MEMO

CITY COUNCIL MEETING DATE: JANUARY 5, 2005

DEPARTMENT: FINANCE AND BUSINESS SERVICES

ITEM DESCRIPTION: Discussion and possible action regarding Temporary Approval of Change of Ownership and Business Name and Approval of Key Employee for a Supper Club License subject to the provisions of the planning and fire codes and Health Dept. regulations, To: Kahuna Grill Lake Mead, LLC, dba Kahuna Grill, 7341 West Lake Mead Boulevard

The applicant is requesting approval of a temporary license as provided by LVMC 6.06.051, which reads as follows:

- (A) City Council may grant a temporary license pending its decision regarding a license application in order to determine:
 - (1) The applicant's fitness for a license; and
 - (2) The appropriateness of the applicant's business location.
- (B) A temporary license shall not be granted under this Section unless:
 - (1) All principals required to be approved for suitability have submitted a complete investigation packet for determination of suitability and paid all applicable fees;
 - (2) The Director makes a preliminary finding that all of the principals of the business are suitable; and
 - (3) The applicant has submitted a completed and accurate license application and has paid all required application fees.

The attached letter dated November 30, 2004 from the applicant outline the request for temporary license.

The applicants submitted all of the required documentation and paid all applicable fees for investigation on December 1, 2004. Based on previous and current investigations for suitability and approval by the Clark County Commission for two locations in operation in Clark County , we have determined they are preliminarily suitable to hold a temporary Supper Club license until the investigation is complete.

In the event the Special Investigations Section, Las Vegas Metropolitan Police Department, should develop an area of concern with this applicant this item will be brought back before the Council for appropriate action.

LIONEL SAWYER & COLLINS

ATTORNEYS AT LAW

1700 BANK OF AMERICA PLAZA
300 SOUTH FOURTH STREET
LAS VEGAS, NEVADA 89101

(702) 383-8888

FAX (702) 383-8845

lsc@lionelsawyer.com

www.lionelsawyer.com

November 30, 2004

Via Hand Delivery

JEFFREY D. MENICUCCI
SHAWN M. ELICEGUI
HECTOR J. CARBAJAL II
EMILIA K. CARGILL
JANET SUE BESSEMER
G. LANCE COBURN
WILLIAM J. MCKEAN
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BRENT HEBERLEE
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SAMUEL S. LIONEL
GRANT SAWYER
(916-1996)

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(923-1987)

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CRAIG E. ETEM
TODD E. KENNEDY
MATTHEW E. WATSON

OF COUNSEL

BRIAN MCKAY
ELLEN WHITTEMORE
BRIAN HARRIS
ABBIE G. FRIEDMAN
LAURA J. THALACKER

Ms. Donna Tanner
City of Las Vegas
Business Services Division
400 Stewart Avenue, 3rd Floor
Las Vegas, NV 89101

Re: Request for Temporary License at 7341 W. Lake Mead Blvd.

Dear Donna:

On November 19, 2004, Lucas Tucker submitted the remaining application documents for Kahuna Grill Lake Mead, LLC ("Kahuna Grill") to conduct business as a supper club at 7341 W. Lake Mead Boulevard. We understand the application process is lengthy, at least four months required before a license is issued, so we take this opportunity to request that Kahuna Grill be granted a temporary license while approval of its regular license is pending.

This applicant is deserving of a temporary license, because of the successful operation of like establishments. This location will be the third Kahuna Grill restaurant in Southern Nevada, in addition to the affiliate "Kahunaville" Restaurant with the Treasure Island Hotel Casino. Kahuna Grill is part of a successful nationwide chain of "Kahunaville" restaurants located in Michigan, New Jersey, Ohio, New York, Florida, Delaware, and Las Vegas. The principal, David S. Tuttleman, has extensive experience in successfully operating these themed restaurants.

In addition, granting the restaurant a temporary license would allow it to open to the public sooner, providing an amenity for the entire neighborhood. Attracting consumers to this currently closed location as soon as possible also benefits the other commercial businesses surrounding the facility.

LIONEL SAWYER & COLLINS
ATTORNEYS AT LAW

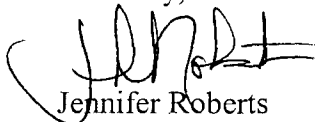
Ms. Donna Tanner
November 30, 2004
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Lastly, we expect the investigations of David Tuttleman and the key employee, Paul Clunan, to proceed smoothly, as the Las Vegas Metropolitan Police Department has investigated both individuals twice. Each individual was investigated, and approved, in connection with application for the Kahunaville location in Treasure Island on July 31, 2001. Each individual is currently being investigated for the Kahuna Grill location on West Tropicana. That location is operating under a temporary license granted by Clark County. *4945 W. TROPICANA AV*

APRIL 6, 2004

Should you have any additional inquiries or instructions in this matter, please contact me or Lucas Tucker.

Sincerely,



Jennifer Roberts

cc: David Z. Tuttleman
Paul Larsen, Esq.