

RESOLUTION NO. R-86-2007

A RESOLUTION DISPOSING OF THE PROTESTS MADE AT THE HEARING ON THE PROVISIONAL ORDER FOR CITY OF LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 1510 – CLIFF SHADOWS PARKWAY (I-215 TO LONE MOUNTAIN ROAD)

Summary: Protest Disposal Resolution

WHEREAS, the Las Vegas City Council of the City of Las Vegas (hereinafter the "City Council" and "City", respectively), in the County of Clark, State of Nevada, pursuant to a resolution heretofore adopted, provisionally ordered the acquisition of a Street Project, Sanitary Sewer Project, and a Water Project as defined in Chapter 271, Nevada Revised Statutes (hereinafter the "Project") within the City of Las Vegas, Nevada, Special Improvement District No. 1510 – Cliff Shadows Parkway (I-215 To Lone Mountain Road) (hereinafter the "District"); and

WHEREAS, pursuant to the resolution, the City Clerk gave notice of the time and place of a hearing thereon, in the manner specified by law; and

WHEREAS, the manner of giving such notice by mail, publication and posting was reasonably calculated to inform the parties of the proceedings concerning the District which might directly and adversely affect their legally protected interests; and

WHEREAS, all owners of property to be assessed and interested persons so desiring were permitted to file a written complaint, protest or objection on or before Friday, November 30, 2007, or to appear before the City Council on Wednesday, December 5, 2007, and be heard as to the propriety and advisability of acquiring the Project provisionally ordered, as to the cost thereof and manner of payment therefor, and as to the amount thereof to be assessed against the property for the Project; and

WHEREAS, the City Council has now considered each and every written protest and objection and all oral protests and objections made at the hearing, and the City Council finds that each and every oral protest or objection is without sufficient merit and is overruled and denied.

NOW, THEREFORE, BE IT RESOLVED BY THE LAS VEGAS CITY COUNCIL, IN THE STATE OF NEVADA; THAT:

Section 1. This Resolution shall be known as, and may be cited by, the short title "Special Improvement District No. 1510 Protest Disposal Resolution" (hereinafter the "Resolution").

Section 2. The City Council has determined and does hereby determine, that one-half or more of the total cost of the Project shall be paid with monies derived from other than the levy of special assessments and accordingly may take advantage of the exception stated in paragraph (a) of subsection (2) of NRS 271.306 (stating that the City, at its option, may proceed with the improvements in the District regardless of the percentage of protests).

~~Section 3. The City Council determines that each and every protest and objection filed or otherwise made is without sufficient merit and that the same is overruled and finally passed on by the City Council.~~

Section 4. The City Council has determined, and does hereby determine, that it is advisable to acquire the Project, as provided by the Special Improvement District No. 1510 Provisional Order Resolution and to proceed with the District.

Section 5. Within 30 days after the City Council passes on the complaint, protest or objection, by adoption of this Resolution, any person who filed and did not withdraw a written complaint, protest or objection shall have the right to commence an action or suit in any court of competent jurisdiction to correct or set aside the determination, but thereafter, all actions or suits attacking the validity of the proceedings and the amount of benefits are perpetually barred.

Section 6. The City Engineer together with the City Engineer Division are requested and directed to prepare, in the manner required by law, and to present the following to the City Council:

- (a) A revised and detailed estimate of the total cost of the Project, including each of the incidental costs, if necessary;
- (b) Full and detailed final plans and specifications for the Project, if necessary;
- (c) A revised map and a revised assessment plat, if necessary; and
- ~~(d) A revised and supplemental Report to the City Council on Benefits, if necessary.~~

Section 7. That the City Council has also determined and does hereby declare as follows:

- (a) The public convenience and necessity require the creation of District No. 1510 – Cliff Shadows Parkway (I-215 To Lone Mountain Road) and the construction of the Project.
- (b) The creation of the District is economically sound and feasible.

- (c) The market value of each of the benefited lots, tracts and parcels of land in the District will be increased by an amount directly attributable to the Project for which the assessment is to be made.

Section 8. All actions, proceedings, matters and things heretofore taken, had and done by the City and the officers thereof (not inconsistent with the provisions of this Resolution) concerning the City of Las Vegas, Nevada, ~~Special Improvement District No. 1510 – Cliff Shadows Parkway (I-215 To Lone Mountain Road)~~ including, but not limited to, the notice of the hearing provided which was mailed, posted, and published, and the same hereby are, ratified, approved and confirmed.


Section 9. The officers of the City are directed to effectuate the provisions of this Resolution.

Section 10. All resolutions, or parts thereof, in conflict herewith are hereby repealed to the extent of such inconsistency.

Section 11. The invalidity of any provision of this Resolution shall not affect any remaining provisions hereof.

Section 12. The City Council has determined, and does hereby declare, that this Resolution shall be in effect after its passage in accordance with the law.

PASSED AND APPROVED this 19th day of December, 2007.



OSCAR B. GOODMAN, Mayor

Attest:



BEVERLY K. BRIDGES, CMC
City Clerk

Approved as to Form:

6 DEC 07 W Z / my

Date Deputy City Attorney

STATE OF NEVADA)
)
COUNTY OF CLARK) ss
)
CITY OF LAS VEGAS)

I, Beverly K. Bridges, the duly chosen and qualified City Clerk of the City of Las Vegas (hereinafter the "City Clerk" and "City", respectively), in the State of Nevada, do hereby certify:

1. The foregoing pages constitute a true, correct, complete and compared copy of a resolution adopted by the City Council of the City (hereinafter the "City Council") at a meeting held on December 19, 2007.

2. The adoption of the resolution was duly moved and seconded and the resolution was adopted by an affirmative vote of a majority of the members of City Council as follows:

Those Voting Aye:	Oscar B. Goodman Gary Reese Larry Brown Steve Wolfson Lois Tarkanian Steven D. Ross Ricki Y. Barlow
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Those Voting Nay:	NONE
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Those Absent:	NONE
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3. The original of the resolution has been approved and authenticated by the signatures of the Mayor of the City and myself as City Clerk and has been recorded in the regular official record of the City Council kept for that purpose in my office, which record has been duly signed by the officers and properly sealed.

4. All members of the City Council were given due and proper notice of the meeting. Pursuant to § 241.020, Nevada Revised Statutes, written notice of the meeting was given not later than 9:00 a.m. on the third working day before the meeting, including in the notice the time, place, location, and agenda of the meeting:

(a) By posting a copy of the notice at least three working days before the meeting at the principal office of the City Council, or if there is no principal

office, at the building in which the meeting is to be held, and at least three (3) other separate, prominent places within the jurisdiction of the City Council, to wit:

- (i) City Clerk's Bulletin Board
City Hall Plaza
2nd Floor Skybridge
Las Vegas, Nevada
- (ii) Bulletin Board
City Hall Plaza (next door to Metro Records)
Las Vegas, Nevada
- (iii) Las Vegas Library
833 Las Vegas Boulevard North
Las Vegas, Nevada
- (iv) Clark County Government Center
500 South Grand Central Parkway
Las Vegas, Nevada
- (v) Grant Sawyer Building
555 E. Washington Avenue
Las Vegas, Nevada
- (vi) The City of Las Vegas Website

(b) By mailing a copy of the notice to each person, if any, who has requested notice of the meetings of the City Council in the same manner in which notice is required to be mailed to a member of the City Council. Such notice was delivered to the postal service no later than 9:00 a.m. on the third working day prior to the meeting.

5. Upon request, the City 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 City 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 City Council on December 19, 2007, is attached to this certificate as Exhibit "A".

IN WITNESS WHEREOF, I have hereunto set my hand on this December 19, 2007.

(SEAL)

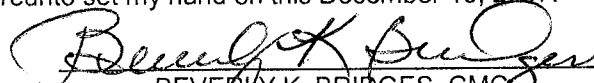

BEVERLY K. BRIDGES, CMO
City Clerk

Exhibit "A"

(Attach Notice of Meeting and Agenda)

CITY COUNCIL AGENDA

COUNCIL CHAMBERS · 400 STEWART AVENUE · PHONE 229-6011

CITY OF LAS VEGAS INTERNET ADDRESS: <http://www.lasvegasnevada.gov>

OSCAR B. GOODMAN, MAYOR (At-Large) · COUNCILMAN GARY REESE, MAYOR PRO TEM (Ward 3)

**COUNCIL MEMBERS: LARRY BROWN (Ward 4), STEVE WOLFSON (Ward 2),
LOIS TARKANIAN (Ward 1), STEVEN D. ROSS (Ward 6); RICKI Y. BARLOW (Ward 5)**

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. The City's TDD number is 386-9108.

December 19, 2007

Morning Session begins at 9:00 a.m.

Afternoon Session begins at 1:00 p.m.

THE CITY COUNCIL MEETING NORMALLY SCHEDULED FOR JANUARY 2, 2008
HAS BEEN RESCHEDULED TO **JANUARY 9, 2008**

ALL ITEMS ON THIS AGENDA ARE SCHEDULED FOR ACTION UNLESS SPECIFICALLY NOTED OTHERWISE.

THESE PROCEEDINGS ARE BEING PRESENTED LIVE ON KCLV, CABLE CHANNEL 2, AND ARE CLOSED CAPTIONED FOR OUR HEARING IMPAIRED VIEWERS. THE COUNCIL MEETING, AS WELL AS ALL OTHER KCLV PROGRAMMING, CAN BE VIEWED ON THE INTERNET AT www.kclv.tv. 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.

DUPLICATE AUDIO CD'S AND DUPLICATE AUDIO/VIDEO DVD'S MAY BE AVAILABLE AT A COST OF \$5.00 EACH THROUGH THE CITY CLERK'S OFFICE.

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 – THE REVEREND ED LOVELADY, RECTOR, ALL SAINTS' EPISCOPAL CHURCH
4. PLEDGE OF ALLEGIANCE
5. RECOGNITION OF THE EMPLOYEE OF THE MONTH
6. RECOGNITION OF THE TEAM OF THE QUARTER
7. PRESENTATION OF WORLD LEADERSHIP AWARDS TO THE CITY OF LAS VEGAS
8. RECOGNITION OF CHIEF DEPUTY U.S. MARSHAL FIDENCIO RIVERA FOR OUTSTANDING COMMUNITY SERVICE

BUSINESS ITEMS - MORNING

9. Any items from the morning session that the Council, staff and/or the applicant wish to be stricken or held in abeyance to a future meeting may be brought forward and acted upon at this time
10. Approval of the Final Minutes by reference of the regular City Council meeting of October 17, 2007 and the Special Recessed City Council Meeting of October 22, 2007

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

11. Approval of a Grant of Easement from City Parkway V, Inc., to Nevada Power Company to cancel and supersede the Right-of-Entry and Grant Easement previously on record for Union Park located north of Bonneville Avenue, south of Ogden Avenue underpass, east of Grand Central Parkway, and west of Union Pacific Railroad Right-of-Way (APN 139-34-110-004) - Ward 5 (Barlow)
12. Approval of the Letter of Intent by and between the City of Las Vegas and 300 Stewart Avenue Corporation which creates a partnership for negotiation of agreement terms to develop and operate the project known as the Post Office Museum, 301 Stewart Avenue - All Wards
13. Ratification of the Funding Allocation of \$280,000 from the Commission for the Las Vegas Centennial for the reassembly of the La Concha Motel Lobby Building to the Neon Museum Boneyard, 501 and 505 East McWilliams Avenue - Ward 5 (Barlow)
14. Ratification of the Memorandum of Understanding for the Funding Allocation of \$1,700,000 from the Commission for the Las Vegas Centennial for the seismic retrofit construction for the POST Modern, Downtown Post Office, 301 Stewart Avenue - Ward 5 (Barlow)
15. Ratification of the Grant Agreement for the Funding Allocation of \$300,000 from the Commission for the Las Vegas Centennial to the 300 Stewart Avenue Corporation (Project for the POST Modern), Downtown Post Office, 301 Stewart Avenue - Ward 5 (Barlow)

FIELD OPERATIONS - CONSENT

16. Approval authorizing staff to apply for a Recreation and Public Purpose Lease from the Bureau of Land Management for a public facility on approximately 5 acres of land located on the southwest corner of Grand Teton Drive and Fort Apache Road, APN 125-18-501-006 - (\$100 - Real Estate/Rental of Land) - Ward 6 (Ross)
17. ABEYANCE ITEM - Approval of a Permanent Easement from Walnut Creek Development, Inc., to the City of Las Vegas for the purpose of construction of a 96-inch pipeline located in the vicinity of Desert Inn Road and Hollywood Boulevard, APN 161-15-697-015 - County (near Ward 3 - Reese)

FINANCE & BUSINESS SERVICES - ADMINISTRATION CONSENT

18. Approval of Service and Material Checks/Payroll Checks/Wire Transfers/Other Checks and Investments
19. Approval of a report by the City Treasurer of the December 4, 2007 sale of properties subject to the lien of a delinquent assessment in Special Improvement District 505 and multiple other districts - Ward 6 (Ross)

20. Approval of a Settlement Agreement and Mutual Release between Clark County, City of Las Vegas, City of North Las Vegas, City of Henderson, City of Boulder City (Collectively referred to as the "Regional Franchise Jurisdictions," or "RFJ's") and Cox Communications Las Vegas, Inc., a Delaware Corporation, (Referred to as "Cox") settling issues regarding payment of franchise fees by Cox to the RFJ's

FINANCE & BUSINESS SERVICES - BUSINESS SERVICES CONSENT

21. Approval of a Special Event Alcoholic Beverage License for RA Management Group, LLC, Location: The Summit, 2215 Thomas Ryan Boulevard, Dates: December 31, 2007, January 20, 27, February 3, 10, 17, and 24, 2008, Type: Special Event General, Event: New Years Eve Dinner/Show & Sunday Brunches, Responsible Person in Charge: Tom Keough - Ward 4 (Brown)
22. Approval of Change of Ownership for a Tavern License subject to Health Dept. regulations, From: Highstreet, LLC, To: DDRT, LLC, The Szeplak Property Trust, 100%, Roger M. Szeplak, Mgr, Trustee, dba Decatur Liquor, 546 South Decatur Boulevard - Ward 1 (Tarkanian)
23. Approval of a new Restricted Gaming License for 15 slots subject to confirmation of approval by the Nevada Gaming Commission, DDRT, LLC, The Szeplak Property Trust, 100%, Roger M. Szeplak, Mgr, Trustee, dba Decatur Liquor, 546 South Decatur Boulevard - Ward 1 (Tarkanian)
24. Approval of a new Restricted Gaming License for 10 slots subject to the provisions of the planning and fire codes and confirmation of approval by the Nevada Gaming Commission, DDRT, LLC, The Szeplak Property Trust, 100%, Roger M. Szeplak, Mgr, Trustee, dba Decatur Drug, 544 South Decatur Boulevard - Ward 1 (Tarkanian)
25. Approval of a new Restricted Gaming License for 10 slots subject to the provisions of the planning and fire codes, Health Dept. regulations, and confirmation of approval by the Nevada Gaming Commission, DDRT, LLC, The Szeplak Property Trust, 100%, Roger M. Szeplak, Mgr, Trustee, dba Decatur Drug Restaurant, 544 South Decatur Boulevard - Ward 1 (Tarkanian)
26. Approval of a new Liquor Caterer License, Ivy Grill, LLC, dba Ivy Grill, LLC, 2620 Regatta Drive, Suite 118, Eric R. Watts, Managing Mmbr, 100% - Ward 4 (Brown)
27. Approval of a new Tavern License, a new Restricted Gaming License for 10 slots, and a new Class III-C Secondhand Dealer License, L.V.G.C., Inc., dba Las Vegas Gun Club, 9600 Tule Springs Road, Stanley S. Carmichael, Pres and Lidia M.H. Carmichael, Treas, 100% jointly with spouse - Ward 6 (Ross)
28. Approval of Change of Location for a Burglar Alarm Service License subject to the provisions of the planning and fire codes, Gaylord Industries, Inc., dba Gaylord Security Systems, From: 953 East Sahara Avenue, Suite 255, To: 5715 West Alexander Road, Suite 110, Kevin Gaylord, Pres, 100% - Ward 6 (Ross)
29. Approval of Change of Location for a Massage Establishment License subject to the provisions of the planning and fire codes, Cyndi Winslow, dba Minute Massage Therapy, From: 8440 West Lake Mead Boulevard, Suite 101, To: 8821 West Sahara Avenue, Suite 120, Cynthia A. Winslow, 100% - Ward 2 (Wolfson) [Note: This is an Ancillary License to an existing business - Marone Clinic.]
30. Approval of Change of Location for an Auctioneer License subject to the provisions of the planning and fire codes, Gregory J. Harelson, dba Auction One Las Vegas, From: 2239 South Rainbow Boulevard, To: 5550 Painted Mirage Road, Suite 320, Gregory J. Harelson, 100% - Ward 4 (Brown)

FINANCE & BUSINESS SERVICES - PURCHASING & CONTRACTS CONSENT

31. Approval of Modification No. 1 to Contract No. 060266 for State Legislative Consulting Services - Office of Administrative Services - Award recommended to: OSTROVSKY AND ASSOCIATES (\$260,250 - General Fund)

32. Approval of Agreement No. 07.23160, Engineering Design Services Agreement for the Gowan Outfall - Lone Mountain Branch, Rancho to Decatur Project located along Lone Mountain Road between Rancho Drive and Decatur Boulevard - Department of Public Works - Award recommended to: G.C. WALLACE, INC. (\$1,330,840 - Road and Flood Capital Projects Fund) - Ward 6 (Ross)
- ~~33. Approval of award of Bid No. 07.15341.02-LED, Jaycee Park Renovation located at 2100 East St. Louis Boulevard and the construction conflicts and contingency reserve set by Finance and Business Services - Department of Public Works - Award recommended to: RAFAEL CONSTRUCTION, INC. (\$4,960,400 - Parks and Leisure Activities Capital Projects Fund) - Ward 3 (Reese)~~
- ~~34. Approval of Agreement No. 080154-DC, Professional Services Agreement for Fire Training Center Burn Tower located at 655 North Mojave Road - Department of Public Works - Award recommended to: WRIGHT ENGINEERS (\$89,500 - Fire Services Capital Projects Fund) - Ward 3 (Reese)~~
35. Approval of award of Contract No. 080069-TB, Embarq Custom Service Agreement for Embarq Products and Services - Department of Information Technologies - Award recommended to: CENTRAL TELEPHONE COMPANY - NEVADA DIVISION ("EMBARQ") (\$980,947 - General Fund)
36. Approval of Agreement No. 080136-DC, Designated Services Agreement for Pre-Project Planning Study for the Doolittle Park renovations located at 1950 North "J" Street - Department of Public Works - Award recommended to: RPA LANDSCAPE ARCHITECTURE, INC. (\$171,666 - Parks and Leisure Activities Capital Projects Fund) - Ward 5 (Barlow)
37. Approval of Agreement No. 080151-DC, Engineering Design Services for Construction Management, Inspections and Material Testing for the widening of Grand Central Parkway from Charleston Boulevard to City Parkway - Department of Public Works - Award recommended to: CM WORKS, INC. (\$1,300,000 - Road and Flood Capital Projects Fund) - Ward 5 (Barlow)
38. Approval of a revision to Purchase Order No. 246563 for Software Licenses and Support for the Oracle Business Intelligence Suite Enterprise Edition Plus according to Master Agreement No. SLSA-34075-28-OCT-97 - Department of Information Technologies - Award recommended to: ORACLE USA, INC. (\$303,182 - Computer Services Internal Service Fund)
39. Approval of Contract No. 080061-TB, Microsoft Enterprise Software - Department of Information Technologies - Award recommended to: ASAP SOFTWARE, INC. (\$1,294,380 - Computer Services Internal Service Fund)
40. Approval of award of Bid No. 08.1730.21-LED, Rancho Painted Desert Sewer Rehabilitation located on Rancho Drive from Craig Road to Lone Mountain Road, Lone Mountain Road from Rancho Drive to Painted Dawn Drive and Decatur Boulevard between Alta Drive and Mayflower Lane and the construction conflicts and contingency reserve set by Finance and Business Services - Department of Public Works - Award recommended to: MICHELS CORPORATION (\$1,144,346 - Sanitation Enterprise Fund) - Wards 4 and 6 (Brown and Ross)

LEISURE SERVICES - CONSENT

41. Approval of a Memorandum of Understanding between the City of Las Vegas and the Clark County School District (CCSD) to grant preferential use of Pavilion Pool at a reduced rate to CCSD students in exchange for a contribution of \$1,350,000 towards the construction of a structure to cover the pool - Ward 2 (Wolfson)

NEIGHBORHOOD SERVICES - CONSENT

42. Approval to allocate \$237,690 in Housing Opportunities for Persons with AIDS (HOPWA) grant funds to four eligible projects including housing and supportive services - All Wards
43. Approval of Deferred Loan Agreement for expending \$45,000 of Home Investment Partnership Program (HOME) funds for housing rehabilitation assistance at 524 Alexander Avenue. PROPERTY OWNER: Deloris A. Gibson - Ward 3 (Reese)

PLANNING & DEVELOPMENT - CONSENT

44. Approval of the Memorandum of Understanding (MOU) by and between the Commission for the Las Vegas Centennial (Commission) and the City of Las Vegas (City) for a grant in the amount of \$420,000 to be administered by the Commission to restore the Silver Slipper shoe sign and the Binion's Horseshoe rotating sign (the "signs") and placement and mounting of these signs on the median of Las Vegas Boulevard - Ward 5 (Barlow)

PUBLIC WORKS - CONSENT

45. Approval of a Sewer Connection Agreement with Lochsa Engineering on behalf of Corporation of the Presiding Bishop of the Church of Latter Day Saints, A Utah Corporation Sole, owner and an Interlocal Contract with Clark County Water Reclamation District for sewer services at the northwest corner of Conquistador Street and Elkhorn Road, APN 125-18-401-012 - County (near Ward 6 - Ross)
46. Approval of Interlocal Agreement 113069 between the City of Las Vegas and the Las Vegas Valley Water District (LVVWD) for water related facilities as part of the CLV - Union Park Phase I project (\$850 - CLV General Fund) - Ward 5 (Barlow)

RESOLUTIONS - CONSENT

47. R-83-2007 - Approval of a Resolution in support of the US-95 Northwest project, from Washington Avenue to Kyle Canyon Road - Wards 1, 4, 5 and 6 (Tarkanian, Brown, Barlow and Ross)
48. R-84-2007 - Approval of a Resolution for Health Care for Nevada - All Wards
49. R-85-2007 - Approval of Resolution Supporting the Current National Ambient Air Quality Standards for Ozone - All Wards
50. R-86-2007 - Approval of a Resolution Disposing of the Protests made at the hearing on the Provisional Order for Special Improvement District No. 1510 - Cliff Shadows Parkway (I-215 to Lone Mountain Road) - Ward 4 (Brown)

DISCUSSION/ACTION ITEMS

ADMINISTRATIVE - DISCUSSION

51. Report from the City Manager on Emerging Issues
52. Discussion and possible action regarding the City's role and involvement in the 2008 Dr. Martin Luther King Day Parade (\$16,500 - Special Revenue Fund) - All Wards
53. Discussion and possible action regarding the Third Amendment to Memorandum of Understanding (MOU) between the City of Las Vegas and REI Neon, LLC, concerning the execution of a final Development Agreement for the construction of a sports arena generally located at the southwest corner of Main Street and Charleston Boulevard - Ward 3 (Reese)
54. Discussion and possible action regarding an Extension and Amendment of Exclusive Negotiation Agreement between City Parkway V, Inc., and TAP Property Holdings of Nevada, L.L.C., for the exclusive right to conduct due diligence for the development of Parcel J in Union Park, located at 100 South Grand Central Parkway (a portion of APN 139-34-110-004) - Ward 5 (Barlow)

CITY ATTORNEY - DISCUSSION

55. Discussion and possible action on Appeal of Work Card Denial: Jennifer Flores, 3912 Lazy Pine, Unit #102, Las Vegas, Nevada 89108
56. Discussion and possible action on Appeal of Work Card Denial: Kenneth Remon Dorsey, 389 North 15th Street, Apartment #4, Las Vegas, Nevada 89101

57. Discussion and possible action on Appeal of Work Card Denial: Steve Merle Alberts, 624 North Milan, Henderson, Nevada 89015
58. Discussion and possible action on Appeal of Work Card Denial: Sheila North, 5100 East Tropicana Avenue, Apartment 23-E, Las Vegas, Nevada 89123

FIELD OPERATIONS - DISCUSSION

59. Discussion and possible action of a Development and Management Agreement between the City of Las Vegas and the Las Vegas Railroad Society for a railroad museum and miniature railroad located on APNs 138-29-501-007, 138-29-601-003 and 138-28-301-006 also known as the Angel Park, the Angel Park Golf Course, the Kellogg Zaher Sports Complex and the Darling Tennis Center - Ward 4 (Brown)

FINANCE & BUSINESS SERVICES - ADMINISTRATION DISCUSSION

60. Discussion and possible action on the City of Las Vegas Comprehensive Annual Financial Report (CAFR) for Fiscal Year 2007

FINANCE & BUSINESS SERVICES - BUSINESS SERVICES DISCUSSION

61. Discussion and possible action regarding Temporary Approval of a new Beer/Wine/Cooler On-sale License subject to the provisions of the planning and fire codes and Health Dept. regulations, J Morales Inc., dba Mexican Grill El Nopal, 2000 South Las Vegas Boulevard, Suite C-2, Jose R. Morales, Pres, 100% and Maria Del Rosario Gonzalez, Vice Pres, Secy, Treas - Ward 3 (Reese)
62. Discussion and possible action regarding Temporary Approval of a new Massage Establishment License subject to the provisions of the planning and fire codes, Lisa Abril, dba Platinum Massage, 7720 West Sahara Avenue, Suite 104, Lisa A. Abril, Owner, 100% - Ward 1 (Tarkanian) [Note: This is an Ancillary License to an existing business – Family Care Chiropractic.]
63. Discussion and possible action regarding Temporary Approval of a new Massage Establishment License and Temporary Approval of a new Reflexology Establishment License subject to the provisions of the planning and fire codes, 5 Star Consumers Inc., dba Sunflower Massage, 2127 Paradise Road, Tony Tu Tang, Pres, 100% - Ward 3 (Reese)

RESOLUTIONS - DISCUSSION

64. R-87-2007 - Discussion and possible action regarding a Resolution consenting to the undertakings of the City of Las Vegas Redevelopment Agency (Agency) in connection with the Commercial Visual Improvement Program (CVIP) Agreement between the Agency and Strata Vegas, LLC, (Owner) located at 2305 East Bonanza Road (APN 139-26-801-002) to be in compliance with and in furtherance of the goals and objectives of the Agency - Ward 3 (Reese) [NOTE: This item is related to Redevelopment Agency Item 5 (RA-20-2007)]
65. R-88-2007 - Discussion and possible action regarding a Resolution consenting to the undertakings of the City of Las Vegas Redevelopment Agency (Agency) in connection with the Commercial Visual Improvement Program (CVIP) Agreement between the Agency and Strata Vegas, LLC, (Owner) located at 2333-2421 East Bonanza Road (APN 139-26-801-001) to be in compliance with and in furtherance of the goals and objectives of the Agency - Ward 3 (Reese) [NOTE: This item is related to Redevelopment Agency Item 6 (RA-21-2007)]

BOARDS & COMMISSIONS - DISCUSSION

66. PARK & RECREATION ADVISORY COMMISSION – Brent Blackburn, Term Expiration 1/6/2008
67. REGIONAL TRANSPORTATION COMMISSION OF SOUTHERN NEVADA (RTC) ADVISORY COMMITTEE ON BUS BENCH/SHELTER CONSTRUCTION AND MAINTENANCE – William McCurdy and Mel Irwin - Term Expirations 1-04-2008

68. Appointment and Reappointment of Members to the Youth Neighborhood Association Partnership Program (YNAPP) Grant Review Board - All Wards

69. PLANNING COMMISSION – Leo Davenport - Term Expiration 6-2007 – Ward 1 (Tarkanian)

RECOMMENDING COMMITTEE REPORT - DISCUSSION

BILLS ELIGIBLE FOR ADOPTION AT THIS MEETING

70. ABEYANCE ITEM - Bill No. 2007-68 – Updates the zoning regulations that govern off-premise signs. Sponsored by: Mayor Oscar B. Goodman

71. Bill No. 2007-69 – Annexation No. ANX-23635 – Property location: At 4505 Balsam Street; Petitioned by: Scott Ashjian; Acreage: 1 acre; Zoned: R-E (County zoning), R-E (City equivalent). Sponsored by: Councilman Larry Brown

72. Bill No. 2007-70 – Annexation No. ANX-23637 – Property location: At 4633 Balsam Street; Petitioned by: Jose R. Pineda; Acreage: 0.89 acres; Zoned: R-E (County zoning), R-E (City equivalent). Sponsored by: Councilman Larry Brown

73. Bill No. 2007-71 – Annexation No. ANX-23639 – Property location: At 4515 Balsam Street; Petitioned by: Jon S. Ashjian; Acreage: 1.62 acres; Zoned: R-E (County zoning), R-E (City equivalent). Sponsored by: Councilman Larry Brown

74. Bill No. 2007-72 – Updates certain Municipal Code provisions pertaining to the Municipal Court. Proposed by: James P. Carmany, Municipal Court Administrator

75. Bill No. 2007-73 – Clarifies the zoning treatment of manufactured homes. Sponsored by: Councilman Steven D. Ross

76. Bill No. 2007-74 – Updates the zoning provisions pertaining to adult day care centers and family child care homes. Sponsored by: Councilman Larry Brown

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.

77. Bill No. 2007-64 – Provides that Planning Commission action on most special use permits is final, unless appealed or requested for review by a member of the City Council, and modifies certain provisions regarding related hearings and appeals so as to conform to State law. Sponsored by: Councilman Gary Reese

NEW BILLS - DISCUSSION

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.

78. Bill No. 2007-75 – Ordinance Creating Special Improvement District No. 1510 - Cliff Shadows Parkway (I-215 to Lone Mountain Road) Sponsored by: Step Requirement

79. Bill No. 2007-76 – Annexation No. ANX-19110 – Property location: On the southwest corner of Grand Teton Drive and Tenaya Way; Petitioned by: Spinnaker Homes IX, LLC; Acreage: 40.19 acres; Zoned: R-A (ROI to R-E) (County zoning), U (DR) (ROI to R-E) (City equivalent). Sponsored by: Councilman Steven D. Ross

80. Bill No. 2007-77 – Implements Section 4.040 of the City Charter relative to the appointment of certain hearing commissioners. Sponsored by: Councilman Steve Wolfson

- 81. Bill No. 2007-78 – Clarifies the process for the nonrenewal of business licenses. Sponsored by: Councilman Steve Wolfson
- 82. Bill No. 2007-79 – Allows short-term vacation rentals in certain residential districts as a conditional use. Sponsored by: Councilman Steve Wolfson

1:00 P.M. - AFTERNOON SESSION

BUSINESS ITEMS - AFTERNOON

- 83. Any items from the afternoon session that the Council, staff and/or the applicant wish to be stricken or held in abeyance to a future meeting may be brought forward and acted upon at this time

PLANNING & DEVELOPMENT

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 & DEVELOPMENT - CONSENT

PM SESSION - ALL ITEMS LISTED ON THE CONSENT AGENDA ARE CONSIDERED TO BE ROUTINE AND HAVE BEEN RECOMMENDED "FOR APPROVAL". 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.

- 84. EOT-25020 - ABEYANCE ITEM - APPLICANT/ OWNER: AZRA COMMERCIAL CENTER, LLC - Request for an Extension of Time of an approved Variance (VAR-8344) TO ALLOW 60 PARKING SPACES WHERE 210 ARE REQUIRED on 2.37 acres at 4440 East Washington Avenue, (APN 140-29-212-003), C-1 (Limited Commercial) Zone, Ward 3 (Reese). Staff recommends APPROVAL
- 85. EOT-25019 - ABEYANCE ITEM - APPLICANT/ OWNER: AZRA COMMERCIAL CENTER, LLC - Request for an Extension of Time of an approved Special Use Permit (SUP-6932) FOR A PROPOSED TAVERN AND A WAIVER OF THE 1,500-FOOT SEPARATION REQUIREMENT FROM A SIMILAR USE at 4440 East Washington Avenue, Suite #116 (APN 140-29-212-003), C-1 (Limited Commercial) Zone, Ward 3 (Reese). Staff recommends APPROVAL
- 86. EOT-25372 - APPLICANT: CASINO CENTER PROPERTIES - OWNER: FIRST STREET PROPERTIES, LLC - Request for an Extension of Time of an approved Rezoning (ZON-14338) FROM: P-R (PROFESSIONAL OFFICE AND PARKING) AND R-4 (HIGH DENSITY RESIDENTIAL) TO: C-1 (LIMITED COMMERCIAL) on 0.52 acres at 700, 708 and 712 South 10th Street (APNs 139-34-810-101 through 103), Ward 3 (Reese). Staff recommends APPROVAL
- 87. EOT-25370 - APPLICANT: CASINO CENTER PROPERTIES - OWNER: FIRST STREET PROPERTIES, LLC, ET AL - Request for an Extension of Time of an approved Site Development Plan Review (SDR-14349) FOR A PROPOSED MIXED-USE DEVELOPMENT CONSISTING OF 350 RESIDENTIAL CONDOMINIUM UNITS AND 18,000 SQUARE FEET OF COMMERCIAL FLOOR AREA WITHIN ONE 14-STORY AND ONE 17-STORY BUILDING, AND A WAIVER OF THE RESIDENTIAL ADJACENCY REQUIREMENTS on 2.05 acres at the northwest corner of Charleston Boulevard and 10th Street (APNs 139-34-810-101 through 105, 074, and 075; and 139-34-812-003), C-1 (Limited Commercial) Zone and R-4 (High Density Residential) Zone, P-R (Professional Office and Parking) Zone Under Resolution of Intent to C-1 (Limited Commercial) Zone, Ward 3 (Reese). Staff recommends APPROVAL

88. EOT-25467 - APPLICANT/OWNER: VERGE LIVING CORPORATION - Request for an Extension of Time of an approved Variance (VAR-8651) TO ALLOW NO STEP BACK WHERE A 1:1 STEP BACK RATIO IS REQUIRED ABOVE 35 FEET on 2.87 acres adjacent to the northeast corner of Main Street and Bonanza Road (APNs 139-27-810-001, 002, 003, 004; 139-27-707-008, and 139-27-712-046 through 051), R-2 (Medium-Low Density Residential) Zone and C-M (Commercial/Industrial) Zone under Resolution of Intent to C-1 (Limited Commercial) Zone, Ward 5 (Barlow). Staff recommends APPROVAL

89. EOT-25466 - APPLICANT/OWNER: VERGE LIVING CORPORATION - Request for an Extension of Time of an approved Site Development Plan Review (SDR-8649) FOR A MIXED-USE DEVELOPMENT WITH 296 RESIDENTIAL UNITS AND 34,700 SQUARE FEET OF COMMERCIAL SPACE AND WAIVERS IN BUILDING PLACEMENT; STREET AND FOUNDATION LANDSCAPE STANDARDS; FRONT, CORNER SIDE, AND REAR YARD SETBACK REQUIREMENTS; AND TO ALLOW A 241-FOOT RESIDENTIAL ADJACENCY SETBACK WHERE 249 FEET FROM RESIDENTIAL PROPERTY IS REQUIRED on 2.87 acres adjacent to the northeast corner of Main Street and Bonanza Road (APNs 139-27-810-001, 002, 003, 004; 139-27-707-008, and 139-27-712-046 through 051), R-2 (Medium-Low Density Residential) Zone and C-M (Commercial/Industrial) Zone under Resolution of Intent to C-1 (Limited Commercial) Zone, Ward 5 (Barlow). Staff recommends APPROVAL

PLANNING & DEVELOPMENT - DISCUSSION

90. SUP-24513 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT/OWNER: ICONIUM CORPORATION, LLC - Appeal filed from the denial by the Planning Commission of a request for a Special Use Permit FOR A FACILITY TO PROVIDE TESTING, TREATMENT, OR COUNSELING FOR DRUG OR ALCOHOL ABUSE at 1311 South Casino Center Boulevard (APN 162-03-110-056), C-2 (General Commercial) Zone, Ward 3 (Reese). The Planning Commission (3-1-1 vote) and staff recommend DENIAL

91. VAR-23598 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT/OWNER: DONNA DELACRUZ - Request for a Variance TO ALLOW A PROPOSED 2,790 SQUARE FOOT ACCESSORY STRUCTURE, CLASS I (HABITABLE), WHERE 528 SQUARE FEET (50 PERCENT OF THE FLOOR AREA OF THE PRINCIPAL DWELLING) IS THE MAXIMUM ALLOWED at 5413 Hickam Avenue (APN 138-01-303-003), R-E (Residence Estates) Zone, Ward 6 (Ross) NOTE: THIS APPLICATION HAS BEEN AMENDED TO INCLUDE A VARIANCE TO ALSO ALLOW THE ACCESSORY STRUCTURE TO BE 18 FEET IN HEIGHT WHERE 14 FEET IS THE MAXIMUM HEIGHT ALLOWED. Staff recommends DENIAL. The Planning Commission (6-0 vote) recommends APPROVAL

92. SUP-23596 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT/OWNER: DONNA DELACRUZ - Request for a Special Use Permit FOR A PROPOSED 2,790 SQUARE FOOT ACCESSORY STRUCTURE, CLASS I (HABITABLE) at 5413 Hickam Avenue (APN 138-01-303-003), R-E (Residence Estates) Zone, Ward 6 (Ross). Staff recommends DENIAL. The Planning Commission (6-0 vote) recommends APPROVAL

93. VAR-22867 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT/OWNER: WORLD WELLNESS GROUP, LLC - Request for a Variance TO ALLOW 26 PARKING SPACES WHERE 48 IS THE MINIMUM REQUIRED FOR A PROPOSED ADDITION TO AN EXISTING MEDICAL OFFICE on 0.39 acres at 3100 South Valley View Boulevard (APN 162-08-410-001), C-1 (Limited Commercial) Zone [PROPOSED: M (Industrial) Zone], Ward 1 (Tarkanian) NOTE: THIS APPLICATION HAS BEEN AMENDED FOR 29 PARKING SPACES PROVIDED WHERE 42 SPACES ARE REQUIRED. The Planning Commission (4-2 vote) and staff recommend DENIAL

94. SDR-21998 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT/OWNER: WORLD WELLNESS GROUP, LLC - Request for a Site Development Plan Review FOR A THREE STORY, 3,970 SQUARE FOOT ADDITION TO AN EXISTING TWO-STORY 6,000 SQUARE FOOT MEDICAL OFFICE WITH A WAIVER TO ALLOW NO LANDSCAPE BUFFER ALONG A 96 FOOT PORTION OF THE NORTH PERIMETER AND TO ALLOW NO LANDSCAPE BUFFER ALONG THE EAST PROPERTY LINE on 0.39 acres at 3100 South Valley View Boulevard (APN 162-08-410-001), C-1 (Limited Commercial) Zone [PROPOSED: M (Industrial) Zone], Ward 1 (Tarkanian) NOTE: THIS APPLICATION HAS BEEN AMENDED FOR A REDUCED GROSS FLOOR AREA OF 8,110 SQUARE FEET FROM THE ORIGINAL 9,970 SQUARE FOOT PROPOSAL. The Planning Commission (4-2 vote) and staff recommend DENIAL

95. SUP-25060 - PUBLIC HEARING - APPLICANT: HERITAGE NEVADA VIII, LLC - OWNER: CITY PARKWAY V, INC. - Request for a Special Use Permit FOR A PROPOSED 800-FOOT HIGH MIXED-USE DEVELOPMENT IN THE AIRPORT OVERLAY DISTRICT at the southwest corner of Grand Central Parkway and City Parkway (APN 139-34-110-004), PD (Planned Development) Zone, Ward 5 (Barlow). NOTE: The applicant requests this item be held in abeyance to the 01-09-08 City Council Meeting. The Planning Commission (6-1 vote) and staff recommend APPROVAL
96. SDR-25059 - PUBLIC HEARING - APPLICANT: HERITAGE NEVADA VIII, LLC - OWNER: CITY PARKWAY V, INC. - Request for a Site Development Plan Review FOR A PROPOSED 57-STORY MIXED-USE DEVELOPMENT INCLUDING 1.12 MILLION SQUARE FEET OF COMMERCIAL SPACE AND 98 MULTI-FAMILY RESIDENTIAL UNITS WITH WAIVERS OF THE UNION PARK STREETScape STANDARDS, BUILDING PLACEMENT AND FRONTAGE REQUIREMENTS, ARCHITECTURAL STANDARDS, AND ACCESS STANDARDS on a portion of 53.6 acres at the southwest corner of Grand Central Parkway and City Parkway (APN 139-34-110-004), PD (Planned Development) Zone, Ward 5 (Barlow). NOTE: The applicant requests this item be held in abeyance to the 01-09-08 City Council Meeting. The Planning Commission (6-1 vote) and staff recommend APPROVAL
97. RQR-25668 - PUBLIC HEARING - APPLICANT: MOON VALLEY NURSERY - OWNER: AMERICAN GEAR REDUCTION, INC/WYCOFF NEWBERG CORP - Request for a Required Three Month Review of an approved Special Use Permit (SUP-12177) FOR PROPOSED OUTDOOR STORAGE/SALES WITHIN TOWN CENTER on 5.22 acres at 7215 and 7275 Tule Springs Road (APNs 125-17-802-009 and 011), T-C (Town Center) Zone [SC-TC (Service Commercial - Town Center) Town Center Land Use Designation], Ward 6 (Ross). Staff recommends DENIAL
98. RQR-25665 - PUBLIC HEARING - APPLICANT: MOON VALLEY NURSERY - OWNER: AMERICAN GEAR REDUCTION, INC/WYCOFF NEWBERG CORP - Request for a Required Three Month Review of an approved Site Development Plan Review (SDR-12175) FOR OUTDOOR STORAGE/SALES AND A WAIVER OF THE PERIMETER LANDSCAPE REQUIREMENTS on 5.22 acres at 7215 and 7275 Tule Springs Road (APNs 125-17-802-009 and 011), T-C (Town Center) Zone [SC-TC (Service Commercial - Town Center) Town Center Land Use Designation], Ward 6 (Ross). Staff recommends DENIAL

SET DATE

99. Set date on any appeals filed or required public hearings from the City Planning Commission Meetings, Centennial Hills Architectural Review Committee and Dangerous Building or Nuisance/Litter Abatements

CITIZENS PARTICIPATION

100. 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

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