

RESOLUTION NO. R-18-2008

A RESOLUTION MAKING A PROVISIONAL ORDER TO THE EFFECT THAT CERTAIN IMPROVEMENTS IN THE CITY SHALL BE ACQUIRED PURSUANT TO THE CONSOLIDATED LOCAL IMPROVEMENTS LAW TO BE KNOWN AS CITY OF LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 1511 – FARM ROAD (VIRGINIA DALE STREET TO TULE SPRINGS ROAD); AND CALLING A HEARING ON THE PROJECT.

Summary: Provisional Order

WHEREAS, the City Council of the City of Las Vegas (hereinafter the "City Council" and "City", respectively) in the County of Clark and the State of Nevada, is of the opinion that the interest of the City requires the creation of a special improvement district pursuant to the Consolidated Local Improvements Law (NRS Chapter 271) and the acquisition and improvement of a Street Project as defined in NRS 271.225 (collectively, hereinafter the "Project"); and

WHEREAS, the City Engineer, together with the City Engineer Division of the City and certain consulting engineers (collectively, hereinafter the "Engineer"), has filed at the office of the City Clerk, in connection with the Project and with the proposed City of Las Vegas, Nevada, Special Improvement District No. 1511 – Farm Road (Virginia Dale Street to Tule Springs Road) the following:

(A) Preliminary plans and specifications showing a typical section of the contemplated improvements, the type or types of material, approximate thickness and wideness for the Project;

(B) A preliminary estimate of the total cost of the Project and of each type of construction, the estimate being made in a lump sum or by unit prices, and further, including in the total estimate, without limiting the generality of the foregoing, the advertising, appraising, engineering, legal, interest on interim warrants, if any, discount on any bonds, printing, and such other expenses as in the judgment of the Engineer are necessary or essential to the completion of such work or improvement, and the payment of the cost thereof;

(C) An assessment plat or map, including an addendum thereto (designated as a "Tabulation of Parcels") showing the descriptions of the property to be assessed, showing the area to be assessed, the market values, a description of each lot, tract or parcel of land, the name and address of each owner, the amounts of estimated preliminary assessments, the amount of maximum benefits (and corresponding market

value increases) estimated to be assessed against each lot, tract or parcel of land in the assessment area, such estimate being based on the method of assessment set forth herein (an equitable adjustment having been made for assessments to be levied against wedge or "V" or other irregularly-shaped lots or lands, or for any lot, tract or parcel of land not specially benefited for other reasons in direct proportion to its front footage, so that assessments according to benefits will be equal and uniform); and

(D) The Engineer's Report to the City Council on Benefits, as to the method of determining benefits and corresponding market value increases and as to whether the creation of the District is economically sound and feasible; and

WHEREAS, the City Council has examined the improvement plans, assessment plat, including the addendum thereto, typical section of contemplated improvements, preliminary estimate of the cost, estimate of maximum benefits, and Engineer's Report, so filed with the City Clerk, and has found, and does hereby declare the same to be satisfactory in all respects; and

WHEREAS, the City Council has also determined, and does hereby determine, that all of the assessable property in the City which is specially benefited by the improvements to be acquired in the Special Improvement District No. 1511 – Farm Road (Virginia Dale Street to Tule Springs Road) and only the property which is so specially benefited, is included in the District; and

WHEREAS, the City Council has determined and does hereby determine that the exception provided by NRS 271.306(2)(b) does exist with respect to the District, as there are not more than 2,640-feet between existing.

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

Section 1. The special improvement district shall be designated "City of Las Vegas, Nevada, Special Improvement District No. 1511 – Farm Road (Virginia Dale Street to Tule Springs Road)" (hereinafter the "District").

Section 2. This Resolution shall be known as, and may be cited by, the short title "Special Improvement District 1511 Provisional Order Resolution" (hereinafter the "Resolution").

Section 3. The City Council hereby ratifies the preparation by the Engineer of and does accept, the plans and specifications, assessment plat (including the addendum and exhibits thereto),

typical section of the contemplated improvements, preliminary estimate of cost, the Engineer's Report on Benefits, and the estimate of maximum benefits (and corresponding market value increases) to be assessed against each lot, tract, or parcel of land in the assessment area.

Section 4. The Project shall be acquired at an estimated preliminary total cost of \$86,354.21, including engineering, legal, and incidental expenses, as more particularly hereinafter set forth and as described in the plans and specifications herein accepted, reference to which is hereby made and which are available for public inspection at the office of the City Clerk at 400 Stewart Avenue, Las Vegas, Nevada 89101.

Section 5. The City Council has also determined and does hereby declare as follows:

1. The public convenience and necessity require the creation of the District and construction of the Project;
2. The creation of the District is economically sound and feasible; and
3. 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 made.

Section 6. The boundaries of the District, within which is located the Project and the lots, tracts and parcels of land to be assessed, shall be as designated in the form of notice set forth in Section 7 of this Resolution. It is estimated that the total cost shall be apportioned as follows:

Estimated Amount of Special Assessments	Amount Available from Other Sources	Total Cost
\$ 86,354.21	\$ 0.00	\$ 86,354.21

The amount to be assessed shall be made upon all tracts benefited in proportion to the special benefits received, as more fully described in the form of notice set forth in Section 7 of this Resolution.

Section 7. On Wednesday, May 21, 2008, at 9:00 a.m. in the City Council Chambers, 400 Stewart Avenue, Las Vegas, Nevada (i.e., a time at least 20 days after the adoption of this Resolution) the City Council will consider the ordering of the Project and will hear all complaints, protests, and objections that may be made in writing, and filed as hereafter provided, or made verbally at the hearing, concerning the same, by the owners of land to be assessed or any interested person. The owners of the property to be assessed or any other persons interested therein, may file a written protest or objection, and may

appear before the City Council and be heard as to the propriety and advisability of making such improvements, as to the estimated cost thereof, as to the manner of payment therefor, as to the amount thereof to be assessed against the property to be improved, and as to the amount of special benefits and corresponding market value increases. Twenty (20) days' prior notice, in writing, of such time and place shall be given to such property owners, postage prepaid, as first-class mail, to each property owner at his last known address, the names and addresses of such property owners are to be obtained from the records of the County Assessor or from such other sources as the City Clerk deems reliable. Such notice shall also be given to the owner and each tenant of mobile home parks, if any, located on any tracts to be assessed. Any such list of names and addresses may be revised from time to time, but such list need not be revised more frequently than at twelve month intervals. Notice shall also be given by posting on the web site of the City, or in three (3) public places located on public property at or near the site of the Project at least twenty (20) days prior to May 21, 2008. Proof of such mailing and posting shall be made by the affidavit of the City Clerk or Deputy City Clerk, proof of same to be filed with the City Clerk, provided that failure to mail such notice or notices shall not invalidate any assessment nor any other of the proceedings hereunder. Notice of the time and place of such hearing shall also be given by publication in the Las Vegas Review-Journal, a daily newspaper published in Las Vegas and of general circulation in the City of Las Vegas, Nevada, once each week for three (3) consecutive weekly publications, by three (3) weekly insertions, the first publication in such newspaper to be at least fifteen (15) days prior to May 21, 2008. Not less than fourteen (14) days shall intervene between the first publication and the last publication in such newspaper. Such service by publication shall be verified by the affidavit of the publishers and filed with the City Clerk. The proof of publication, the proof of mailing and the proof of posting shall be maintained in the records of the office of the City Clerk until all the assessments pertaining to the District shall have been paid in full principal, interest and any penalties or collection costs. Said notice shall be in substantially the following form:

(Form of Notice)

NOTICE OF HEARING ON PROPOSED PROJECT AND ASSESSMENTS WITHIN
THE PROPOSED CITY OF LAS VEGAS, NEVADA SPECIAL IMPROVEMENT
DISTRICT NO. 1511 – FARM ROAD (VIRGINIA DALE STREET TO TULE SPRINGS
ROAD)

NOTICE IS HEREBY GIVEN to the property owners within the proposed City of Las Vegas, Nevada, Special Improvement District No. 1511 – Farm Road (Virginia Dale Street to Tule Springs Road) (hereinafter the "District") and to all interested persons that:

The City Council of the City of Las Vegas (hereinafter the "City Council" and "City", respectively) in the County of Clark and the State of Nevada, has provisionally ordered the acquisition of a Street Project (collectively, the "Project") as more particularly described as follows:

FARM ROAD (SOUTH SIDE) - from the centerline of Virginia Dale Street west along Farm Road to Tule Springs Road (80-foot right-of-way).

Except as shown on the preliminary plans and specifications now on file in the office of the City Clerk and in the office of the Special Improvement District in Las Vegas, Nevada, the character of such Project shall be described more particularly as follows: The improvements on Farm Road will consist of the grading, regrading, graveling, and asphalt paving as necessary to complete the south travel lane and an emergency/breakdown lane, "L" type curb and gutter, sidewalks, residential driveway approaches and streetlights. The streetlights will be installed at the back of the sidewalk at appropriate intervals.

The preliminary estimated total cost of the Project and the amount to be assessed is \$86,354.21.

The amount to be assessed for the improvements in the District will be levied upon all tracts in the District, i.e., upon all abutting tracts in proportion to the special benefits derived (as shown by the estimated benefits and corresponding market value increases). However, an equitable adjustment will be made for assessments to be levied against wedge or "V" or other irregularly shaped lots or lands, if any, and for any lot, tract or parcel not specially benefited by the improvements so that assessments according to benefits are to be equal and uniform. The portion of the costs to be assessed against and the maximum amount of benefits estimated (and corresponding market value increases) to be conferred upon each piece or parcel of property in the District is stated in the assessment plat and addendum thereto designated "Tabulation of Parcels" or preliminary assessment roll. In cases of wedge or "V" or any other

irregularly shaped tracts, the amount apportioned thereto shall be in proportion to the special benefits thereby derived.

The assessments will be levied on a front foot basis, provided that those tracts which front a cul-de-sac and which abut or front a street or streets being improved will be assessed on a "unit lot" basis, i.e., all lots abutting the cul-de-sac are to be assessed the same amount based upon the front footage of those lots abutting the street or streets being improved which also abut the cul-de-sac. Each property owner will be assessed for the cost to complete the south travel lane and an emergency/breakdown lane, curb and gutter, sidewalks, driveway approaches and streetlights, where not already existing.

The boundaries of the District shall be the exterior boundary of each parcel of property fronting a street to be improved by the improvements or fronting a cul-de-sac which abuts or fronts a street to be improved by the improvements.

All persons interested are hereby advised that the preliminary plans and specifications (showing a typical section of the contemplated improvements) and the assessment plat, including a tabulation of parcels or preliminary assessment roll, a preliminary estimate of the total cost, a description of the lots, tracts and parcels of land to be assessed, the portion of the cost to be assessed thereagainst, and the amount of maximum benefits (including the corresponding market value increases) estimated to be conferred on each piece or parcel of property, the Engineer's report as to the method of determining benefits, and all proceedings in the premises are on file in the office of the Special Improvement District, Department of Public Works, and at the office of the City Clerk, 400 Stewart Avenue, Las Vegas, Nevada. All of the foregoing can be seen and examined by any property owner or other interested persons during regular business hours, from 8:00 a.m. to 5:00 p.m., Monday through Friday.

It is anticipated that there will be grade or elevation changes in connection with the acquisition of the Project. Such grade or elevation changes are substantial and are as shown on the preliminary plans and specifications. All interested persons are hereby referred to the preliminary plans and specifications, which relate to the details of the Project.

On Wednesday, May 21, 2008 at 9:00 a.m., in the City Council Chambers at 400 Stewart Avenue, in Las Vegas, Nevada, the City Council will consider the ordering of the proposed Project, and will hear all complaints, protests and objections that may be made in writing and filed as hereafter provided, or made verbally at the hearing, concerning the same, by the owner of any tract to be assessed or any interested

person. The owners of the property to be assessed, or any other person interested therein, may appear before the City Council and be heard as to the propriety and advisability of acquiring and improving such Project, as to the estimated cost thereof, as to the manner of payment therefor, as to the amount thereof to be assessed, the benefits estimated to be conferred against each tract, and the corresponding market value increases expected for each tract in the District.

The City Council requests that any property owner or interested person wishing to protest or object, do so in writing at the office of the City Clerk at least three (3) days before the time set for such hearing, i.e., on or before Friday, May 16, 2008. On the date and at the time and place fixed for such hearing, any and all property owners interested in the Project may, by written complaint, protest or objection, present their views to the City Council, or present them orally, and the City Council may adjourn the hearing from time to time to discuss and consider said issues before it. Any person filing a written protest or objection as hereinabove provided, shall have the right within thirty (30) days after the City Council has finally passed on such protest or objection to commence an action or suit in any court of competent jurisdiction to correct or set aside such determination, but thereafter, all actions or suits attacking the validity of the proceedings and the amount of benefits shall be perpetually barred. A PROPERTY OWNER'S ONLY CHANCE TO PRESENT EVIDENCE TO DEMONSTRATE THAT HIS OR HER ESTIMATED ASSESSMENTS ARE EXCESSIVE WILL BE AT THE PUBLIC HEARING AND A PROPERTY OWNER WILL NOT BE ABLE TO PRESENT ANY ADDITIONAL EVIDENCE UPON SUBSEQUENT APPEAL TO DISTRICT COURT.

A person should object to the formation of the District, using the procedure outlined in this notice, if his support for the District is based upon a statement or representation concerning the Project that is not contained in the language of this notice.

If a person objects to the amount of maximum benefits estimated to be assessed or to the legality of the proposed assessments in any respect:

- (1) He is entitled to be represented by counsel at the hearing;
- (2) Any evidence he desires to present on these issues must be presented at the hearing; and
- (3) Evidence on these issues that is not presented at the hearing may not thereafter be presented in an action brought pursuant to NRS 271.315.

The City Council has determined that less than 2,640-feet exists between existing improvements on either side of the street and accordingly may take advantage of the exception stated in paragraph (b) of subsection (2) of NRS 271.306, (which exception is that the City, at its option, may proceed with the improvements in the District regardless of the percentage of protests).

After such hearing, the City Council shall determine the advisability of undertaking each part of the Project, and, if it determines to proceed, shall determine the kind and character of such improvements to be made, and shall authorize the advertising for bids for performing such work and furnishing all necessary materials with the lowest and best bidder or bidders. The City Council may determine not to proceed with all or any part of the Project regardless of the protests or objections.

After the determination of the actual cost of the Project, assessments shall be levied in accordance with the laws of the State of Nevada. In no event shall the assessments exceed the estimated maximum special benefits to the property assessed or the reasonable market value of the property being assessed (as determined by the City Council). The City Council shall provide that the assessments may be payable without interest and without demand during a specified cash payment period and the City Council shall provide that the assessments may be paid at the election of the owner in forty (40) substantially equal semi-annual installments of principal and interest. The City Council shall also provide the time and terms of payment of such assessments and shall fix penalties to be collected upon delinquent payments (at a rate not exceeding two percent (2%) per month or such lower rate, may be zero percent, for such period as determined by the City Treasurer). The City Director of Finance and Business Services shall also provide the rate of interest on unpaid installments of assessments, which will not exceed the maximum rate of interest permitted under the statutes of the State. If assessment bonds are issued, such rate will not exceed by more than 1% of the highest rate of interest on the assessment bonds for the District. The effective interest rate on the assessment bonds of the District will not exceed the statutory maximum rate, i.e., will not exceed by more than 3% the "Index of Twenty Bonds", which shall have been most recently published before the time bids for the bonds are received, or at the time a negotiated offer for the sale of such bonds is accepted. If assessment bonds are not issued, such rate shall not exceed 9%.

Pursuant to NRS 271.357 and NRS 271.360, the City has established a procedure to allow any person whose principal residence will be included in the District to apply for a Hardship Determination.

Any assessment against property for which an application for Hardship Determination has been approved by the City Council shall be postponed, but the owner shall make payments of interest on the unpaid balance of previous and current assessments at the same rate and terms as are established for other assessments in the manner provided. The assessment shall remain postponed until the earlier of the following occurrences: (a) the property is sold or transferred to a person other than one to whom a Hardship Determination has been granted; (b) the term of the bonds expires; (c) the property owner's application for renewal of the Hardship Determination is disapproved; (d) the property owner fails to pay interest on the unpaid balance of assessments in a timely manner; or (e) the property owner pays all previous and current assessments. A person desiring to apply for a Hardship Determination shall file an application no later than May 16, 2008, with the Clark County Department of Social Services, 1600 Pinto Lane, Las Vegas, Nevada 89106, (702) 455-8687.

By order of the City Council of the City, Nevada, and dated this April 16, 2008.

BEVERLY K. BRIDGES, CMC
City Clerk

(End of Form of Notice)

Section 8. That all action, 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. 1511 – Farm Road (Virginia Dale Street to Tule Springs Road) be, and the same hereby are, ratified, approved and confirmed.

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

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

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


Section 12. That 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, ADOPTED AND APPROVED this 16th day of April, 2008.



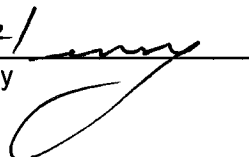
OSCAR B. GOODMAN, Mayor

Attest:



~~BEVERLY K. BRIDGES, CMC~~
City Clerk By Vicky Darling
Chief Deputy City Clerk

Approved as to Form:

1 APR 23 2008
Date Deputy City Attorney


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

I, Beverly K. Bridges, CMC, the duly chosen and qualified City Clerk of the City of Las Vegas (hereinafter the "City"), 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 April 16, 2008.

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

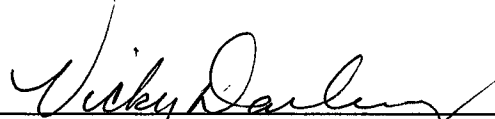
(B) By mailing a copy of the notice to each person, if any, who has requested notice of the meetings of the City Council in the same manner in which notice is required to be mailed to a member of the City Council. Such notice was delivered to the postal service no later than 9:00 a.m. on the third working 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 April 16, 2008, is attached to this certificate as Exhibit "A". A copy of the affidavit of publication of the Notice of Public Hearing is attached hereto as Exhibit "B", and a copy of the minutes of the public hearing held on May 21, 2008, is attached hereto as Exhibit "C".

IN WITNESS WHEREOF, I have hereunto set my hand on this April 16, 2008.

(SEAL)



~~BEVERLY K. BRIDGES, GMC~~
~~City Clerk~~ By Vicky Darling
Chief Deputy 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.

April 16, 2008

Morning Session begins at 9:00 a.m.

Afternoon Session begins at 1:00 p.m.

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

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. 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 – DOCTOR-PASTOR ANNE JONES, LIFE CHRISTIAN CENTER
4. PLEDGE OF ALLEGIANCE
5. RECOGNITION OF THE EMPLOYEE OF THE MONTH
6. RECOGNITION OF THE SENIOR OF THE QUARTER
7. RECOGNITION OF CHAMBER MUSIC MONTH
8. RECOGNITION OF NATIONAL START! WALKING DAY
9. RECOGNITION OF MOUNTAIN VIEW LUTHERAN SCHOOL FOR EARNING THE GREAT AMERICAN PRIDE AWARD
10. RECOGNITION OF THE UNLV NURSING PROGRAM FOR ITS WARD 5 HOMELESS CORRIDOR STUDY

11. REMEMBRANCE OF ISRAEL "CACHAO" LÓPEZ

BUSINESS ITEMS - MORNING

12. 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
13. Approval of the Final Minutes by reference of the regular City Council meeting of March 19, 2008

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

14. Approval of a Parking License Agreement between City Parkway IV A, Inc., and Nevada Ready Mix Corporation for the purpose of parking Ready Mix staff personal vehicles and Ready Mix Cement Trucks on a portion of 301 West Mesquite Avenue (APN 139-27-401-031) - Ward 5 (Barlow)

BUSINESS DEVELOPMENT - CONSENT

15. Approval of the proposed Newland Fiscal 2009 Budget submitted by Newland Communities, LLC, for Union Park, located at 100 South Grand Central Parkway (APNs 139-34-110-004 and 002), and City Parkway V, Inc.'s, authorization of Newland Communities to spend said project budget on its behalf (\$1,779,200 - City Parkway V, Inc., Land Sales) - Ward 5 (Barlow)

FIELD OPERATIONS - CONSENT

16. Approval of an Interlocal Agreement among Clark County, the City of Henderson, the City of North Las Vegas and the City of Las Vegas to establish a process for joint selection of Federal lands for disposal as referenced in the Southern Nevada Public Land Management Act of 1998 - All Wards
17. Approval of an Agreement for the Purchase and Sale of Real Property between D I Hollywood LLC and the City of Las Vegas for vacant land consisting of approximately 20.78 acres located in the vicinity of Vegas Valley Drive and Tree Line Drive, APN 161-10-711-049 (\$8,300,000 Sanitation Enterprise Fund) - 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 and authorization for the Director of Finance to execute the City's required Letter of Credit (LOC) in the amount of \$13,374,000 for workers compensation claims with Bank of America (Estimated fee of \$39,000 - Employee Benefits Internal Service Fund)
20. Approval of a Second Amended and Restated Interlocal Agreement Regarding the Distribution of Taxes for a Performing Arts Center, located on Parcel H and Parcel I in Union Park, a portion of 53.6 acres generally located at the northeast corner of Bonneville Avenue and Grand Central Parkway (APN 139-34-110-004) - Ward 5 (Barlow)

FINANCE & BUSINESS SERVICES - BUSINESS SERVICES CONSENT

21. Approval of a Special Event Alcoholic Beverage License for California Hotel & Casino, Location: Main Street Parking Lot, 100 Stewart Avenue, Dates: May 3 and 4, 2008, Type: Special Event Beer/Wine, Event: May Day Lei Day Festival, Responsible Person in Charge: Lane Conley - Ward 5 (Barlow)
22. Approval of a Special Event Alcoholic Beverage License for Chaldean Catholic Manor - Church, Location: Chaldean Catholic Manor - Church, 4514 Meadows Lane, Date: April 19, 2008, Type: Special Event General, Event: Church Party, Responsible Person in Charge: Bassam Mekha - Ward 1 (Tarkanian)
23. Approval of a Special Event Alcoholic Beverage License for Christ Church Episcopal, Location: Christ Church Episcopal, 2000 South Maryland Parkway, Date: April 26, 2008, Type: Special Event General, Event: Fundraiser Kick off Event, Responsible Person in Charge: Dennis Kesner or Kathy Kesner - Ward 3 (Reese)
24. Approval of a Special Event Alcoholic Beverage License for RA Management Group, LLC, Location: The Summit, 2480 North Decatur Boulevard, Suite 120, Dates: May 2 and May 9, 2008, Type: Special Event General, Event: Private Party, Responsible Person in Charge: Scott Darst - Ward 5 (Barlow)
25. Approval of a Special Event Alcoholic Beverage License for Richard Harris Law Firm, dba Cinco de Mayo Party, Location: Richard Harris Law Firm, 801 South 4th Street, Date: May 2, 2008, Type: Special Event General, Event: Cinco de Mayo Party, Responsible Person in Charge: Jim Ecklund - Ward 3 (Reese)
26. Approval of a Special Event Alcoholic Beverage License for Silverstone Ranch HOA Social Committee, Location: Silverstone HOA Community Park, Parkfield Community, 8503 Berkley Hall Street, Date: April 26, 2008, Type: Special Event Beer/Wine, Event: HOA BBQ, Responsible Person in Charge: Eileen Reimann - Ward 6 (Ross)
27. Approval of Change of Ownership for a Beer/Wine/Cooler On-sale License subject to Health Dept. regulations, From: King Se Jong Chong Restaurant Inc., To: Chong and Chong, dba King Se Jong Restaurant, 1500 South Las Vegas Boulevard, Duk N. Chong and Yong D. Chong, 100% jointly with spouse - Ward 3 (Reese)
28. Approval of Change of Ownership and Change of Business Name for a Tavern License subject to the provisions of the planning and fire codes and Health Dept. regulations, From: Golden PT's Pub Rancho 4, LLC, dba PT's Place, To: Silver Miners, LLC, dba Silver Miners Casino, 1631 North Rancho Drive, Jack M. Lenavitt, Mgr, 20%, Arnold W. Stansley, Mmbr, 20%, Richard B. Stansley, Mmbr, 20%, James A. Gulbrandsen, Mmbr, 20%, and Andrew P. Westmeyer, Option Mmbr, 20% - Ward 5 (Barlow)
29. Approval of a new Non-restricted Limited Gaming License subject to confirmation of approval by the Nevada Gaming Commission, Silver Miners, LLC, dba Silver Miners Casino, 1631 North Rancho Drive, Jack M. Lenavitt, Mgr, 20%, Arnold W. Stansley, Mmbr, 20%, Richard B. Stansley, Mmbr, 20%, James A. Gulbrandsen, Mmbr, 20%, and Andrew P. Westmeyer, Option Mmbr, 20% - Ward 5 (Barlow)
30. Approval of a new Beer/Wine/Cooler On-sale License subject to Health Dept. regulations, Calles De Suenos, dba Streets of New York Pizza, 7570 Norman Rockwell Lane, Jeff C. McBride and Stacy L. McBride, 100% jointly with spouse - Ward 6 (Ross)
31. Approval of a new Beer/Wine/Cooler Off-sale License, Terrible Herbst, Inc., dba Terrible's #278, 1051 Desert Foothills Drive, Jerry Herbst, President, Maryanna A. Herbst, Secy, Treas, Dir, Edward J. Herbst, V. P., Dir, Timothy P. Herbst, V. P., Dir, Troy D. Herbst, V. P., Dir, and Michael J. Roop, V. P., Dir - Ward 2 (Wolfson)
32. Approval of a new Restricted Gaming License for 7 slots subject to confirmation of approval by the Nevada Gaming Commission, E-T-T, Inc., dba Terrible's #278, 1051 Desert Foothills Drive - Ward 2 (Wolfson)
33. Approval of Change of Location for an Auctioneer License subject to the provisions of the planning codes, Robert Deiro & Associates, Inc., dba Robert Deiro & Associates, From: 4050 West Harmon Avenue, Suites 1 & 2, To: 7878 West Sahara Avenue, Guy R. Deiro, Dir, Pres, Secy, 50% and JoLynn Deiro, Dir, Treas, 50% - Ward 2 (Wolfson)

FINANCE & BUSINESS SERVICES - PURCHASING & CONTRACTS CONSENT

34. Approval of award of First Amendment to Engineering Design Services Agreement No. 070012, Horse Drive at US 95 Interchange from Grand Canyon Drive to Brent Lane - Department of Public Works - Award recommended to: VTN NEVADA (\$685,546 - Road and Flood Capital Projects Fund) - Ward 6 (Ross)
35. Approval of Modification No. 4 to Contract No. 050003, Planning and Development Consulting Services for Post Modern Post Office located at 301 Stewart Avenue - Office of the City Manager - Award recommended to: CAROL GOLDSTEIN (\$50,000 - Parks and Leisure Activities Capital Projects Fund) - Ward 5 (Barlow)
36. Approval of award of Contract No. 080194-DK for Bond, Tax and Legal Counsel Services - Department of Finance and Business Services - Award recommended to: SWENDSEID & STERN, A MEMBER IN SHERMAN & HOWARD, LLC (\$300,000 - Various Funds)
37. Approval of award of Contract No. 080239-DK for Artwork Fabrication and Installation Services located in the Arts District on Casino Center between Charleston Boulevard and Colorado Street - Office of Government and Community Affairs - Award recommended to: THEMEING SOLUTIONS, INC. (\$278,238 - Public Art Special Revenue Fund) - Ward 3 (Reese)

FIRE & RESCUE - CONSENT

38. Approval of an Interlocal Agreement with the State of Nevada Department of Public Safety for the transfer of homeland security funds from the FY07 State Homeland Security Program (SHSP) Exercise Grant - All Wards
39. Approval of an Agreement between the Fire Department and CDPCN, LLC, to permit destructive fire training at 800 - 900 Monroe Avenue, Emerald Breeze Apartments - Ward 5 (Barlow)

NEIGHBORHOOD SERVICES - CONSENT

40. Approval to allocate Low Income Housing Trust Funds (LIHTF) and Redevelopment Set Aside (RDA) funds in the total amount of \$2,000,000 to replace HOME Investment Partnership (HOME) Program funds previously allocated to Community Development Programs Center of Nevada (CDPCN), LLC to assist with the purchase of Emerald Breeze Apartments (APN 139-28-503-023) located at 900 Monroe Avenue – Ward 5 (Barlow)
41. Approval to pursue foreclosure process and utilize \$10,000 Redevelopment 18% Set-Aside Funds to pay fees, taxes and liens associated with the property foreclosure located at 7054 Burcot Avenue, Unit L-45 (APN 140-23-118-013) – All Wards

PLANNING & DEVELOPMENT - CONSENT

42. Approval of the Interlocal Contract between the Regional Transportation Commission of Southern Nevada (RTC), the State of Nevada (State) through the Department of Transportation (NDOT), the County of Clark (County) and the Cities of Boulder City, Henderson, Las Vegas, Mesquite and North Las Vegas for the metropolitan transportation planning process – All Wards

PUBLIC WORKS - CONSENT

43. Approval of Fourth Supplemental Interlocal Contract for design of the Oakey - Meadows Storm Drain located on the Springs Preserve site from the northwest corner of Alta Drive and Valley View Boulevard to Fulton Place, west on Fulton Place from Valley View Boulevard to Hinson Street, south on Hinson Street to Charleston Boulevard, west on Charleston Boulevard to Decatur Boulevard and south on Decatur Boulevard to Sahara Avenue (\$4,720,354 - Clark County Regional Flood Control District [CCRFC]) - Ward 1 (Tarkanian)
44. Approval of Third Supplemental Interlocal Contract for the Brent Lane and Tule Springs Detention Basins being constructed within the Floyd Lamb Park (northeast corner of Cimarron Road and Racel Street) along with a collection facility, extending west along Racel Street from Cimarron Road to El Capitan Way (\$1,653,600 - Clark County Regional Flood Control District [CCRFC]) - Ward 6 (Ross)

45. Approval of Interlocal Contract LAS09W08 between the City of Las Vegas and the Clark County Regional Flood Control District (CCRFCD) to provide funding for the construction of the Oakey Drain - Birch Street to Cahlan Drive (\$10,201,994 - CCRFCD) - Ward 1 (Tarkanian)
46. Approval of Interlocal Contract 581 between the City of Las Vegas and the Regional Transportation Commission of Southern Nevada (RTC) to perform a planning study for a future interchange on I-15 at Owens Avenue and for eliminating the current Owens Avenue One-way couplet (\$300,000 - RTC) - Ward 5 (Barlow)
47. Approval of Interlocal Contract 582 between the City of Las Vegas and the Regional Transportation Commission of Southern Nevada (RTC) to fund the design of bicycle facilities to be located along Tenaya Way - from Cheyenne Avenue to Craig Road and along Gowan Road - from Pioneer Road to Tenaya Way (\$64,000 - RTC Question 10 funds) - Ward 4 (Brown)
48. Approval of Third Supplemental Interlocal Contract 461c between the City of Las Vegas and the Regional Transportation Commission of Southern Nevada (RTC) to revise the scope of project and approve a revised authorization to proceed for construction for Question 10 project 144A - Intelligent Transportation System (ITS) communication infrastructure - Alexander Road from Durango Road to US-95 (\$1,400,000 - RTC Question 10 funds) - Ward 4 (Brown)
49. Approval of Amendment Number 3 to the Interlocal Contract with Clark County for the Department of Social Services to assist in evaluating City-designated Special Improvement District hardship applications (\$35 an hour/estimated \$1,000 a year - Revolving Special Improvement District Fund) - All Wards
50. Approval of a Rule 9 Line Extension Agreement with Nevada Power Company (NPC) for the extension of NPC facilities to provide power for the trail lighting on the Rampart Drainage Trail Phase I project, located along the Angel Park Golf Course (Suncoast Drive and Durango Drive) from Alta Drive to Westcliff Drive (\$27,825 - Southern Nevada Public Land Management Act [SNPLMA]) - Ward 2 (Wolfson)
51. Approval of two Landscape Waivers from the City of Las Vegas for portions of the Northeast Quarter of Section 36, Township 20 South, Range 60 East and the Northwest Quarter of Section 6, Township 21 South, Range 61 East, Mount Diablo Meridian, to remove landscape requirements in affected areas for two properties located along Decatur Boulevard at the northwest corner of Decatur Boulevard and Alta Drive and the southwest corner of Decatur Boulevard and Charleston Boulevard, APNs 138-36-601-009 and 162-06-111-002 - Ward 1 (Tarkanian)
52. Approval of Easements and Rights-of-Way documents that will assign rights for five (5) Fire Hydrant easements from the City of Las Vegas to the Las Vegas Valley Water District for portions of the Northeast and Southwest Quarters of Section 28, the Northeast and Southeast Quarters of Section 21, and the Northeast Quarter of Section 33, Township 20 South, Range 61 East, Mount Diablo Meridian, with regard to the Martin L. King Boulevard improvement project, located along Martin L. King Boulevard at the northeast corner of Washington Avenue, the southwest corner of Bonanza Road and the southeast corner of Miller Avenue, APNs 139-28-604-008, 139-28-401-033, 139-21-510-078, 139-21-710-001 and 139-33-510-002 - Ward 5 (Barlow)
53. Approval to file a Right-of-Way Grant with the Bureau of Land Management for a portion of the east half of Section 1, Township 19 South, Range 60 East, Mount Diablo Meridian for roadway purposes on the west 65 feet of Decatur Boulevard (south of Moccasin Road and north of Gilbert Lane) APNs 125-01-701-001 and 125-01-001-001 - Ward 6 (Ross)

RESOLUTIONS - CONSENT

54. R-17-2008 - Approval of a Resolution overruling complaints, protests, and objections and confirming the final assessment roll for Special Improvement District No. 1485 - Alta Drive (Rancho Drive to approximately 275 feet west of Lacy Lane) (Landscape Maintenance FY2009) (\$65,340.00 - Capital Projects Fund - Special Assessments) - Ward 1 (Tarkanian)
55. R-18-2008 - Approval of a Resolution Making Provisional Order and Directing that the Notice of Public Hearing thereon be given regarding: Special Improvement District No. 1511 - Farm Road (Virginia Dale Street to Tule Springs Road) - Ward 6 (Ross)
56. R-19-2008 - Approval of a Resolution overruling complaints, protests, and objections and confirming the Final Assessment Roll for Special Improvement District No. 1516 - Fremont Street Maintenance District (Las Vegas Boulevard to 8th Street) (\$252,402.00 - Capital Projects Fund/Special Assessments) - Ward 5 (Barlow)

57. R-20-2008 - Approval of the Resolution by the City of Las Vegas ("City") and the Las Vegas Convention and Visitors Authority (LVCVA) to accept a \$50,000 grant from the LVCVA to fund capital improvements to the Las Vegas Sculpture Park, located on Boulder Avenue between Main Street and First Street - Ward 3 (Reese)

DISCUSSION/ACTION ITEMS

HEARINGS - DISCUSSION

58. Public Hearing on annexation report for the proposed annexation area generally located within the area bounded by Witch Mountain Road on the west, Moccasin Road on the north, Shaumber Road on the east and Iron Mountain Road on the south (ANX-23103) – Ward 6 (Ross)
59. Public Hearing and possible action on the City of Las Vegas 2008-2009 Action Plan for the submittal to U.S. Department of Housing and Urban Development (HUD) - All Wards

CITY ATTORNEY - DISCUSSION

60. Discussion and possible action on Appeal of Work Card Denial: Aricka Laniece Campbell, 5253 Summer Trout Street, North Las Vegas, Nevada 89031
61. Discussion and possible action on Appeal of Work Card Denial: Doraelia Annette Mckernan Borrego, 3070 S. Nellis Boulevard, Apt. 2138, Las Vegas, NV 89121
62. Discussion and possible action on Appeal of Work Card Denial: Mark Soro, 1442 Corsica Crest Court, Las Vegas, Nevada 89123

FINANCE & BUSINESS SERVICES - BUSINESS SERVICES DISCUSSION

63. Discussion and possible action regarding Temporary Approval of a new Supper Club License subject to the provisions of the planning and fire codes and Health Dept. regulations, Caylix Fine Dining, LLC, dba Caylix Jazz Club, 4760 West Sahara Avenue, Suite 13, Regina Edwards, Managing Mmbr, 100% - Ward 1 (Tarkanian)
64. Discussion and possible action regarding Temporary Approval of a new Auctioneer License, Gene Munari, dba Munari Auctions, 6455 Dean Martin Drive, Suite L, Gene J. Munari, Owner 100% - County
65. ABEYANCE ITEM - Discussion and possible action regarding Change of Location for Temporary Approval of a Tavern License subject to Health Dept. regulations, Dominic L. Laino, dba Club 2100, From: 2025 East Charleston Boulevard, To: 2100 Fremont Street, Dominic L. Laino, 100% - Ward 3 (Reese)
66. ABEYANCE ITEM - Discussion and possible action regarding a Suspension of a Temporary Massage Establishment License, 5 Star Consumers Inc., dba Sunflower Massage, 2127 Paradise Road, Tony T. Tang, Pres 100% - Ward 3 (Reese)
67. Discussion and possible action regarding a Review of a Temporary Tavern License (Non-Operational), Sterling Venue Ventures Las Vegas, LLC, dba The Canyon Club, 202 Fremont Street, Sterling Worldwide Entertainment, Inc., Lance Sterling, Mmbr 33.3%, Jeffrey C. Lapin, Mmbr, 33.3%, and Block 16, LLC, Melissa L. Richardson and William R. Richardson, Mmbr, 33.3% - Ward 3 (Reese)

PLANNING & DEVELOPMENT - DISCUSSION

68. Discussion and possible action on the 90-day update of Bill No. 2007-68 which updates the zoning regulations that govern off-premise signs - All Wards

PUBLIC WORKS - DISCUSSION

69. Report by the Nevada Department of Transportation (NDOT) on the status of the I-15 North Design Build Project - Ward 5 (Barlow)

RESOLUTIONS - DISCUSSION

70. R-21-2008 - Discussion and possible action regarding Resolution Amending Fee Schedule for LVMC Titles 18 and 19 – All Wards

BOARDS & COMMISSIONS - DISCUSSION

71. BUILDING AND SAFETY ENTERPRISE FUND ADVISORY COMMITTEE – Mark Vincent, Steve Quinn and Brooks Williams, Term Expirations 5-17-2008

RECOMMENDING COMMITTEE REPORT - DISCUSSION

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.

72. Bill No. 2008-17 – Establishes new regulations for cable television operators and other video services providers, consistent with NRS Chapter 711, as amended. Proposed by: Mark R. Vincent, Director of Finance and Business Services
73. Bill No. 2008-18 – Annexation No. ANX-26436 – Property location: At 4871 Reiter Avenue; Petitioned by: Joel Hermsillo; Acreage: 0.53 acres; Zoned: R-E (County zoning), R-E (City equivalent). Sponsored by: Councilman Ricki Y. Barlow
74. Bill No. 2008-19 – Annexation No. ANX-26466 – Property location: At 6424 West Cheyenne Avenue; Petitioned by: Vietnam Veterans America Chapter #17; Acreage: 0.63 acres; Zoned: C-P (County zoning), P-R (City equivalent). Sponsored by: Councilman Ricky Y. Barlow
75. Bill No. 2008-20 – Establishes additional licensing requirements and regulations applicable to wedding chapels. Sponsored by: Councilman Gary Reese
76. Bill No. 2008-21 - Ordinance Creating Special Improvement District No. 1507 - Jones Boulevard (Elkhorn Road to Horse Drive) and Grand Teton Drive (Maverick Street to Decatur Boulevard) Sponsored by: Step Requirement

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.

77. Bill No. 2008-22 - Levies Assessment for Special Improvement District No. 1516 – Fremont Street Maintenance District (Las Vegas Boulevard to 8th Street) Sponsored by: Step Requirement
78. Bill No. 2008-23 - Levies Assessment for Special Improvement District No. 1485 - Alta Drive (Rancho Drive to approximately 275 feet west of Lacy Lane) (Landscape Maintenance FY2009) Sponsored by: Step Requirement
79. Bill No. 2008-24 – Amends the Town Center Development Standards Manual in various respects. Sponsored by: Councilman Steven D. Ross

80. Bill No. 2008-25 – Eliminates the requirement that a general business-related gaming establishment licensed to sell alcoholic beverages obtain a separate special use permit for the gaming use. Sponsored by: Mayor Oscar B. Goodman

1:00 P.M. - AFTERNOON SESSION

BUSINESS ITEMS - AFTERNOON

81. 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.

82. EOT-27229 - APPLICANT/OWNERS: THE DRASKOVICH BUILDING, LLC AND ELITE TOWER LLC - Request for an Extension of Time of an approved Special Use Permit (SUP-11249) FOR A PROPOSED 538-FOOT TALL BUILDING WITHIN THE A-O AIRPORT OVERLAY DISTRICT at 801, 805, 809 and 815 South Casino Center Boulevard (APNs 139-34-410-066 through 069), C-2 (General Commercial) Zone and R-4 (High Density Residential) Zone under Resolution of Intent to C-2 (General Commercial) Zone, Ward 3 (Reese). Staff recommends APPROVAL
83. EOT-27230 - APPLICANT/OWNERS: THE DRASKOVICH BUILDING, LLC AND ELITE TOWER LLC- Request for an Extension of Time of an approved Special Use Permit (SUP-11245) FOR A PROPOSED MIXED-USE DEVELOPMENT at 801, 805, 809 and 815 South Casino Center Boulevard (APNs 139-34-410-066 through 069), C-2 (General Commercial) Zone and R-4 (High Density Residential) Zone under Resolution of Intent to C-2 (General Commercial) Zone, Ward 3 (Reese). Staff recommends APPROVAL
84. EOT-27228 - APPLICANT/OWNERS: THE DRASKOVICH BUILDING, LLC and ELITE TOWER LLC - Request for an Extension of Time of an approved Site Development Plan Review (SDR-11240) FOR A PROPOSED 45-STORY MIXED USE DEVELOPMENT, CONSISTING OF 451 RESIDENTIAL UNITS AND 7,940 SQUARE FEET OF RETAIL FLOOR SPACE; AND WAIVERS OF THE STEPBACK AND BUILD-TO-LINE STANDARDS OF THE DOWNTOWN CENTENNIAL PLAN on 0.80 acres at 801, 805, 809 and 815 South Casino Center Boulevard (APNs 139-34-410-066 through 069), C-2 (General Commercial) Zone and R-4 (High Density Residential) Zone under Resolution of Intent to C-2 (General Commercial) Zone, Ward 3 (Reese). Staff recommends APPROVAL

PLANNING & DEVELOPMENT - ONE MOTION/ONE VOTE

THE FOLLOWING ARE ITEMS THAT MAY BE CONSIDERED IN ONE MOTION/ONE VOTE. THEY ARE CONSIDERED ROUTINE NON-PUBLIC AND PUBLIC HEARING ITEMS. ALL PUBLIC HEARINGS AND NON-PUBLIC HEARINGS WILL BE OPENED AT ONE TIME. ANY PERSON REPRESENTING AN APPLICATION OR A MEMBER OF THE PUBLIC OR A MEMBER OF THE CITY COUNCIL NOT IN AGREEMENT WITH THE CONDITIONS AND ALL STANDARD CONDITIONS FOR THE APPLICATION RECOMMENDED BY STAFF, SHOULD REQUEST TO HAVE THAT ITEM REMOVED FROM THIS PART OF THE AGENDA.

85. VAR-26747 - PUBLIC HEARING - APPLICANT/OWNER: MORTON FOX - Request for a VARIANCE TO ALLOW A 25-FOOT FRONT YARD SETBACK WHERE 30 FEET IS REQUIRED FOR A PROPOSED PORTE COCHERE on 0.64 acres at 2020 Silver Avenue (APN 162-04-210-063), R-E (Residence Estates) Zone, Ward 1 (Tarkanian). The Planning Commission (7-0 vote) and staff recommend APPROVAL
86. SUP-26608 - PUBLIC HEARING - APPLICANT: ROSATI'S - OWNER: NS SOUTHWEST #4, LLC - Request for a Special Use Permit FOR A PROPOSED RESTAURANT WITH A BEER/WINE/COOLER ON-SALE ESTABLISHMENT at 8001 North Durango Drive, Suite #110 (APN 125-08-813-008), C-1 (Limited Commercial) Zone, Ward 6 (Ross). The Planning Commission (7-0 vote) and staff recommend APPROVAL
87. SUP-25131 - PUBLIC HEARING - APPLICANT: MOUNTAIN VIEW ESTATES - OWNER: SEUNG HWAN HAN AND EUN JOO HAN - Request for a Special Use Permit FOR A PROPOSED 40-FOOT HIGH, 14-FOOT BY 48-FOOT OFF-PREMISE SIGN at 1550 West Oakey Boulevard (APN 162-04-605-008), M (Industrial) Zone, Ward 3 (Reese). NOTE: THIS APPLICATION IS FOR A 55-FOOT HIGH SIGN. The Planning Commission (6-0-1 vote) and staff recommend APPROVAL
88. SUP-26576 - PUBLIC HEARING - APPLICANT: LUTHERAN SOCIAL SERVICES OF NEVADA - OWNER: HARSCH INVESTMENT PROPERTIES LLC - Request for a Special Use Permit FOR A SOCIAL SERVICE PROVIDER at 51 North Pecos Road, Suites #109-113 (APN 139-36-811-010), M (Industrial) Zone, Ward 3 (Reese). The Planning Commission (7-0 vote) and staff recommend APPROVAL
89. SUP-26624 - PUBLIC HEARING - APPLICANT: DRAKE DEVELOPMENTS, LLC - OWNER: WILLIAM A. AND LISA A. KAERCHER TRUST - Request for a Special Use Permit FOR A PROPOSED RETAIL ESTABLISHMENT WITH BEER/WINE/COOLER OFF-SALE on 1.65 acres located at 10 North Eastern Avenue (APN 139-35-815-003), C-2 (General Commercial) Zone, Ward 3 (Reese). The Planning Commission (7-0 vote) and staff recommend APPROVAL
90. SUP-26625 - PUBLIC HEARING - APPLICANT: DRAKE DEVELOPMENTS, LLC - OWNER: NEVADA HERITAGE INVESTMENTS - Request for a Special Use Permit FOR A PROPOSED RETAIL ESTABLISHMENT WITH BEER/WINE/COOLER OFF-SALE on 1.78 acres located at 6100 Vegas Drive (APN 138-23-801-002), C-1 (Limited Commercial) Zone, Ward 5 (Barlow). The Planning Commission (7-0 vote) and staff recommend APPROVAL
91. SUP-26774 - PUBLIC HEARING - APPLICANT: OUTDOOR SOLUTIONS - OWNER: FRED KAVLI - Request for a Special Use Permit FOR A 40-FOOT TALL, 14-FOOT BY 48-FOOT OFF-PREMISE SIGN at 4510 North Tenaya Way (APN 138-03-601-003), C-1 (Limited Commercial) Zone, Ward 4 (Brown). The Planning Commission (5-1-1 vote) and staff recommend APPROVAL
92. VAC-26611 - PUBLIC HEARING - APPLICANT/OWNER: BART MAYBIE - Petition to Vacate an existing 20-foot drainage easement generally located on the northeast corner of Maggie Avenue and Coke Street, Ward 6 (Ross). The Planning Commission (7-0 vote) and staff recommend APPROVAL
93. VAC-26629 - PUBLIC HEARING - APPLICANT: GREAT AMERICAN CAPITAL - OWNER: SMOKE RANCH DEVELOPMENT, LLC - Petition to Vacate a 10-foot wide public drainage easement generally located 1,265 feet east of the southeast corner of North Buffalo Drive and Smoke Ranch Road, Ward 4 (Brown). The Planning Commission (7-0 vote) and staff recommend APPROVAL

94. VAC-26687 - PUBLIC HEARING - APPLICANT: SOUTHWEST ENGINEERING - OWNER: DECATUR 215 OF NEVADA, LLC - Petition to Vacate portions of Decatur Boulevard, a 30-foot access, drainage and public sewer easement, a 43-foot public drainage, access, public sewer easement and a 56-foot public drainage easement generally located at the northwest corner of Decatur Boulevard and Tropical Parkway, Ward 6 (Ross). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL

PLANNING & DEVELOPMENT - DISCUSSION

95. DIR-27454 - APPLICANT: WESTCARE NEVADA INC. - Appeal of the Director's decision to deny a Business License per 19.04.010 for a Convalescent Care Facility on property located at 401 South Martin L. King Boulevard (APN 139-33-601-004), M (Industrial) Zone, Ward 5 (Barlow). Staff recommends DENIAL
96. GPA-25969 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT/OWNER: SMOKE RANCH INVESTMENTS - Request to Amend a portion of the Southwest Sector Plan of the General Plan FROM: MLA (MEDIUM-LOW ATTACHED DENSITY RESIDENTIAL) TO: GC (GENERAL COMMERCIAL) on 5.33 acres adjacent to the south side of Smoke Ranch Road, approximately 175 feet east of Decatur Boulevard (APN 139-19-101-002), Ward 5 (Barlow). NOTE: The Planning Commission recommended approval of S-C (Service Commercial). Staff recommends DENIAL. The Planning Commission (5-2 vote) recommends APPROVAL
97. ZON-25970 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT/OWNER: SMOKE RANCH INVESTMENTS - Request for a Rezoning FROM: R-1 (SINGLE FAMILY RESIDENTIAL) UNDER RESOLUTION OF INTENT TO R-PD10 (RESIDENTIAL PLANNED DEVELOPMENT - 10 UNITS PER ACRE) TO: C-2 (GENERAL COMMERCIAL) on 5.33 acres adjacent to the south side of Smoke Ranch Road, approximately 175 feet east of Decatur Boulevard (APN 139-19-101-002), Ward 5 (Barlow). NOTE: The Planning Commission recommended approval of C-1 (Limited Commercial). Staff recommends DENIAL. The Planning Commission (5-2 vote) recommends APPROVAL
98. SDR-25247 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: SOKA GAKKAI INTERNATIONAL-USA - OWNER: NELS TRUST, ET AL - Request for a Site Development Plan Review FOR A PROPOSED 5,991 SQUARE FOOT, SINGLE STORY CHURCH/HOUSE OF WORSHIP AND COMMUNITY CENTER on 1.09 acres at the southeast corner of Charleston Boulevard and Cahlan Drive (APN 162-05-512-020), C-D (Designed Commercial) Zone, Ward 1 (Tarkanian). The Planning Commission (5-1 vote) and staff recommend APPROVAL
99. SUP-23285 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: METRO PCS NEVADA, LLC - OWNER: D&W, INC. - Appeal filed from the denial by the Planning Commission of a request for a Special Use Permit FOR A PROPOSED 10-FOOT EXTENSION TO AN EXISTING 60-FOOT TALL WIRELESS COMMUNICATION FACILITY, NON-STEALTH DESIGN at 120 North Jones Boulevard (APN 138-25-404-004), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). The Planning Commission (6-0-1 vote) and staff recommend DENIAL
100. SUP-25460 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: MIKE'S LIQUOR, LLC - OWNER: SAHARA-SAB NEVADA, LLC - Request for a Special Use Permit FOR A PROPOSED PACKAGE LIQUOR OFF-SALE ESTABLISHMENT at 2600 West Sahara Avenue, Suites #103 and #104 (APN 162-05-818-002), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). The Planning Commission (5-0 vote) and staff recommend APPROVAL
101. ZON-25758 - PUBLIC HEARING - APPLICANT: SOUTHWEST DESERT EQUITIES, LLC - OWNER: K R LAND COMPANY, LLC ET AL. - Request for a Rezoning FROM: U (UNDEVELOPED) [PCD (PLANNED COMMUNITY DEVELOPMENT)] TO: PD (PLANNED DEVELOPMENT) on 23.62 acres at the southeast corner of Hualapai Way and Deer Springs Way (APNs 125-19-301-001 through 005 and 013), Ward 6 (Ross). Staff recommends DENIAL. The Planning Commission (6-1 vote) recommends APPROVAL
102. SDR-25760 - PUBLIC HEARING - APPLICANT: SOUTHWEST DESERT EQUITIES, LLC - OWNER: K R LAND COMPANY, LLC ET AL. - Request for a Site Development Plan Review FOR A PROPOSED 200,300 SQUARE-FOOT RETAIL DEVELOPMENT on 23.62 acres at the southeast corner of Hualapai Way and Deer Springs Way (APNs 125-19-301-001 through 005 and 013), U (Undeveloped) [PCD (Planned Community Development)] Zone [PROPOSED: PD (Planned Development) Zone], Ward 6 (Ross). NOTE: ITEM HAS BEEN AMENDED TO A 205,000 SQUARE-FOOT RETAIL DEVELOPMENT. Staff recommends DENIAL. The Planning Commission (6-1 vote) recommends APPROVAL

- 103.VAC-25759 - PUBLIC HEARING - APPLICANT: SOUTHWEST DESERT EQUITIES, LLC - OWNER: K R LAND COMPANY, LLC ET AL. - Petition to Vacate portions of U.S. Government Patent easements generally located east of Hualapai Way and south of Deer Springs Way, Ward 6 (Ross). The Planning Commission (6-1 vote) and staff recommend APPROVAL
- 104.ZON-25776 - PUBLIC HEARING - APPLICANT: EXCEED PROPERTIES, INC. - OWNER: EXCEED PROPERTIES, INC., ET AL. - Request for a Rezoning FROM: R-PD25 (RESIDENTIAL PLANNED DEVELOPMENT - 25 UNITS PER ACRE) AND R-1 (SINGLE FAMILY RESIDENTIAL) TO: C-1 (LIMITED COMMERCIAL) on 4.35 acres adjacent to the east side of 6th Street, approximately 360 feet north of Sahara Avenue (APNs 162-03-811-001 through 084; 162-03-801-011, 013, and 014), Ward 3 (Reese). The Planning Commission (5-2 vote) recommends DENIAL. Staff recommends APPROVAL
- 105.VAR-25778 - PUBLIC HEARING - APPLICANT: EXCEED PROPERTIES, INC. - OWNER: EXCEED PROPERTIES, INC., ET AL. - Request for a Variance TO ALLOW NO STEPBACK WHERE A 1:1 STEPBACK TO HEIGHT RATIO IS REQUIRED ALONG A STREET CLASSIFIED AS COLLECTOR OR LARGER FOR A PROPOSED MIXED-USE DEVELOPMENT on 7.02 acres adjacent to the northeast corner of Sixth Street and Sahara Avenue (APNs 162-03-801-011, 013, 014, and 099; 162-03-811-001 through 084), C-1 (Limited Commercial) Zone, R-PD25 (Residential Planned Development - 25 Units per Acre) Zone, and R-1 (Single Family Residential) Zone [PROPOSED: C-1 (Limited Commercial) Zone], Ward 3 (Reese). The Planning Commission (7-0 vote) and staff recommend DENIAL
- 106.SUP-25775 - PUBLIC HEARING - APPLICANT: EXCEED PROPERTIES, INC. - OWNER: EXCEED PROPERTIES, INC., ET AL. - Request for a Special Use Permit FOR A 500-FOOT BUILDING IN THE A-O (AIRPORT OVERLAY) DISTRICT WHERE THE HEIGHT LIMITATION IS 175 FEET on 7.02 acres adjacent to the northeast corner of Sixth Street and Sahara Avenue (APNs 162-03-801-011, 013, 014, and 099; 162-03-811-001 through 084), C-1 (Limited Commercial) Zone, R-PD25 (Residential Planned Development - 25 Units per Acre) Zone, and R-1 (Single Family Residential) Zone [PROPOSED: C-1 (Limited Commercial) Zone], Ward 3 (Reese). The Planning Commission (7-0 vote) and staff recommend DENIAL
- 107.SUP-25779 - PUBLIC HEARING - APPLICANT: EXCEED PROPERTIES, INC. - OWNER: EXCEED PROPERTIES, INC., ET AL. - Request for a Special Use Permit FOR A PROPOSED MIXED-USE DEVELOPMENT on 7.02 acres adjacent to the northeast corner of Sixth Street and Sahara Avenue (APNs 162-03-801-011, 013, 014, and 099; 162-03-811-001 through 084), C-1 (Limited Commercial) Zone, R-PD25 (Residential Planned Development - 25 Units per Acre) Zone, and R-1 (Single Family Residential) Zone [PROPOSED: C-1 (Limited Commercial) Zone], Ward 3 (Reese). The Planning Commission (7-0 vote) and staff recommend DENIAL
- 108.SDR-25773 - PUBLIC HEARING - APPLICANT: EXCEED PROPERTIES, INC. - OWNER: EXCEED PROPERTIES, INC., ET AL. - Request for a Site Development Plan Review FOR A PROPOSED 43-STORY MIXED-USE DEVELOPMENT INCLUDING 1,105 RESIDENTIAL UNITS AND 179,860 SQUARE FEET OF COMMERCIAL USES, WITH A WAIVER OF RESIDENTIAL ADJACENCY REQUIREMENTS TO ALLOW A 101-FOOT SETBACK WHERE 1,500 FEET IS REQUIRED AND WAIVERS OF PERIMETER LANDSCAPE BUFFER STANDARDS TO ALLOW A ZERO-FOOT BUFFER ALONG A PORTION OF THE NORTH PROPERTY LINE AND FIVE FEET ALONG THE EAST PROPERTY LINE WHERE EIGHT FEET IS REQUIRED on 7.02 acres adjacent to the northeast corner of Sixth Street and Sahara Avenue (APNs 162-03-801-011, 013, 014, and 099; 162-03-811-001 through 084), C-1 (Limited Commercial) Zone, R-PD25 (Residential Planned Development - 25 Units per Acre) Zone, and R-1 (Single Family Residential) Zone [PROPOSED: C-1 (Limited Commercial) Zone], Ward 3 (Reese). The Planning Commission (7-0 vote) and staff recommend DENIAL
- 109.SUP-26487 - PUBLIC HEARING - APPLICANT: LV INK - OWNER: SOLADA GROUP - Request for a Special Use Permit FOR A PROPOSED TATTOO PARLOR/BODY PIERCING STUDIO at 1501 South Las Vegas Boulevard (APN 162-03-210-081), C-2 (General Commercial) Zone, Ward 3 (Reese). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL
- 110.SUP-26569 - PUBLIC HEARING - APPLICANT/OWNER: CALVARY COMMUNITY ASSEMBLY OF GOD, INC - Request for a Special Use Permit FOR A PROPOSED SOCIAL SERVICE PROVIDER (DENTISTRY) at 2900 North Torrey Pines Drive (APN 138-14-601-005), C-V (Civic) Zone, Ward 5 (Barlow). The Planning Commission (5-2 vote) and staff recommend APPROVAL

- 111.SUP-26619 - PUBLIC HEARING - APPLICANT: DOLLAR LOAN CENTER - OWNER: DECATUR CROSSING CENTER, LLC - Request for a Special Use Permit FOR A PROPOSED FINANCIAL INSTITUTION, SPECIFIED AND A WAIVER TO ALLOW AN 81-FOOT RESIDENTIAL SEPARATION WHERE 200 FEET IS REQUIRED at 280 South Decatur Boulevard (APN 138-36-516-004), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). The Planning Commission (7-0 vote) and staff recommend APPROVAL
- 112.SUP-26626 - PUBLIC HEARING - APPLICANT: DRAKE DEVELOPMENTS, LLC - OWNER: THE PEYSER FAMILY REVOCABLE TRUST OF 1997 - Request for a Special Use Permit FOR A PROPOSED RETAIL ESTABLISHMENT WITH BEER/WINE/COOLER OFF-SALE on 1.77 acres located at 7595 Vegas Drive (APN 138-27-101-004), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). The Planning Commission (7-0 vote) and staff recommend APPROVAL
- 113.SDR-24242 - PUBLIC HEARING - APPLICANT/OWNER: BOCA PARK MARKETPLACE LV, LLC - Request for a Major Amendment to an approved Site Development Plan Review [(Z-0030-92(7))] FOR TWO PROPOSED SINGLE-STORY COMMERCIAL RETAIL BUILDINGS WITH A TOTAL FLOOR AREA OF 34,400 SQUARE FEET IN AN EXISTING SHOPPING CENTER on 6.29 acres located at northeast corner of Rampart Boulevard and Charleston Boulevard (APN 138-32-412-028), C-1 (Limited Commercial) Zone, Ward 2 (Wolfson) NOTE: RETAIL BUILDINGS HAVE BEEN AMENDED TO 36,800 SQUARE FEET IN TOTAL FLOOR AREA. The Planning Commission (7-0 vote) and staff recommend APPROVAL
- 114.SDR-25253 - PUBLIC HEARING - APPLICANT/OWNER: INTERNATIONAL CHURCH OF LAS VEGAS - Request for a Site Development Plan Review FOR EIGHT EXISTING MODULAR BUILDINGS AND AN OUTSIDE STORAGE AREA FOR AN EXISTING CHURCH on 12.89 acres at 8100 Westcliff Drive (APN 138-28-401-013), C-V (Civic) Zone, Ward 2 (Wolfson). Staff recommends DENIAL. The Planning Commission (4-3 vote) recommends APPROVAL
- 115.SDR-25968 - PUBLIC HEARING - APPLICANT/OWNER: LAND CAPITAL PARTNERS, LLC - Appeal filed from the denial by the Planning Commission of a request for a Site Development Plan Review FOR A 276 SQUARE FOOT ADDITION TO AN EXISTING OFFICE BUILDING AND WAIVERS OF PERIMETER LANDSCAPE BUFFERS TO ALLOW A ZERO-FOOT LANDSCAPE BUFFER ALONG THE SOUTH PROPERTY LINE WHERE 15 FEET IS REQUIRED, TO ALLOW A ZERO FOOT LANDSCAPE BUFFER ALONG THE NORTH AND WEST PROPERTY LINES WHERE EIGHT FEET IS REQUIRED, AND TO ALLOW A ZERO FOOT LANDSCAPE BUFFER ALONG THE EAST PROPERTY LINE WHERE SIX FEET FIVE INCHES IS REQUIRED on 0.15 acres at 4704 West Charleston Boulevard (APN 139-31-410-127), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). The Planning Commission (7-0 vote) and staff recommend DENIAL
- 116.SDR-25990 - PUBLIC HEARING - APPLICANT/OWNER: AMRIK SINGH - Appeal filed from the denial by the Planning Commission of a request for a Site Development Plan Review FOR A PROPOSED THREE STORY, 31,000 SQUARE FOOT HOTEL AND WAIVERS TO ALLOW ZERO FEET OF LANDSCAPING ON THE NORTH AND SOUTH PROPERTY LINES on 0.69 acres on the west side of Rancho Drive, approximately 630 feet south of Lone Mountain Road (APN 138-02-101-006), C-2 (General Commercial) Zone, Ward 6 (Ross). The Planning Commission (6-1 vote) recommends DENIAL. Staff recommends APPROVAL
- 117.SDR-26163 - PUBLIC HEARING - APPLICANT/OWNER: IGLESIAS ANER TRUST 1997 - Appeal filed from the denial by the Planning Commission of a request for a Site Development Plan Review FOR THE CONVERSION OF A 110-UNIT APARTMENT COMPLEX TO A CONDOMINIUM DEVELOPMENT on 4.43 acres at 2850 South Decatur Boulevard (APN 162-07-201-002), R-3 (Medium Density Residential) Zone, Ward 1 (Tarkanian). The Planning Commission (7-0 vote) and staff recommend DENIAL
- 118.ROC-27156 - PUBLIC HEARING - APPLICANT: LENNAR COMMUNITIES OF SOUTHERN NEVADA - OWNERS: US HOME CORPORATION AND MS RIALTO SKY RIDGE NV, LLC - Request for a Review of Condition to remove Condition Number 8 of an approved Site Development Plan Review (SDR-3320) WHICH STATED THAT THE SETBACKS SHALL BE A MAXIMUM OF 5 FEET OR 18 FEET AND GREATER TO THE FRONT OF THE GARAGE AND HOUSE AS MEASURED FROM THE BACK OF SIDEWALK OR BACK OF CURB on 23.40 acres adjacent to the northeast corner of Grand Teton Drive and Tee Pee Lane (multiple APNs), T-C (Town Center) Zone [(MLA-TC - Medium-Low Attached Residential - Town Center) land use designation], Ward 6 (Ross). Staff recommends DENIAL

SET DATE

119. 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

120. 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

Exhibit "B"

(Attach Affidavit of Publication of Notice of Hearing)

AFFP DISTRICT COURT
Clark County, Nevada

RECEIVED
CITY CLERK

AFFIDAVIT OF PUBLICATION

2008 MAY 27 A 11:16

STATE OF NEVADA)
COUNTY OF CLARK) SS:

STACEY M. LEWIS, being 1st duly sworn, deposes and says: That she is the Legal Clerk for the Las Vegas Review-Journal and the Las Vegas Sun, daily newspapers regularly issued, published and circulated in the City of Las Vegas, County of Clark, State of Nevada, and that the advertisement, a true copy attached for,

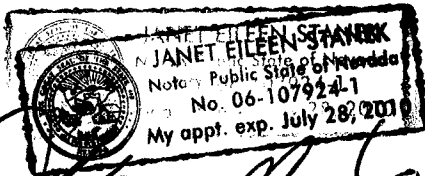
LV CITY CLERK

2296311LV

3914874

was continuously published in said Las Vegas Review-Journal and / or Las Vegas Sun in 3 edition(s) of said newspaper issued from 05/05/2008 to 05/19/2008, on the following days:

05/05/2008
05/12/2008
05/19/2008



Signed:

Stacey M. Lewis

SUBSCRIBED AND SWORN BEFORE ME THIS, THE

19~~th~~ day of May, 2008.

Notary Public

Janet Eileen Stanek

Exhibit "C"

(Attach minutes of public hearing on May 21, 2008)

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 21, 2008

DEPARTMENT: PUBLIC WORKS

DIRECTOR: JORGE CERVANTES, ACTING

Consent Discussion

SUBJECT:

Public Hearing on proposed local improvement district for Special Improvement District No. 1511 - Farm Road (Virginia Dale Street to Tule Springs Road) - Ward 6 (Ross)

Fiscal Impact

No Impact

Augmentation Required

Budget Funds Available

Amount:

Funding Source:

Dept./Division:

PURPOSE/BACKGROUND:

The construction and installation of pavement, median islands with left turn lanes and/or continuous left turn lanes, "L" type curb and gutter, sidewalks, and street lights.

RECOMMENDATION:

Public hearing only; no action required.

BACKUP DOCUMENTATION:

1. Public Hearing Notice
2. Submitted at meeting – Email submission from Patrick and Rhonda Bergsrud

Minutes:

No motion required. The Public Hearing was held.

MAYOR GOODMAN declared the Public Hearing open.

JORGE CERVANTES, Acting Director of Public Works, explained that the proposed local improvement district for Special Improvement District No. 1511 will encompass pavement, curb and gutter, sidewalk, streetlight and residential driveways. The value is approximately \$8,600, to be assessed over a twenty-year period.

MAYOR GOODMAN referenced and submitted an email he received from PATRICK BERGSRUD, 8311 Farm Road.

MR. BERGSRUD stated that he is the only property owner being asked to pay for the Special Improvement District. He explained that he retained legal representation and requested the item be held in abeyance to allow him time to meet with his attorney.

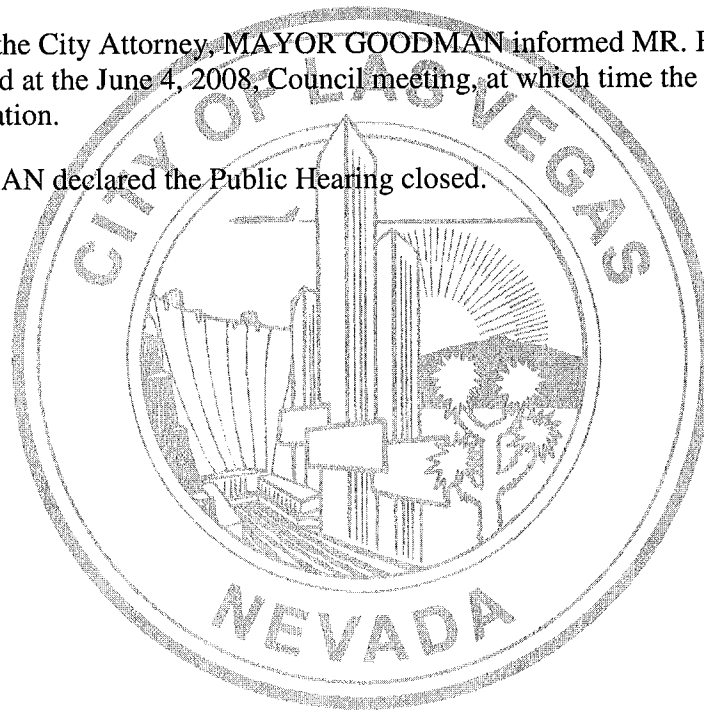
CITY COUNCIL MEETING OF: MAY 21, 2008

COUNCILMAN ROSS stated there have been more than ample opportunities for MR. BERGSRUD to handle the issues he alluded to. COUNCILMAN ROSS provided a detailed history beginning in July 2005, with the building failing to pass inspection due to drainage issues. He stated that it appeared that MR. BERGSRUD waited for American Homes to complete their improvements. In January 2006, he was notified that off-site improvements were required and that no further inspections would take place.

Using the overhead, COUNCILMAN ROSS indicated that, in March 2006, MR. BERGSRUD obtained a permit to construct a swimming pool, which was subsequently completed but without the required inspections. Again, in April 2006, he failed to pass inspection because the off-site improvements had still not been completed. MR. BERGSRUD refuted several of COUNCILMAN ROSS' comments.

Upon advice from the City Attorney, MAYOR GOODMAN informed MR. BERGSRUD that the item would be heard at the June 4, 2008, Council meeting, at which time the Council would vote on the recommendation.

MAYOR GOODMAN declared the Public Hearing closed.



STATE OF NEVADA)
) ss.
CITY OF LAS VEGAS)

AFFIDAVIT OF MAILING
NOTICE OF HEARING

Beverly K. Bridges, CMC, does hereby swear, upon oath according to law:

1. I am and at all times hereinafter mentioned was the duly qualified and sworn City Clerk of the City of Las Vegas, Nevada.

2. I posted or caused to be posted a notice entitled "NOTICE OF HEARING ON PROPOSED PROJECT AND ASSESSMENTS WITHIN THE PROPOSED CITY OF LAS VEGAS, NEVADA SPECIAL IMPROVEMENT DISTRICT NO. 1511 – FARM ROAD (VIRGINIA DALE STREET TO TULE SPRINGS ROAD)" on the City's website on April 30, 2008, being at least twenty (20) days prior to the hearing, on May 21, 2008 in accordance with NRS 271.170.

3. I mailed or caused to be mailed a notice entitled "NOTICE OF HEARING ON PROPOSED PROJECT AND ASSESSMENTS WITHIN THE PROPOSED CITY OF LAS VEGAS, NEVADA SPECIAL IMPROVEMENT DISTRICT NO. 1511 – Farm Road (Virginia Dale Street to Tule Springs Road)" by deposit in the United States mail, postage prepaid, as first-class mail, at the post office in the City of Las Vegas, Nevada, on April 30, 2008, being at least twenty (20) days prior to the hearing, on May 21, 2008, to the last known address of each last known owner of land within the District whose property will be assessed for the cost of the improvements, such addresses and owners being those appearing on the records of the County Assessor of Clark County, Nevada, and from such other sources as I, the City of Las Vegas and Public Works Department deemed to be reliable.

4. A list of said owners and their addresses is hereto attached, marked Exhibit A and made a part hereof, all addresses therein being situated within the City of Las Vegas, Nevada, unless otherwise indicated, such names and addresses being the same as those shown on the "Tabulation of Parcels" or "Preliminary Assessment Roll".

5. There is attached hereto, marked Exhibit B and made a part hereof, a full, true and correct copy of the notice as mailed as herein described.

6. Copies of the affidavit of publication of said notice, verified by the affidavit of the publisher, and a copy of this affidavit are on file in the office of the City Clerk.

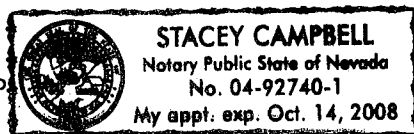
Further Affiant sayeth naught.


BEVERLY K. BRIDGES, CMC
City Clerk

SUBSCRIBED and SWORN to before me in the City of Las Vegas, Nevada, this 2nd day of September, 2008.

My commission expires 10/14/08.

(NOTARIAL STAMP)




Notary Public

EXHIBIT "A"

(Attach List of Property Owners with Their Addresses)

City of Las Vegas
** ASSESSMENT ROLL **
Special Improvement District No. 1511
Farm Road - (Virginia Dale Street to Tule Springs Road)

PRELIMINARY

PARCEL NUMBER	DESCRIPTION	PRIMARY PROPERTY OWNER	MARKET VALUE	ESTIMATED MAX BENEFIT	ASSESSMENT TOTAL
125-16-301-003	DOC: 20040206:00833 DATE: 2004/02/06 Parcel Map File 60 Page 25 Lot 3	Bergsrud Rhonda 8311 Farm Road Las Vegas NV 89131-4606	\$907,974.00	\$95,000.00	\$86,354.20
PRELIMINARY ASSESSMENT TOTAL:					\$ 86,354.20

70053110 00026464 4346

EXHIBIT "B"

(Attach Notice of Hearing as Mailed)

STATE OF NEVADA)
) SS:
COUNTY OF CLARK)

ENGINEER'S REPORT TO CITY COUNCIL ON BENEFITS FOR CITY OF LAS VEGAS,
NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 1511 – FARM ROAD (VIRGINIA
DALE STREET TO TULE SPRINGS ROAD)

The following report is hereby submitted for the City Council's consideration for proposed City of Las Vegas, Special Improvement District No. 1511 – Farm Road (Virginia Dale Street to Tule Springs Road) (hereinafter the "District").

1. Two members of the City Engineer staff, namely Jorge Cervantes, a Registered Professional Engineer, and Mike Thompson, Special Improvement District Supervisor, visited the site of the District on several occasions (i.e., they looked at the streets to be improved and the area to be included within the boundaries of the District).

2. With the preliminary plans and plats in hand, they studied each and every parcel of property to be included within the District, special attention being given to the contour, shape, and size of the individual properties, as well as, the location of the street improvements to be made in conformity with the City's existing Improvement Standards.

Soil conditions were noted throughout the District, as well as, the proposed grade elevations, in relation to the existing elevations. There will be substantial grade elevation changes and such changes are as shown on the preliminary plans. Other factors considered to determine the necessity of creating the District, were safety, drainage, congestion problems, turning movement conflicts, continuity of improvements, existing development, increased ease of access to properties, approved private development to occur in the near future, and ease of construction and public convenience. After considering these factors it is their opinion that public convenience and necessity require the creation of the District.

3. With the information so gained and using the unit prices normally paid at this time for similar street construction improvements, the following methods, among others, for apportioning the benefits were considered: the front foot method, the zone method, and the unit lot method. Numerous tests were made applying each method to lots of different size, location and shape.

4. In view of the relatively similar situation of the various lots and parcels of land, the soil conditions encountered and the smoothness of part of the terrain, it was concluded that the front foot basis would be the fairest and most equitable method of apportioning the benefits and assessments relating to the street improvements. In addition, those tracts fronting a cul-de-sac which abuts or fronts a street or streets being improved, are to be assessed on a "Unit Lot" basis, i.e., all lots abutting a cul-de-sac will be assessed the same amount. It was also concluded that if literal compliance to the front foot method would result in an unfair or an inequitable assessment against any particular parcel, an equitable adjustment could be made so as to more accurately conform the assessment to the actual benefits to be received.

5. Both Jorge Cervantes and Mike Thompson are generally familiar with the property and the market values of parcels within the District. Their first hand experience in the real estate market; being a Registered Professional Engineer since August 1992 and Supervisor of the City's Special Improvement District Office since

June 1997, respectively. They have considered, together with the Clark County Assessor's Office, the extent to which the location, size of the remainder area, levels of adjacent roadways, changes in the highest and best use, and other factors, might result in a deviation (higher or lower) from the expected market value increase in the case of any particular improvement.

6. The market value of each of the lots, tracts and parcels of land, included in the District will be increased by an amount directly attributable to the improvements to be constructed, such amount will vary from parcel to parcel; however, each amount of market value increase will, in their opinion, be at least equal to the special benefits to be received by each parcel. They were assisted in their review by the documents available from the Clark County Assessor's office.

7. They have also reviewed the values of such parcels with respect to the proposed amounts of the assessments (and the time granted to the owners to pay such assessments) and in their opinion, the creation of the District has been and remains economically sound and feasible.

It is their opinion that the proposed street improvements will increase the market value of each of the given lots, tracts, and parcels of land set forth in the preliminary assessment roll by at least the estimated maximum benefit amount (hereinafter the "specified benefit") listed for each individual lot, tract and parcel of land.

Dated this 16th day of April, 2008

Respectfully submitted,



MIKE THOMPSON, Supervisor,
Special Improvement District



JORGE CERVANTES, PE, PTOE, City Engineer