RESOLUTION NO. R-11-2009

A RESOLUTION CONCERNING CITY OF LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 1516 – FREMONT STREET MAINTENANCE DISTRICT (LAS VEGAS BOULEVARD TO 8TH STREET); DETERMINING THE COST TO BE ASSESSED AND AUTHORIZING, ORDERING AND DIRECTING THE CITY ENGINEER TO PREPARE THE FINAL ASSESSMENT ROLL AND PROVIDING THE EFFECTIVE DATE HEREOF.

Summary: Assessment Roll Preparation

WHEREAS, the City Council of the City of Las Vegas in the County of Clark, State of Nevada, (the "City Council" and the "City," respectively) pursuant to an ordinance heretofore adopted (the "Creation Ordinance") created the City of Las Vegas, Nevada, Special Improvement District No. 1516 – Fremont Street Maintenance District (Las Vegas Boulevard to 8th Street) (the "District") and ordered the acquisition, improvement and maintenance of a Commercial Area Vitalization Project, as defined in NRS 271.063 (the "Project"), within the District; and

WHEREAS, the City Council has heretofore determined that the cost and expense of the Project is to be paid by special assessments levied against the benefited lots, tracts and parcels of land in the District; and

WHEREAS, the City Council has determined, and does hereby determine, that all of the assessable property in the City which is specially benefited by the Project, and only the property which is so specially benefited, is to be included on the final assessment roll; and,

WHEREAS, in accordance with NRS 271.360 and 271.377, the City Council has determined and does hereby declare that the net cost to the City for the Project in the District (including all necessary incidentals, which either have been or will be incurred in connection with the District) is $252,402, of which $-0- is available from other sources and is to be assessed upon the benefited lots, tracts and parcels of land in the District.

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

Section 1. All actions, proceedings, and matters heretofore taken, had and done by the City and the officers thereof, not inconsistent with the provisions of this Resolution, concerning the District, be, and the same hereby are, ratified, approved and confirmed.

Section 2. The total cost of the Project to the City, including all necessary incidentals, which either have been or will be incurred in connection with the District, shall be paid by the assessable property in the District as designated in the Creation Ordinance. The total cost of the Project shall be apportioned and the amount to be assessed shall be as follows:

| Total Cost | Estimated Amount of Special Assessment | Amount Available from Other Sources |
|---|---|---|
| $252,402 | $252,402 | $-0- |

Section 3. The City Engineer (the "Engineer") be, and he is hereby authorized, ordered and directed, with the assistance of the City Engineer Division, to make out and prepare, an assessment roll for the District containing, among other things:

(1) The name and address of each last known owner of each lot, tract, or parcel of land to be assessed.

(2) A description of each lot, tract or parcel of land to be assessed, and the amount of the proposed assessment thereon, apportioned upon the basis for assessments heretofore determined by the City Council in the Creation Ordinance and as stated in the provisional order for the hearing on the Project.

Section 4. Immediately upon the adoption of this Resolution, the City Clerk shall cause a copy of this Resolution to be furnished to the Engineer. When the Engineer has made out and prepared the assessment roll, pursuant to Section 3 of this Resolution, he shall report the assessment roll to the City Council and shall cause the same to be filed in the office of the City Clerk and numbered. The Engineer shall submit an executed certificate in the form provided in Subsection 3 of NRS 271.375, which certificate, duly executed, shall accompany the assessment roll.

Section 5. The officers of the City be, and they hereby are, authorized and directed to take all action necessary or appropriate to effectuate the provisions of this Resolution, including without limiting the generality of the foregoing, the preparation of all further necessary legal proceedings, assessment rolls and lists, supplemental report(s) on benefits, and other items necessary or desirable for the completion of the District.

Section 6. All resolutions, or parts thereof, in conflict with the provisions of this Resolution, are hereby repealed to the extent only of such inconsistency. This repealer shall not be construed to revive any resolution, or part thereof, heretofore repealed.

Section 7. If any section, paragraph, clause or other provision of this Resolution shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or other provision shall not affect any of the remaining provisions of this Resolution.

Section 8. The City Council has determined and declares, that this Resolution shall be in effect upon its passage in accordance with the law.

PASSED AND APPROVED on March 4, 2009.

OSCAR B. GOODMAN, Mayor

Attest:

BEVERLY K. BRIDGES, CMC, City Clerk

Approved as to Form:

2/17/09

Date / Assistant 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 (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 (the "City Council") at a meeting held on March 4, 2009.

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<br>Gary Reese<br>Steve Wolfson<br>Steven D. Ross<br>Ricki Y. Barlow<br>David W. Steinman (Interim) |
| Those Voting Nay: | None |
| Those Absent: | None |
| Those Not Voting: | Councilwoman Lois Tarkanian |

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 Statues, 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

(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 the notice of the meeting was posted on the City's website no later than 9:00 a.m. on the third working day prior to the meeting.

7. A copy of such notice so given of the meeting of the City Council on March 4, 2009, is attached to this certificate as Exhibit "A."

**IN WITNESS WHEREOF**, I have hereunto set my hand on this March 4, 2009.

(SEAL)

Beverly K. Bridges

BEVERLY K. BRIDGES, CMC, City Clerk

**<u>Exhibit "A"</u>**

**(Attach Notice of Meeting and Agenda)**

City of Las Vegas

# CITY COUNCIL AGENDA

**COUNCIL CHAMBERS · 400 STEWART AVENUE · PHONE 229-6011**
**CITY OF LAS VEGAS INTERNET ADDRESS: www.lasvegasnevada.gov**
**COUNCIL MEMBERS: OSCAR B. GOODMAN, MAYOR (At-Large)**
**COUNCILMAN GARY REESE, MAYOR PRO TEM (Ward 3)**
**STEVE WOLFSON (Ward 2), LOIS TARKANIAN (Ward 1), STEVEN D. ROSS (Ward 6)**
**RICKI Y. BARLOW (Ward 5), DAVID W. STEINMAN (Ward 4 – Interim)**

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.

**March 4, 2009**

**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 – REVEREND BONNIE POLLEY, CHRIST EPISCOPAL CHURCH
4. PLEDGE OF ALLEGIANCE
5. RECOGNITION OF THE CITIZEN OF THE MONTH
6. RECOGNITION OF THE TEAM OF THE QUARTER
7. RECOGNITION OF FIRE & RESCUE EMPLOYEE TIM SZYMANSKI FOR RECEIVING A LIBERTY MUTUAL FIREMARK AWARD
8. RECOGNITION OF WOMEN'S HISTORY MONTH
9. RECOGNITION OF LORI HARTIG AND SPREAD THE WORK NEVADA
10. RECOGNITION OF JOSHUA ORTEGA FOR EARNING A NATIONAL LEGION OF VALOR BRONZE CROSS FOR ACHIEVEMENT

## BUSINESS ITEMS - MORNING

11. 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

12. Approval of the Final Minutes by reference of the regular City Council meeting of February 4, 2009

## 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 SERVICES - CONSENT

13. Approval of a grant agreement with the State of Nevada, Department of Public Safety for the Emergency Management Performance Grant (EMPG) in the amount of $222,738 (Multi-Purpose Special Revenue Fund) - All Wards

### CITY CLERK - CONSENT

14. ABEYANCE ITEM - Approval of the Certificates of Results declaring the petitions submitted for The Las Vegas Taxpayer Accountability Act Initiative and The Las Vegas Redevelopment Reform Referendum as sufficient - All Wards

### FIELD OPERATIONS - CONSENT

15. Approval of a Bill of Sale from the City of Las Vegas to the Las Vegas Valley Water District for the purpose of providing water services for the Durango Riley Park Phase I, located in the vicinity of Durango Drive, west of Grand Montecito Parkway - Ward 6 (Ross)

### FINANCE & BUSINESS SERVICES - ADMINISTRATION CONSENT

16. Approval of Service and Material Checks/Payroll Checks/Wire Transfers/Other Checks and Investments

### FINANCE & BUSINESS SERVICES - BUSINESS SERVICES CONSENT

17. ABEYANCE ITEM - Approval of a Change of Business Name and a Change of Ownership for a Tavern License and a Restricted Gaming License, From: Buffalo Investments, Inc., dba Roadrunner Saloon Buffalo, To: Golden RR Buffalo 1, LLC, dba Roadrunner Saloon, 921 North Buffalo Drive, Golden Tavern Group, LLC, 100%, Golden Gaming, Inc., 100%, Blake L. Sartini, Pres, CEO, Rod S. Atamian, EVP, Treas, Secy, Matthew Flandermeyer, CFO, VP, The Blake L. Sartini and Delise F. Sartini Family Trust, 100%, Delise F. Sartini, Trustee, Beneficiary and Blake L. Sartini, Trustee, Beneficiary - Ward 4 (Steinman)

18. ABEYANCE ITEM - Approval of a Change of Business Name and a Change of Ownership for a Tavern License and a Restricted Gaming License, From: True West Investments, Inc., dba Roadrunner Centennial, To: Golden RR Centennial 4, LLC, dba Roadrunner Saloon, 5990 Centennial Center Boulevard, Golden Tavern Group, LLC, 100%, Golden Gaming, Inc., 100%, Blake L. Sartini, Pres, CEO, Rod S. Atamian, EVP, Treas, Secy, Matthew Flandermeyer, CFO, VP, The Blake L. Sartini and Delise F. Sartini Family Trust, 100%, Delise F. Sartini, Trustee, Beneficiary and Blake L. Sartini, Trustee, Beneficiary - Ward 6 (Ross)

19. Approval of a Special Event Alcoholic Beverage License for Higco, Inc., dba Three Angry Wives Pub, Location: Three Angry Wives Pub, 8820 West Charleston Boulevard, Suite 105, Date: March 17, 2009, Type: Special Event General, Event: St. Patrick's Day, Responsible Person in Charge: Erin O'Hayer - Ward 2 (Wolfson)

20. Approval of a new Tavern License subject to the provisions of the planning and fire codes and Health Dept. regulations, Edge of Town, LLC, dba Edge of Town, 10490 West Cheyenne Avenue, Philip H. Davis, Managing Mmbr, 66.66% and Richard A. Pollack, Managing Mmbr, 33.33% - Ward 4 (Steinman)

21. Approval of a new Restricted Gaming License subject to confirmation of approval by the Nevada Gaming Commission, Edge of Town, LLC, dba Edge of Town, 10490 West Cheyenne Avenue, Philip H. Davis, Managing Mmbr, 66.66% and Richard A. Pollack, Managing Mmbr, 33.33% - Ward 4 (Steinman)

**FINANCE & BUSINESS SERVICES - PURCHASING & CONTRACTS CONSENT**

22. Approval of revision to Purchase Order No. 261478, Annual Requirements Contract for Liquid Ferric Chloride - Department of Public Works - Award recommended to: KEMIRON COMPANIES, INC. ($1,500,000 - Sanitation Enterprise Fund)

23. Approval of award of Contract No. 090087-TF, Task Order Contract for General and Civil Engineering Services - Department of Field Operations - Award recommended to: GC WALLACE, INC. ($350,000 - Street Maintenance Special Revenue Fund) - All Wards

24. Approval of award of Bid No. 09.1762.01-TRF, Annual Contract for Slurry Seal - Department of Field Operations - Award recommended to: AMERICAN ASPHALT AND GRADING COMPANY ($3,000,000 - Street Maintenance Special Revenue Fund) - All Wards

**NEIGHBORHOOD SERVICES - CONSENT**

25. Approval of list of middle school and high school students to be nominated by the City of Las Vegas for the Nevada League of Cities and Municipalities Youth Awards Program - All Wards

**PLANNING & DEVELOPMENT - CONSENT**

26. Approval of the Funding Agreement for the 2008 Historic Preservation Fund (HPF) grant from the United States Department of the Interior and National Park Service, administered by the State Historic Preservation Office (SHPO) in the amount of $45,000 (Multi-Purpose Special Revenue Fund) for projects as identified in the Agreement

**PUBLIC WORKS - CONSENT**

27. Approval of Third Supplemental Interlocal Contract LAS05F03 between the City of Las Vegas and the Clark County Regional Flood Control District (CCRFCD) to extend the project completion date for the Alta Parallel System located within Alta Drive between Rainbow Boulevard and Torrey Pines Drive, in Jones Boulevard south of Alta Drive to Evergreen Avenue, in Digger Street south of Alta Drive to Evergreen Avenue and in Alta Drive between Digger Street and Decatur Boulevard - Ward 1 (Tarkanian)

28. Approval of Sixth Supplemental Interlocal Contract LAS16E04 between the City of Las Vegas and the Clark County Regional Flood Control District (CCRFCD) to extend the project completion date for design of the Rancho Detention Basin, Phase II located on the west side of Centennial Center Boulevard between Ann Road and Tropical Parkway - Ward 6 (Ross)

29. Approval of Second Supplemental Interlocal Contract LAS16G07 between the City of Las Vegas and the Clark County Regional Flood Control District (CCRFCD) to extend the project completion date for construction of the Rancho Detention Basin, Phase II located on the west side of Centennial Center Boulevard between Ann Road and Tropical Parkway - Ward 6 (Ross)

30. Approval of Second Supplemental Interlocal Contract LAS22H07 between the City of Las Vegas and the Clark County Regional Flood Control District (CCRFCD) to extend the project completion date to allow for project close out for the Las Vegas Wash - Elkhorn Road, Rainbow Boulevard to Torrey Pines Drive - Ward 6 (Ross)

31. Approval of Second Supplemental Interlocal Contract LAS22G07 between the City of Las Vegas and the Clark County Regional Flood Control District (CCRFCD) to increase funding for design engineering and extend the project completion date for the Elkhorn Springs and Buffalo Storm Drain located north in Buffalo Drive to Donald Nelson Avenue and extends west in Farm Road from Buffalo Drive to Palm Grove Lane ($40,000 - CCRFCD) - Ward 6 (Ross)

32. Approval of Second Supplemental Interlocal Contract LAS19C05 between the City of Las Vegas and the Clark County Regional Flood Control District (CCRFCD) to extend the project completion date for the Owens Avenue System (Vegas Drive Storm Drain) - Michael Way to Rancho Drive located within Vegas Drive between Shadow Mountain Place and Rancho Drive - Ward 5 (Barlow)

33. Approval to Appraise and Purchase or Condemn real property for road improvements along Martin L. King Boulevard from approximately 350 feet south of Discovery Drive to the intersection of Martin L. King Boulevard and Alta Drive ($1,100,000 - Regional Transportation Commission [RTC]) - Ward 5 (Barlow)

34. Approval of Supplemental Interlocal Contract 543a between the City of Las Vegas and the Regional Transportation Commission of Southern Nevada (RTC) to extend the project completion date of the Las Vegas Boulevard, Owens Avenue to I-515 Corridor Study - Ward 5 (Barlow)

35. Approval of Supplemental Interlocal Contract 503b between the City of Las Vegas and the Regional Transportation Commission of Southern Nevada (RTC) to extend the project completion date for construction of Deer Springs Drive, Conough Lane to Buffalo Drive - Ward 6 (Ross)

36. Approval of Supplemental Interlocal Contract 577a between the City of Las Vegas and the Regional Transportation Commission of Southern Nevada (RTC) to increase right-of-way acquisition funding and extend the project completion date for Vegas Drive, Rancho Drive to Michael Way ($50,000 - RTC) - Ward 5 (Barlow)

37. Approval of Supplemental Interlocal Contract 548a between the City of Las Vegas and the Regional Transportation Commission of Southern Nevada (RTC) to extend the project completion date for Bus Turnout Project - Fiscal Year 2007 located along Lamb Boulevard at the Pecos Road and Bonanza Road intersection - Ward 3 (Reese)

38. Approval of the adoption of the Regional Water Quality Plan between the City of Las Vegas and the Las Vegas Valley Watershed Advisory Committee (LVVWAC) - All Wards

**RESOLUTIONS - CONSENT**

39. R-10-2009 - Approval of a Resolution Disposing of the Protests made at the hearing on the Provisional Order for Special Improvement District No. 1513 - Via Olivero Avenue and Valadez Street (East of Cimarron Road) - Ward 2 (Wolfson)

40. R-11-2009 - Approval of a Resolution Determining the Cost and Directing the City Engineer to prepare the Final Assessment Roll for Special Improvement District No. 1516 - Fremont Street Maintenance District (Las Vegas Boulevard to 8th Street) ($252,402 - Capital Projects Fund-Special Assessments) - Ward 5 (Barlow)

41. R-12-2009 - Approval of a Resolution fixing the time and place when complaints, protests, and objections to the Final Assessment Roll will be heard for Special Improvement District No. 1516 - Fremont Street Maintenance District (Las Vegas Boulevard to 8th Street) ($252,402 - Capital Projects Fund/Special Assessments) - Ward 5 (Barlow)

42. R-13-2009 - Approval of a Resolution Determining the Cost and Directing the Director of Public Works to Prepare the Final Assessment Roll for Special Improvement District No. 1485 - Alta Drive (Rancho Drive to approximately 275 feet west of Lacy Lane) (Landscape Maintenance FY2010) ($65,340 - Capital Projects Fund - Special Assessments) - Ward 1 (Tarkanian)

43. R-14-2009 - Approval of a Resolution fixing the time and place when complaints, protests, and objections to the Final Assessment Roll will be heard for Special Improvement District No. 1485 - Alta Drive (Rancho Drive to approximately 275 feet west of Lacy Lane) (Landscape Maintenance FY2010) ($65,340 - Capital Projects Fund - Special Assessments) - Ward 1 (Tarkanian)

44. R-15-2009 - Approval of a Resolution to Support the Development of a Governance Model and Plan in Regionalizing the Public Housing Authorities - All Wards

# DISCUSSION/ACTION ITEMS

## HEARINGS - DISCUSSION

45. Public hearing to determine the advisability of granting a telecommunications service franchise to Level 3 Communications, LLC, pursuant to the purpose, character, term, time and conditions of the proposed franchise agreement

46. ABEYANCE ITEM - Hearing to consider the appeal regarding Notice and Order to Abate Dangerous Building Demolition property located at 840 W. Bonanza Road. PROPERTY OWNER: MOULIN ROUGE PROPERTIES LLC - Ward 5 (Barlow)

47. ABEYANCE ITEM - Hearing to consider the appeal regarding Notice and Order to Abate Dangerous Building Demolition property located at 920 W. Bonanza Road. PROPERTY OWNER: MOULIN ROUGE PROPERTIES LLC - Ward 5 (Barlow)

48. ABEYANCE ITEM - Hearing to consider the appeal regarding the Notice and Orders Regarding Vacant or Abandoned Buildings located at 901 W. McWilliams Avenue, Units 902, 903, 904, 906 and 907. PROPERTY OWNERS: MOULIN ROUGE PROPERTIES, LLC - Ward 5 (Barlow)

49. ABEYANCE ITEM - Hearing to consider the appeal regarding Notice and Order to Abate Dangerous Building Demolition property located at 1001 W. McWilliams Avenue. PROPERTY OWNER: MOULIN ROUGE PROPERTIES LLC - Ward 5 (Barlow)

50. Public Hearing to consider the report of expenses to recover costs for abatement of nuisance located at 232 S. Crestline Drive in the amount of $2,958.25 (General Fund) and assess a maximum of $39,700 in daily civil penalties. PROPERTY OWNER: FREMONT INVESTMENT & LOAN - Ward 1 (Tarkanian)

51. Public Hearing to consider the report of expenses to recover costs for the vacant or abandoned building located at 4168 Silver Dollar Avenue Unit 1 in the amount of $2,338 (General Fund) and assess a maximum of $96,050 in daily civil penalties. PROPERTY OWNER: RFH LA PAZ LLC - Ward 1 (Tarkanian)

52. Public Hearing to consider the report of expenses to recover costs for the vacant or abandoned buildings located at 4152 Silver Dollar Avenue Units 5 and 7, 4168 Silver Dollar Avenue Units 2 - 8, 4186 Silver Dollar Avenue Units 1 - 4 and 7 in the amount of $22,243 (General Fund) and assess a maximum of $1,277,750 in daily civil penalties. PROPERTY OWNER: RFH LA PAZ LLC - Ward 1 (Tarkanian)

## ADMINISTRATIVE - DISCUSSION

53. Discussion and possible action concerning the status of the 2009 legislative issues - All Wards

54. Report and possible action on the update on progress of the Fundamental Service Review

55. Discussion and possible action on the appointment of members to the Ballot Question Committees for The Las Vegas Taxpayer Accountability Act Initiative Petition and The Las Vegas Redevelopment Reform Referendum Petition

## CITY ATTORNEY - DISCUSSION

56. ABEYANCE ITEM - Discussion and possible action regarding consideration and ballot placement of Initiative and Referendum Petitions for June 2, 2009 elections and other related matters

## FINANCE & BUSINESS SERVICES - BUSINESS SERVICES DISCUSSION

57. Discussion and possible action regarding Temporary Approval of a new Massage Establishment License subject to the provisions of the planning and fire codes, Todd L. Schleusner D.C., P.C., dba Living Well Chiropractic Center, 10300 West Charleston Boulevard, Suite 10, Todd L. Schleusner, Pres, Secy, Treas, Dir, 100% - Ward 2 (Wolfson) [NOTE: This is an ancillary license to Living Well Chiropractic Center]

58. Discussion and possible action regarding a Change of Location for a Temporary Psychic Arts & Science License, April Stevens, dba Vegas Psychic, From: 5000 West Oakey Boulevard, Suite A3-4, To: 2217 Paradise Road, Suite A, April Stevens, Owner, 100% - Ward 3 (Reese)

59. Discussion and possible action regarding a Review of Temporary Approval of a Supper Club License, Caylix Fine Dining, LLC, dba Caylix Jazz Club, 4760 West Sahara Avenue, Suite 13, Regina Edwards, Managing Mmbr, 100% - Ward 1 (Tarkanian)

60. Discussion and possible action regarding a Review of a Temporary Locksmith License, 360 Locksmith LLC, dba 360 Lock & Key, 9557 Gibbon Avenue, Ronen Benkel, Pres, 100% - Ward 6 (Ross)

61. Discussion and possible action regarding an Appeal of Non-renewal of a Burglar Alarm Service License, Pinnacle Security, LLC, dba Pinnacle Security, LLC, 1290 South Sandhill Road, Grant C. Christofferson, Mgr, Mmbr, 29%, Steven P. Zolman, Mgr, Mmbr, 25%, Kelly E. Walker, Mgr, Mmbr, 23%, and Jared M. Chappell, Mgr, Mmbr, 23% - Utah

62. Discussion and possible action regarding an Appeal of Non-renewal of a Tanning Salon license, Hawaii Relax Tanning & Spa, 3053 South Valley View Blvd., Hoa Van Le, Owner, 100% - Ward 1 (Tarkanian)

**RESOLUTIONS - DISCUSSION**

63. R-16-2009 - Discussion and possible action regarding a Resolution consenting to the undertakings of the City of Las Vegas Redevelopment Agency (RDA) in connection with the Commercial Visual Improvement Program (CVIP) Agreement between the RDA and Fremont Street Experience Parking Corporation (Owner) and Hennessey's Las Vegas, Inc., d/b/a Las Vegas Country Saloon (Tenant and CVIP Participant) located at 425 Fremont Street (APN 139-34-610-045) to be in compliance with and in furtherance of the goals and objectives of the RDA - Ward 3 (Reese) [NOTE: This item is related to Redevelopment Agency Item 4 (RA-2-2009)]

64. R-17-2009 - Discussion and possible action regarding a Resolution consenting to the undertakings of the City of Las Vegas Redevelopment Agency (RDA) in connection with the Commercial Visual Improvement Program (CVIP) Agreement between the RDA and P.R.M.D., LLC, (Owner) located at 823 South Las Vegas Boulevard (APN 139-34-401-012) to be in compliance with and in furtherance of the goals and objectives of the RDA - Ward 3 (Reese) [NOTE: This item is related to RDA Item 5 (RA-3-2009)]

**BOARDS & COMMISSIONS - DISCUSSION**

65. ABEYANCE ITEM - Discussion and possible action on appointments of Council members to various City of Las Vegas and other jurisdictional Boards, Commissions and Authorities

66. PARK & RECREATION ADVISORY COMMISSION – Charles Foger and Laurie Buchman, Term Expirations 3-24-2009

67. HISTORIC PRESERVATION COMMISSION – Dorothy Wright, Term Expiration 3-24-2009; Mary Hausch, Term Expiration 3-6-2009

**RECOMMENDING COMMITTEE REPORT - DISCUSSION**

**BILLS ELIGIBLE FOR ADOPTION AT THIS MEETING**

68. Bill No. 2009-4 – Grants to Level 3 Communications, LLC a non-exclusive franchise for the purpose of installing, operating and maintaining a telecommunications service within the City, subject to and in accordance with the terms and conditions of the Franchise Agreement incorporated by reference into this Ordinance. Proposed by: Bradford R. Jerbic, City Attorney

69. Bill No. 2009-5 – Revises and consolidates the review and approval procedures for signs within the Downtown Casino Overlay District, the Downtown Entertainment Overlay District, and the Las Vegas Boulevard Scenic Byway Overlay District. Sponsored by: Mayor Oscar B. Goodman

70. Bill No. 2009-8 – Repeals Ordinance No. 5830, relating to the adoption of an Amended and Restated Redevelopment Plan. Proposed by: Bradford R. Jerbic, City Attorney

**BILLS ELIGIBLE FOR ADOPTION AT A LATER MEETING**

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

71. Bill No. 2009-6 – Updates various administrative provisions pertaining to the Las Vegas Metropolitan Police Citizen Review Board. Sponsored by: Councilman Gary Reese

72. Bill No. 2009-7 – Amends the Downtown Centennial Plan to update and revise certain trail alignments within the downtown area. Sponsored by: Mayor Oscar B. Goodman

**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.

73. Bill No. 2009-9 – Authorizes the administrative issuance of temporary business licenses for privileged businesses. Sponsored by: Councilman Steve Wolfson

74. Bill No. 2009-10 – Annexation No. ANX-27030 – Property location: In the vicinity of State Route 157 (Kyle Canyon Road), in the general area between Moccasin Road and Rocky Avenue, east and west of Shaumber Road; Petitioned by: Nevada Power Company (NV Energy); Acreage: Approximately 36.60 acres; Zoned: R-U (County zoning), C-V (City equivalent). Sponsored by: Councilman Steven D. Ross

75. Bill No. 2009-11 - Ordinance Creating Special Improvement District No. 1513 - Via Olivero Avenue and Valadez Street (East of Cimarron Road) Sponsored by: Step Requirement

## CLOSED SESSION

76. Closed Session - To be held at the conclusion of the morning session. Upon duly carried Motion, a closed meeting is called in accordance with NRS 288.220 to discuss the City of Las Vegas labor strategies and labor negotiations.

## 1:00 P.M. - AFTERNOON SESSION

**BUSINESS ITEMS - AFTERNOON**

77. 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.

78. EOT-33091 - EXTENSION OF TIME - REZONING - APPLICANT: DON F. AHERN - OWNER: DFA, LLC - Request for an Extension of Time of an approved Rezoning (ZON-13896) FROM: R-E (RESIDENCE ESTATES) TO: C-2 (GENERAL COMMERCIAL) on 2.61 acres at the southwest corner of Bonanza Road and Martin L. King Boulevard (APN 139-28-401-033), Ward 5 (Barlow). Staff recommends APPROVAL

79. EOT-33093 - EXTENSION OF TIME - VARIANCE - APPLICANT: DON F. AHERN - OWNER: DFA, LLC - Request for an Extension of Time of an approved Variance (VAR-18250) TO ALLOW A PROPOSED BUILDING TO BE FIVE FEET FROM THE CORNER SIDE PROPERTY LINE WHERE 15 FEET IS THE MINIMUM SETBACK REQUIRED on 2.61 acres at the southwest corner of Bonanza Road and Martin L. King Boulevard (APN 139-28-401-033), R-E (Residence Estates) Zone with a Resoution of Intent to C-2 (General Commercial) Zone, Ward 5 (Barlow). Staff recommends APPROVAL

80. EOT-33095 - EXTENSION OF TIME - VARIANCE - APPLICANT: DON F. AHERN - OWNER: DFA, LLC - Request for an Extension of Time of an approved Variance (VAR-13900) TO ALLOW A FRONT YARD SETBACK OF 10 FEET WHERE 20 FEET IS REQUIRED, A CORNER SIDE YARD SETBACK OF 10 FEET WHERE 15 FEET IS REQUIRED, AND A REAR YARD SETBACK OF 11 INCHES WHERE 20 FEET IS REQUIRED on 2.61 acres at the southwest corner of Bonanza Road and Martin L. King Boulevard (APN 139-28-401-033), R-E (Residence Estates) with a Resolution of Intent to C-2 (General Commercial) Zone, Ward 5 (Barlow). Staff recommends APPROVAL

81. EOT-33092 - EXTENSION OF TIME - SPECIAL USE PERMIT - APPLICANT: DON F. AHERN - OWNER: DFA, LLC - Request for an Extension of Time of an approved Special Use Permit (SUP-13903) FOR A PROPOSED 274 FOOT TALL BUILDING IN THE NORTH LAS VEGAS AIRPORT OVERLAY DISTRICT on 2.61 acres at the southwest corner of Bonanza Road and Martin L. King Boulevard (APN 139-28-401-033), R-E (Residence Estates) with a Resolution of Intent to C-2 (General Commercial) Zone, Ward 5 (Barlow). Staff recommends APPROVAL

82. EOT-33096 - EXTENSION OF TIME - SITE DEVELOPMENT PLAN REVIEW - APPLICANT: DON F. AHERN - OWNER: DFA, LLC - Request for an Extension of Time of an approved Site Development Plan Review (SDR-13904) FOR A COMMERCIAL DEVELOPMENT CONSISTING OF A 3,000 SQUARE FOOT, A 1,500 SQUARE FOOT, AND A 4,500 SQUARE FOOT RETAIL PAD; A 20 STORY BUILDING CONSISTING OF 3,700 SQUARE FEET OF RESTAURANT SPACE, 10,000 SQUARE FEET OF RETAIL SPACE, 150,000 SQUARE FEET OF OFFICE SPACE, AND A 4,500 SQUARE FOOT CHILD CARE FACILITY; AND A WAIVER OF THE PERIMETER LANDSCAPING REQUIREMENTS on 2.61 acres at the southwest corner of Bonanza Road and Martin L. King Boulevard (APN 139-28-401-033), R-E (Residence Estates) with a Resolution of Intent to C-2 (General Commercial) Zone, Ward 5 (Barlow). Staff recommends APPROVAL

83. EOT-33136 - EXTENSION OF TIME - REZONING - APPLICANT: DESERT CAPITAL GROUP - OWNER: CRAIG TENAYA, LLC - Request for an Extension of Time of an approved Rezoning (ZON-18819) FROM O (OFFICE) TO R-4 (HIGH DENSITY RESIDENTIAL) on 7.49 acres adjacent to the east side of Tenaya Way, approximately 970 feet south of Craig Road (APN 138-03-701-021), Ward 4 (Steinman). Staff recommends APPROVAL

84. EOT-33158 - EXTENSION OF TIME - VARIANCE - APPLICANT: DESERT CAPITAL GROUP - OWNER: CRAIG TENAYA LLC - Request for an Extension of Time of an approved Variance (VAR-18820) TO ALLOW A 72-FOOT HIGH BUILDING WHERE 35 FEET IS THE MAXIMUM HEIGHT ALLOWED on 7.49 acres adjacent to the east side of Tenaya Way, approximately 970 feet south of Craig Road (APN 138-03-701-021), O (Office) with a Resolution of Intent to R-4 (High Density Residential) Zoning, Ward 4 (Steinman). Staff recommends APPROVAL

85. EOT-33160- EXTENSION OF TIME - SPECIAL USE PERMIT - APPLICANT: DESERT CAPITAL GROUP - OWNER: CRAIG TENAYA LLC - Request for an Extension of Time of an approved Special Use Permit (SUP-18821) FOR A PROPOSED MIXED-USE DEVELOPMENT adjacent to the east side of Tenaya Way, approximately 970 feet south of Craig Road (APN 138-03-701-021), O (Office) with a Resolution of Intent to R-4 (High Density Residential) Zoning, Ward 4 (Steinman). Staff recommends APPROVAL

86. EOT-33159 - EXTENSION OF TIME - SITE DEVELOPMENT PLAN REVIEW - APPLICANT: DESERT CAPITAL GROUP - OWNER: CRAIG TENAYA LLC - Request for an Extension of Time of an approved Site Development Plan Review (SDR-18822)FOR A PROPOSED FIVE-STORY MIXED-USE DEVELOPMENT CONSISTING OF 213 CONDOMINIUM UNITS AND 29,717 SQUARE FEET OF COMMERCIAL SPACE on 7.49 acres adjacent to the east side of Tenaya Way, approximately 970 feet south of Criag Road (APN 138-03-701-021), O (Office) with a Resolution of Intent to R-4 (High Density Residential) Zoning, Ward 4 (Steinman). Staff recommends APPROVAL

87. EOT-33054 - EXTENSION OF TIME - VARIANCE - APPLICANT: LASCAL CORPORATION DBA TACO BELL - OWNER: MARIA FERRA, TRUSTEE - Request for an Extension of Time of an approved Variance (VAR-17998) TO ALLOW 15 PARKING SPACES WHERE 23 SPACES ARE REQUIRED FOR A PROPOSED RESTAURANT WITH DRIVE-THROUGH on 0.52 acres at 4717 West Charleston Boulevard (APN 162-06-102-001), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). Staff recommends APPROVAL

88. EOT-33055 - EXTENSION OF TIME - SITE DEVELOPMENT PLAN REVIEW - APPLICANT: LASCAL CORPORATION DBA TACO BELL - OWNER: MARIA FERRA TRUSTEE - Request for an Extension of Time of an approved Site Development Plan Review (SDR-17999) FOR A PROPOSED 2,227 SQUARE-FOOT RESTAURANT WITH DRIVE-THROUGH AND A WAIVER TO ALLOW A ZERO-FOOT LANDSCAPE BUFFER ALONG INTERIOR LOT LINES WHERE 8 FEET IS REQUIRED AND A 5-FOOT LANDSCAPE BUFFER WHERE 15 FEET IS REQUIRED ALONG PUBLIC RIGHT-OF-WAY on 0.52 acres at 4717 West Charleston Boulevard (APN 162-06-102-001), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). Staff recommends APPROVAL

89. EOT-32991 - EXTENSION OF TIME - SITE DEVELOPMENT PLAN REVIEW - APPLICANT: NEW VISTA COMMUNITY - OWNER: NEW VISTA RANCH, INC. - Request for an Extension of Time of an approved Site Development Plan Review (SDR-16581) FOR A PROPOSED TWO-STORY, 56-UNIT ASSISTED LIVING APARTMENT DEVELOPMENT WITH A 43,283 SQUARE-FOOT COMMERCIAL AMUSEMENT/RECREATION (INDOOR) FACILITY, 3,024 SQUARE FEET OF MEDICAL OFFICE SPACE, AND 1,382 SQUARE FEET OF RETAIL SPACE on 15.05 acres at 7875 North Rainbow Boulevard (APN 125-15-501-002), PD (Planned Development) Zone, Ward 6 (Ross). Staff recommends APPROVAL

**PLANNING & DEVELOPMENT - DISCUSSION**

90. GPA-32167 - ABEYANCE ITEM - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT: P'S AUTO SALES - OWNER: BEARD FAMILY TRUST - Request to Amend a portion of the Southeast Sector Plan of the General Plan FROM: SC (SERVICE COMMERCIAL) TO: GC (GENERAL COMMERCIAL) on 0.55 acres at 3920 West Sahara Avenue (APN 162-06-801-005), Ward 1 (Tarkanian). The Planning Commission (3-2 vote) and staff recommend DENIAL

91. ZON-32168 - ABEYANCE ITEM - REZONING RELATED TO GPA-32167 - PUBLIC HEARING - APPLICANT: P'S AUTO SALES - OWNER: BEARD FAMILY TRUST - Request for a Rezoning FROM: C-1 (LIMITED COMMERCIAL) TO: C-2 (GENERAL COMMERCIAL) on 0.55 acres at 3920 West Sahara Avenue (APN 162-06-801-005), Ward 1 (Tarkanian). The Planning Commission (3-2 vote) and staff recommend DENIAL

92. SUP-32548 - ABEYANCE ITEM - SPECIAL USE PERMIT RELATED TO GPA-32167 AND ZON-32168 - PUBLIC HEARING - APPLICANT: P'S AUTO SALES - OWNER: BEARD FAMILY TRUST - Request for a Special Use Permit FOR A PROPOSED MOTOR VEHICLE SALES (USED) ESTABLISHMENT WITH A WAIVER TO ALLOW A 23,900 SQUARE-FOOT PARCEL WHERE 25,000 SQUARE FEET IS THE MINIMUM REQUIRED at 3920 West Sahara Avenue (APN 162-06-801-005), C-1 (Limited Commercial) Zone [PROPOSED: C-2 (General Commercial)], Ward 1 (Tarkanian). The Planning Commission (3-2 vote) and staff recommend DENIAL

93. SDR-32549 - ABEYANCE ITEM - SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-32167, ZON-32168 AND SUP-32548 - PUBLIC HEARING - APPLICANT: P'S AUTO SALES - OWNER: BEARD FAMILY TRUST - Request for a Major Amendment to an approved Site Development Plan Review (SDR-1167) FOR A PROPOSED MOTOR VEHICLE SALES (USED) ESTABLISHMENT on 0.55 acres at 3920 West Sahara Avenue (APN 162-06-801-005), C-1 (Limited Commercial) Zone [PROPOSED: C-2 (General Commercial)], Ward 1 (Tarkanian). The Planning Commission (3-2 vote) and staff recommend DENIAL

94. SUP-31367 - ABEYANCE ITEM - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: NOE ZUBIA - OWNER: MARIO PENA PENA - Appeal filed from the denial by the Planning Commission of a request for a Special Use Permit FOR AUTO REPAIR GARAGE, MINOR, WITH SERVICE BAY DOORS FACING THE RIGHT-OF-WAY at 1550 North Rancho Drive (APN 139-29-112-120), C-1 (Limited Commercial) Zone, Ward 5 (Barlow). The Planning Commission (6-1 vote) and staff recommend DENIAL

95. RQR-32710 - REQUIRED REVIEW - PUBLIC HEARING - APPLICANT/OWNER: TERRIBLE HERBST, INC. - Required Review of an approved Special Use Permit (SUP-18910) FOR A LIQUOR STORE IN CONJUNCTION WITH A CONVENIENCE STORE WITH FUEL PUMPS on 0.91 acres at 1051 Desert Foothilld Drive(APN 137-34-818-003), P-C (Planned Community) Zone, Ward 2 (Wolfson). Staff recommends APPROVAL

96. SDR-32826 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT/OWNER: PROJECT ALTA, LLC AND PROJECT ALTA II, LLC - Request for a Site Development Plan Review FOR A PROPOSED OFFICE DEVELOPMENT CONSISTING OF TWO, FOUR-STORY 120,000 SQUARE-FOOT BUILDINGS; ONE FIVE-STORY 150,000 SQUARE-FOOT BUILDING; AND ONE SIX-STORY 1,679-SPACE PARKING STRUCTURE WITH A WAIVER OF THE BUILDING PLACEMENT AND ORIENTATION STANDARDS on 14.55 acres at the northwest corner of Alta Drive and Martin L King Boulevard (APNs 139-33-202-004 and 008), C-1 (Limited Commercial) Zone, Ward 5 (Barlow). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL

**SET DATE**

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

**COUNCIL MEMBER RECOGNITION**

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

**CITIZENS PARTICIPATION**

99. 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

RESOLUTION NO. R-11-2009

A RESOLUTION CONCERNING CITY OF LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 1516 – FREMONT STREET MAINTENANCE DISTRICT (LAS VEGAS BOULEVARD TO 8TH STREET); DETERMINING THE COST TO BE ASSESSED AND AUTHORIZING, ORDERING AND DIRECTING THE CITY ENGINEER TO PREPARE THE FINAL ASSESSMENT ROLL AND PROVIDING THE EFFECTIVE DATE HEREOF.

Summary: Assessment Roll Preparation

WHEREAS, the City Council of the City of Las Vegas in the County of Clark, State of Nevada, (the "City Council" and the "City," respectively) pursuant to an ordinance heretofore adopted (the "Creation Ordinance") created the City of Las Vegas, Nevada, Special Improvement District No. 1516 – Fremont Street Maintenance District (Las Vegas Boulevard to 8th Street) (the "District") and ordered the acquisition, improvement and maintenance of a Commercial Area Vitalization Project, as defined in NRS 271.063 (the "Project"), within the District; and

WHEREAS, the City Council has heretofore determined that the cost and expense of the Project is to be paid by special assessments levied against the benefited lots, tracts and parcels of land in the District; and

WHEREAS, the City Council has determined, and does hereby determine, that all of the assessable property in the City which is specially benefited by the Project, and only the property which is so specially benefited, is to be included on the final assessment roll; and,

WHEREAS, in accordance with NRS 271.360 and 271.377, the City Council has determined and does hereby declare that the net cost to the City for the Project in the District (including all necessary incidentals, which either have been or will be incurred in connection with the District) is $252,402, of which $-0- is available from other sources and is to be assessed upon the benefited lots, tracts and parcels of land in the District.

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

Section 1. All actions, proceedings, and matters heretofore taken, had and done by the City and the officers thereof, not inconsistent with the provisions of this Resolution, concerning the District, be, and the same hereby are, ratified, approved and confirmed.

Section 2. The total cost of the Project to the City, including all necessary incidentals, which either have been or will be incurred in connection with the District, shall be paid by the assessable property in the District as designated in the Creation Ordinance. The total cost of the Project shall be apportioned and the amount to be assessed shall be as follows:

| Total Cost | Estimated Amount of Special Assessment | Amount Available from Other Sources |
|---|---|---|
| $252,402 | $252,402 | $-0- |

Section 3. The City Engineer (the "Engineer") be, and he is hereby authorized, ordered and directed, with the assistance of the City Engineer Division, to make out and prepare, an assessment roll for the District containing, among other things:

(1) The name and address of each last known owner of each lot, tract, or parcel of land to be assessed.

(2) A description of each lot, tract or parcel of land to be assessed, and the amount of the proposed assessment thereon, apportioned upon the basis for assessments heretofore determined by the City Council in the Creation Ordinance and as stated in the provisional order for the hearing on the Project.

Section 4. Immediately upon the adoption of this Resolution, the City Clerk shall cause a copy of this Resolution to be furnished to the Engineer. When the Engineer has made out and prepared the assessment roll, pursuant to Section 3 of this Resolution, he shall report the assessment roll to the City Council and shall cause the same to be filed in the office of the City Clerk and numbered. The Engineer shall submit an executed certificate in the form provided in Subsection 3 of NRS 271.375, which certificate, duly executed, shall accompany the assessment roll.

Section 5. The officers of the City be, and they hereby are, authorized and directed to take all action necessary or appropriate to effectuate the provisions of this Resolution, including without limiting the generality of the foregoing, the preparation of all further necessary legal proceedings, assessment rolls and lists, supplemental report(s) on benefits, and other items necessary or desirable for the completion of the District.

Section 6. All resolutions, or parts thereof, in conflict with the provisions of this Resolution, are hereby repealed to the extent only of such inconsistency. This repealer shall not be construed to revive any resolution, or part thereof, heretofore repealed.

Section 7. If any section, paragraph, clause or other provision of this Resolution shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or other provision shall not affect any of the remaining provisions of this Resolution.

Section 8. The City Council has determined and declares, that this Resolution shall be in effect upon its passage in accordance with the law.

PASSED AND APPROVED on March 4, 2009.

OSCAR B. GOODMAN, Mayor

Attest:

BEVERLY K. BRIDGES, CMC, City Clerk

Approved as to Form:

2/17/09

Date / Assistant City Attorney

**STATE OF NEVADA** )<br>
)<br>
**COUNTY OF CLARK** ) **ss**<br>
)<br>
**CITY OF LAS VEGAS** )

I, Beverly K. Bridges, the duly chosen and qualified City Clerk of the City of Las Vegas (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 (the "City Council") at a meeting held on March 4, 2009.

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<br>Gary Reese<br>Steve Wolfson<br>Steven D. Ross<br>Ricki Y. Barlow<br>David W. Steinman (Interim) |
| Those Voting Nay: | None |
| Those Absent: | None |
| Those Not Voting: | Councilwoman Lois Tarkanian |

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 Statues, 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

(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 the notice of the meeting was posted on the City's website no later than 9:00 a.m. on the third working day prior to the meeting.

7. A copy of such notice so given of the meeting of the City Council on March 4, 2009, is attached to this certificate as Exhibit "A."

**IN WITNESS WHEREOF**, I have hereunto set my hand on this March 4, 2009.

(SEAL)

Beverly K. Bridges

BEVERLY K. BRIDGES, CMC, City Clerk

**<u>Exhibit “A”</u>**

**(Attach Notice of Meeting and Agenda)**

City of Las Vegas

# CITY COUNCIL AGENDA

**COUNCIL CHAMBERS · 400 STEWART AVENUE · PHONE 229-6011**
**CITY OF LAS VEGAS INTERNET ADDRESS: www.lasvegasnevada.gov**
**COUNCIL MEMBERS: OSCAR B. GOODMAN, MAYOR (At-Large)**
**COUNCILMAN GARY REESE, MAYOR PRO TEM (Ward 3)**
**STEVE WOLFSON (Ward 2), LOIS TARKANIAN (Ward 1), STEVEN D. ROSS (Ward 6)**
**RICKI Y. BARLOW (Ward 5), DAVID W. STEINMAN (Ward 4 – Interim)**

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.

**March 4, 2009**

**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 – REVEREND BONNIE POLLEY, CHRIST EPISCOPAL CHURCH
4. PLEDGE OF ALLEGIANCE
5. RECOGNITION OF THE CITIZEN OF THE MONTH
6. RECOGNITION OF THE TEAM OF THE QUARTER
7. RECOGNITION OF FIRE & RESCUE EMPLOYEE TIM SZYMANSKI FOR RECEIVING A LIBERTY MUTUAL FIREMARK AWARD
8. RECOGNITION OF WOMEN'S HISTORY MONTH
9. RECOGNITION OF LORI HARTIG AND SPREAD THE WORK NEVADA
10. RECOGNITION OF JOSHUA ORTEGA FOR EARNING A NATIONAL LEGION OF VALOR BRONZE CROSS FOR ACHIEVEMENT

## BUSINESS ITEMS - MORNING

11. 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

12. Approval of the Final Minutes by reference of the regular City Council meeting of February 4, 2009

## 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 SERVICES - CONSENT

13. Approval of a grant agreement with the State of Nevada, Department of Public Safety for the Emergency Management Performance Grant (EMPG) in the amount of $222,738 (Multi-Purpose Special Revenue Fund) - All Wards

### CITY CLERK - CONSENT

14. ABEYANCE ITEM - Approval of the Certificates of Results declaring the petitions submitted for The Las Vegas Taxpayer Accountability Act Initiative and The Las Vegas Redevelopment Reform Referendum as sufficient - All Wards

### FIELD OPERATIONS - CONSENT

15. Approval of a Bill of Sale from the City of Las Vegas to the Las Vegas Valley Water District for the purpose of providing water services for the Durango Riley Park Phase I, located in the vicinity of Durango Drive, west of Grand Montecito Parkway - Ward 6 (Ross)

### FINANCE & BUSINESS SERVICES - ADMINISTRATION CONSENT

16. Approval of Service and Material Checks/Payroll Checks/Wire Transfers/Other Checks and Investments

### FINANCE & BUSINESS SERVICES - BUSINESS SERVICES CONSENT

17. ABEYANCE ITEM - Approval of a Change of Business Name and a Change of Ownership for a Tavern License and a Restricted Gaming License, From: Buffalo Investments, Inc., dba Roadrunner Saloon Buffalo, To: Golden RR Buffalo 1, LLC, dba Roadrunner Saloon, 921 North Buffalo Drive, Golden Tavern Group, LLC, 100%, Golden Gaming, Inc., 100%, Blake L. Sartini, Pres, CEO, Rod S. Atamian, EVP, Treas, Secy, Matthew Flandermeyer, CFO, VP, The Blake L. Sartini and Delise F. Sartini Family Trust, 100%, Delise F. Sartini, Trustee, Beneficiary and Blake L. Sartini, Trustee, Beneficiary - Ward 4 (Steinman)

18. ABEYANCE ITEM - Approval of a Change of Business Name and a Change of Ownership for a Tavern License and a Restricted Gaming License, From: True West Investments, Inc., dba Roadrunner Centennial, To: Golden RR Centennial 4, LLC, dba Roadrunner Saloon, 5990 Centennial Center Boulevard, Golden Tavern Group, LLC, 100%, Golden Gaming, Inc., 100%, Blake L. Sartini, Pres, CEO, Rod S. Atamian, EVP, Treas, Secy, Matthew Flandermeyer, CFO, VP, The Blake L. Sartini and Delise F. Sartini Family Trust, 100%, Delise F. Sartini, Trustee, Beneficiary and Blake L. Sartini, Trustee, Beneficiary - Ward 6 (Ross)

19. Approval of a Special Event Alcoholic Beverage License for Higco, Inc., dba Three Angry Wives Pub, Location: Three Angry Wives Pub, 8820 West Charleston Boulevard, Suite 105, Date: March 17, 2009, Type: Special Event General, Event: St. Patrick's Day, Responsible Person in Charge: Erin O'Hayer - Ward 2 (Wolfson)

20. Approval of a new Tavern License subject to the provisions of the planning and fire codes and Health Dept. regulations, Edge of Town, LLC, dba Edge of Town, 10490 West Cheyenne Avenue, Philip H. Davis, Managing Mmbr, 66.66% and Richard A. Pollack, Managing Mmbr, 33.33% - Ward 4 (Steinman)

21. Approval of a new Restricted Gaming License subject to confirmation of approval by the Nevada Gaming Commission, Edge of Town, LLC, dba Edge of Town, 10490 West Cheyenne Avenue, Philip H. Davis, Managing Mmbr, 66.66% and Richard A. Pollack, Managing Mmbr, 33.33% - Ward 4 (Steinman)

**FINANCE & BUSINESS SERVICES - PURCHASING & CONTRACTS CONSENT**

22. Approval of revision to Purchase Order No. 261478, Annual Requirements Contract for Liquid Ferric Chloride - Department of Public Works - Award recommended to: KEMIRON COMPANIES, INC. ($1,500,000 - Sanitation Enterprise Fund)

23. Approval of award of Contract No. 090087-TF, Task Order Contract for General and Civil Engineering Services - Department of Field Operations - Award recommended to: GC WALLACE, INC. ($350,000 - Street Maintenance Special Revenue Fund) - All Wards

24. Approval of award of Bid No. 09.1762.01-TRF, Annual Contract for Slurry Seal - Department of Field Operations - Award recommended to: AMERICAN ASPHALT AND GRADING COMPANY ($3,000,000 - Street Maintenance Special Revenue Fund) - All Wards

**NEIGHBORHOOD SERVICES - CONSENT**

25. Approval of list of middle school and high school students to be nominated by the City of Las Vegas for the Nevada League of Cities and Municipalities Youth Awards Program - All Wards

**PLANNING & DEVELOPMENT - CONSENT**

26. Approval of the Funding Agreement for the 2008 Historic Preservation Fund (HPF) grant from the United States Department of the Interior and National Park Service, administered by the State Historic Preservation Office (SHPO) in the amount of $45,000 (Multi-Purpose Special Revenue Fund) for projects as identified in the Agreement

**PUBLIC WORKS - CONSENT**

27. Approval of Third Supplemental Interlocal Contract LAS05F03 between the City of Las Vegas and the Clark County Regional Flood Control District (CCRFCD) to extend the project completion date for the Alta Parallel System located within Alta Drive between Rainbow Boulevard and Torrey Pines Drive, in Jones Boulevard south of Alta Drive to Evergreen Avenue, in Digger Street south of Alta Drive to Evergreen Avenue and in Alta Drive between Digger Street and Decatur Boulevard - Ward 1 (Tarkanian)

28. Approval of Sixth Supplemental Interlocal Contract LAS16E04 between the City of Las Vegas and the Clark County Regional Flood Control District (CCRFCD) to extend the project completion date for design of the Rancho Detention Basin, Phase II located on the west side of Centennial Center Boulevard between Ann Road and Tropical Parkway - Ward 6 (Ross)

29. Approval of Second Supplemental Interlocal Contract LAS16G07 between the City of Las Vegas and the Clark County Regional Flood Control District (CCRFCD) to extend the project completion date for construction of the Rancho Detention Basin, Phase II located on the west side of Centennial Center Boulevard between Ann Road and Tropical Parkway - Ward 6 (Ross)

30. Approval of Second Supplemental Interlocal Contract LAS22H07 between the City of Las Vegas and the Clark County Regional Flood Control District (CCRFCD) to extend the project completion date to allow for project close out for the Las Vegas Wash - Elkhorn Road, Rainbow Boulevard to Torrey Pines Drive - Ward 6 (Ross)

31. Approval of Second Supplemental Interlocal Contract LAS22G07 between the City of Las Vegas and the Clark County Regional Flood Control District (CCRFCD) to increase funding for design engineering and extend the project completion date for the Elkhorn Springs and Buffalo Storm Drain located north in Buffalo Drive to Donald Nelson Avenue and extends west in Farm Road from Buffalo Drive to Palm Grove Lane ($40,000 - CCRFCD) - Ward 6 (Ross)

32. Approval of Second Supplemental Interlocal Contract LAS19C05 between the City of Las Vegas and the Clark County Regional Flood Control District (CCRFCD) to extend the project completion date for the Owens Avenue System (Vegas Drive Storm Drain) - Michael Way to Rancho Drive located within Vegas Drive between Shadow Mountain Place and Rancho Drive - Ward 5 (Barlow)

33. Approval to Appraise and Purchase or Condemn real property for road improvements along Martin L. King Boulevard from approximately 350 feet south of Discovery Drive to the intersection of Martin L. King Boulevard and Alta Drive ($1,100,000 - Regional Transportation Commission [RTC]) - Ward 5 (Barlow)

34. Approval of Supplemental Interlocal Contract 543a between the City of Las Vegas and the Regional Transportation Commission of Southern Nevada (RTC) to extend the project completion date of the Las Vegas Boulevard, Owens Avenue to I-515 Corridor Study - Ward 5 (Barlow)

35. Approval of Supplemental Interlocal Contract 503b between the City of Las Vegas and the Regional Transportation Commission of Southern Nevada (RTC) to extend the project completion date for construction of Deer Springs Drive, Conough Lane to Buffalo Drive - Ward 6 (Ross)

36. Approval of Supplemental Interlocal Contract 577a between the City of Las Vegas and the Regional Transportation Commission of Southern Nevada (RTC) to increase right-of-way acquisition funding and extend the project completion date for Vegas Drive, Rancho Drive to Michael Way ($50,000 - RTC) - Ward 5 (Barlow)

37. Approval of Supplemental Interlocal Contract 548a between the City of Las Vegas and the Regional Transportation Commission of Southern Nevada (RTC) to extend the project completion date for Bus Turnout Project - Fiscal Year 2007 located along Lamb Boulevard at the Pecos Road and Bonanza Road intersection - Ward 3 (Reese)

38. Approval of the adoption of the Regional Water Quality Plan between the City of Las Vegas and the Las Vegas Valley Watershed Advisory Committee (LVVWAC) - All Wards

**RESOLUTIONS - CONSENT**

39. R-10-2009 - Approval of a Resolution Disposing of the Protests made at the hearing on the Provisional Order for Special Improvement District No. 1513 - Via Olivero Avenue and Valadez Street (East of Cimarron Road) - Ward 2 (Wolfson)

40. R-11-2009 - Approval of a Resolution Determining the Cost and Directing the City Engineer to prepare the Final Assessment Roll for Special Improvement District No. 1516 - Fremont Street Maintenance District (Las Vegas Boulevard to 8th Street) ($252,402 - Capital Projects Fund-Special Assessments) - Ward 5 (Barlow)

41. R-12-2009 - Approval of a Resolution fixing the time and place when complaints, protests, and objections to the Final Assessment Roll will be heard for Special Improvement District No. 1516 - Fremont Street Maintenance District (Las Vegas Boulevard to 8th Street) ($252,402 - Capital Projects Fund/Special Assessments) - Ward 5 (Barlow)

42. R-13-2009 - Approval of a Resolution Determining the Cost and Directing the Director of Public Works to Prepare the Final Assessment Roll for Special Improvement District No. 1485 - Alta Drive (Rancho Drive to approximately 275 feet west of Lacy Lane) (Landscape Maintenance FY2010) ($65,340 - Capital Projects Fund - Special Assessments) - Ward 1 (Tarkanian)

43. R-14-2009 - Approval of a Resolution fixing the time and place when complaints, protests, and objections to the Final Assessment Roll will be heard for Special Improvement District No. 1485 - Alta Drive (Rancho Drive to approximately 275 feet west of Lacy Lane) (Landscape Maintenance FY2010) ($65,340 - Capital Projects Fund - Special Assessments) - Ward 1 (Tarkanian)

44. R-15-2009 - Approval of a Resolution to Support the Development of a Governance Model and Plan in Regionalizing the Public Housing Authorities - All Wards

# DISCUSSION/ACTION ITEMS

## HEARINGS - DISCUSSION

45. Public hearing to determine the advisability of granting a telecommunications service franchise to Level 3 Communications, LLC, pursuant to the purpose, character, term, time and conditions of the proposed franchise agreement

46. ABEYANCE ITEM - Hearing to consider the appeal regarding Notice and Order to Abate Dangerous Building Demolition property located at 840 W. Bonanza Road. PROPERTY OWNER: MOULIN ROUGE PROPERTIES LLC - Ward 5 (Barlow)

47. ABEYANCE ITEM - Hearing to consider the appeal regarding Notice and Order to Abate Dangerous Building Demolition property located at 920 W. Bonanza Road. PROPERTY OWNER: MOULIN ROUGE PROPERTIES LLC - Ward 5 (Barlow)

48. ABEYANCE ITEM - Hearing to consider the appeal regarding the Notice and Orders Regarding Vacant or Abandoned Buildings located at 901 W. McWilliams Avenue, Units 902, 903, 904, 906 and 907. PROPERTY OWNERS: MOULIN ROUGE PROPERTIES, LLC - Ward 5 (Barlow)

49. ABEYANCE ITEM - Hearing to consider the appeal regarding Notice and Order to Abate Dangerous Building Demolition property located at 1001 W. McWilliams Avenue. PROPERTY OWNER: MOULIN ROUGE PROPERTIES LLC - Ward 5 (Barlow)

50. Public Hearing to consider the report of expenses to recover costs for abatement of nuisance located at 232 S. Crestline Drive in the amount of $2,958.25 (General Fund) and assess a maximum of $39,700 in daily civil penalties. PROPERTY OWNER: FREMONT INVESTMENT & LOAN - Ward 1 (Tarkanian)

51. Public Hearing to consider the report of expenses to recover costs for the vacant or abandoned building located at 4168 Silver Dollar Avenue Unit 1 in the amount of $2,338 (General Fund) and assess a maximum of $96,050 in daily civil penalties. PROPERTY OWNER: RFH LA PAZ LLC - Ward 1 (Tarkanian)

52. Public Hearing to consider the report of expenses to recover costs for the vacant or abandoned buildings located at 4152 Silver Dollar Avenue Units 5 and 7, 4168 Silver Dollar Avenue Units 2 - 8, 4186 Silver Dollar Avenue Units 1 - 4 and 7 in the amount of $22,243 (General Fund) and assess a maximum of $1,277,750 in daily civil penalties. PROPERTY OWNER: RFH LA PAZ LLC - Ward 1 (Tarkanian)

## ADMINISTRATIVE - DISCUSSION

53. Discussion and possible action concerning the status of the 2009 legislative issues - All Wards

54. Report and possible action on the update on progress of the Fundamental Service Review

55. Discussion and possible action on the appointment of members to the Ballot Question Committees for The Las Vegas Taxpayer Accountability Act Initiative Petition and The Las Vegas Redevelopment Reform Referendum Petition

## CITY ATTORNEY - DISCUSSION

56. ABEYANCE ITEM - Discussion and possible action regarding consideration and ballot placement of Initiative and Referendum Petitions for June 2, 2009 elections and other related matters

## FINANCE & BUSINESS SERVICES - BUSINESS SERVICES DISCUSSION

57. Discussion and possible action regarding Temporary Approval of a new Massage Establishment License subject to the provisions of the planning and fire codes, Todd L. Schleusner D.C., P.C., dba Living Well Chiropractic Center, 10300 West Charleston Boulevard, Suite 10, Todd L. Schleusner, Pres, Secy, Treas, Dir, 100% - Ward 2 (Wolfson) [NOTE: This is an ancillary license to Living Well Chiropractic Center]

58. Discussion and possible action regarding a Change of Location for a Temporary Psychic Arts & Science License, April Stevens, dba Vegas Psychic, From: 5000 West Oakey Boulevard, Suite A3-4, To: 2217 Paradise Road, Suite A, April Stevens, Owner, 100% - Ward 3 (Reese)

59. Discussion and possible action regarding a Review of Temporary Approval of a Supper Club License, Caylix Fine Dining, LLC, dba Caylix Jazz Club, 4760 West Sahara Avenue, Suite 13, Regina Edwards, Managing Mmbr, 100% - Ward 1 (Tarkanian)

60. Discussion and possible action regarding a Review of a Temporary Locksmith License, 360 Locksmith LLC, dba 360 Lock & Key, 9557 Gibbon Avenue, Ronen Benkel, Pres, 100% - Ward 6 (Ross)

61. Discussion and possible action regarding an Appeal of Non-renewal of a Burglar Alarm Service License, Pinnacle Security, LLC, dba Pinnacle Security, LLC, 1290 South Sandhill Road, Grant C. Christofferson, Mgr, Mmbr, 29%, Steven P. Zolman, Mgr, Mmbr, 25%, Kelly E. Walker, Mgr, Mmbr, 23%, and Jared M. Chappell, Mgr, Mmbr, 23% - Utah

62. Discussion and possible action regarding an Appeal of Non-renewal of a Tanning Salon license, Hawaii Relax Tanning & Spa, 3053 South Valley View Blvd., Hoa Van Le, Owner, 100% - Ward 1 (Tarkanian)

**RESOLUTIONS - DISCUSSION**

63. R-16-2009 - Discussion and possible action regarding a Resolution consenting to the undertakings of the City of Las Vegas Redevelopment Agency (RDA) in connection with the Commercial Visual Improvement Program (CVIP) Agreement between the RDA and Fremont Street Experience Parking Corporation (Owner) and Hennessey's Las Vegas, Inc., d/b/a Las Vegas Country Saloon (Tenant and CVIP Participant) located at 425 Fremont Street (APN 139-34-610-045) to be in compliance with and in furtherance of the goals and objectives of the RDA - Ward 3 (Reese) [NOTE: This item is related to Redevelopment Agency Item 4 (RA-2-2009)]

64. R-17-2009 - Discussion and possible action regarding a Resolution consenting to the undertakings of the City of Las Vegas Redevelopment Agency (RDA) in connection with the Commercial Visual Improvement Program (CVIP) Agreement between the RDA and P.R.M.D., LLC, (Owner) located at 823 South Las Vegas Boulevard (APN 139-34-401-012) to be in compliance with and in furtherance of the goals and objectives of the RDA - Ward 3 (Reese) [NOTE: This item is related to RDA Item 5 (RA-3-2009)]

**BOARDS & COMMISSIONS - DISCUSSION**

65. ABEYANCE ITEM - Discussion and possible action on appointments of Council members to various City of Las Vegas and other jurisdictional Boards, Commissions and Authorities

66. PARK & RECREATION ADVISORY COMMISSION – Charles Foger and Laurie Buchman, Term Expirations 3-24-2009

67. HISTORIC PRESERVATION COMMISSION – Dorothy Wright, Term Expiration 3-24-2009; Mary Hausch, Term Expiration 3-6-2009

**RECOMMENDING COMMITTEE REPORT - DISCUSSION**

**BILLS ELIGIBLE FOR ADOPTION AT THIS MEETING**

68. Bill No. 2009-4 – Grants to Level 3 Communications, LLC a non-exclusive franchise for the purpose of installing, operating and maintaining a telecommunications service within the City, subject to and in accordance with the terms and conditions of the Franchise Agreement incorporated by reference into this Ordinance. Proposed by: Bradford R. Jerbic, City Attorney

69. Bill No. 2009-5 – Revises and consolidates the review and approval procedures for signs within the Downtown Casino Overlay District, the Downtown Entertainment Overlay District, and the Las Vegas Boulevard Scenic Byway Overlay District. Sponsored by: Mayor Oscar B. Goodman

70. Bill No. 2009-8 – Repeals Ordinance No. 5830, relating to the adoption of an Amended and Restated Redevelopment Plan. Proposed by: Bradford R. Jerbic, City Attorney

**BILLS ELIGIBLE FOR ADOPTION AT A LATER MEETING**

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

71. Bill No. 2009-6 – Updates various administrative provisions pertaining to the Las Vegas Metropolitan Police Citizen Review Board. Sponsored by: Councilman Gary Reese

72. Bill No. 2009-7 – Amends the Downtown Centennial Plan to update and revise certain trail alignments within the downtown area. Sponsored by: Mayor Oscar B. Goodman

**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.

73. Bill No. 2009-9 – Authorizes the administrative issuance of temporary business licenses for privileged businesses. Sponsored by: Councilman Steve Wolfson

74. Bill No. 2009-10 – Annexation No. ANX-27030 – Property location: In the vicinity of State Route 157 (Kyle Canyon Road), in the general area between Moccasin Road and Rocky Avenue, east and west of Shaumber Road; Petitioned by: Nevada Power Company (NV Energy); Acreage: Approximately 36.60 acres; Zoned: R-U (County zoning), C-V (City equivalent). Sponsored by: Councilman Steven D. Ross

75. Bill No. 2009-11 - Ordinance Creating Special Improvement District No. 1513 - Via Olivero Avenue and Valadez Street (East of Cimarron Road) Sponsored by: Step Requirement

## CLOSED SESSION

76. Closed Session - To be held at the conclusion of the morning session. Upon duly carried Motion, a closed meeting is called in accordance with NRS 288.220 to discuss the City of Las Vegas labor strategies and labor negotiations.

## 1:00 P.M. - AFTERNOON SESSION

**BUSINESS ITEMS - AFTERNOON**

77. 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.

78. EOT-33091 - EXTENSION OF TIME - REZONING - APPLICANT: DON F. AHERN - OWNER: DFA, LLC - Request for an Extension of Time of an approved Rezoning (ZON-13896) FROM: R-E (RESIDENCE ESTATES) TO: C-2 (GENERAL COMMERCIAL) on 2.61 acres at the southwest corner of Bonanza Road and Martin L. King Boulevard (APN 139-28-401-033), Ward 5 (Barlow). Staff recommends APPROVAL

79. EOT-33093 - EXTENSION OF TIME - VARIANCE - APPLICANT: DON F. AHERN - OWNER: DFA, LLC - Request for an Extension of Time of an approved Variance (VAR-18250) TO ALLOW A PROPOSED BUILDING TO BE FIVE FEET FROM THE CORNER SIDE PROPERTY LINE WHERE 15 FEET IS THE MINIMUM SETBACK REQUIRED on 2.61 acres at the southwest corner of Bonanza Road and Martin L. King Boulevard (APN 139-28-401-033), R-E (Residence Estates) Zone with a Resoution of Intent to C-2 (General Commercial) Zone, Ward 5 (Barlow). Staff recommends APPROVAL

80. EOT-33095 - EXTENSION OF TIME - VARIANCE - APPLICANT: DON F. AHERN - OWNER: DFA, LLC - Request for an Extension of Time of an approved Variance (VAR-13900) TO ALLOW A FRONT YARD SETBACK OF 10 FEET WHERE 20 FEET IS REQUIRED, A CORNER SIDE YARD SETBACK OF 10 FEET WHERE 15 FEET IS REQUIRED, AND A REAR YARD SETBACK OF 11 INCHES WHERE 20 FEET IS REQUIRED on 2.61 acres at the southwest corner of Bonanza Road and Martin L. King Boulevard (APN 139-28-401-033), R-E (Residence Estates) with a Resolution of Intent to C-2 (General Commercial) Zone, Ward 5 (Barlow). Staff recommends APPROVAL

81. EOT-33092 - EXTENSION OF TIME - SPECIAL USE PERMIT - APPLICANT: DON F. AHERN - OWNER: DFA, LLC - Request for an Extension of Time of an approved Special Use Permit (SUP-13903) FOR A PROPOSED 274 FOOT TALL BUILDING IN THE NORTH LAS VEGAS AIRPORT OVERLAY DISTRICT on 2.61 acres at the southwest corner of Bonanza Road and Martin L. King Boulevard (APN 139-28-401-033), R-E (Residence Estates) with a Resolution of Intent to C-2 (General Commercial) Zone, Ward 5 (Barlow). Staff recommends APPROVAL

82. EOT-33096 - EXTENSION OF TIME - SITE DEVELOPMENT PLAN REVIEW - APPLICANT: DON F. AHERN - OWNER: DFA, LLC - Request for an Extension of Time of an approved Site Development Plan Review (SDR-13904) FOR A COMMERCIAL DEVELOPMENT CONSISTING OF A 3,000 SQUARE FOOT, A 1,500 SQUARE FOOT, AND A 4,500 SQUARE FOOT RETAIL PAD; A 20 STORY BUILDING CONSISTING OF 3,700 SQUARE FEET OF RESTAURANT SPACE, 10,000 SQUARE FEET OF RETAIL SPACE, 150,000 SQUARE FEET OF OFFICE SPACE, AND A 4,500 SQUARE FOOT CHILD CARE FACILITY; AND A WAIVER OF THE PERIMETER LANDSCAPING REQUIREMENTS on 2.61 acres at the southwest corner of Bonanza Road and Martin L. King Boulevard (APN 139-28-401-033), R-E (Residence Estates) with a Resolution of Intent to C-2 (General Commercial) Zone, Ward 5 (Barlow). Staff recommends APPROVAL

83. EOT-33136 - EXTENSION OF TIME - REZONING - APPLICANT: DESERT CAPITAL GROUP - OWNER: CRAIG TENAYA, LLC - Request for an Extension of Time of an approved Rezoning (ZON-18819) FROM O (OFFICE) TO R-4 (HIGH DENSITY RESIDENTIAL) on 7.49 acres adjacent to the east side of Tenaya Way, approximately 970 feet south of Craig Road (APN 138-03-701-021), Ward 4 (Steinman). Staff recommends APPROVAL

84. EOT-33158 - EXTENSION OF TIME - VARIANCE - APPLICANT: DESERT CAPITAL GROUP - OWNER: CRAIG TENAYA LLC - Request for an Extension of Time of an approved Variance (VAR-18820) TO ALLOW A 72-FOOT HIGH BUILDING WHERE 35 FEET IS THE MAXIMUM HEIGHT ALLOWED on 7.49 acres adjacent to the east side of Tenaya Way, approximately 970 feet south of Craig Road (APN 138-03-701-021), O (Office) with a Resolution of Intent to R-4 (High Density Residential) Zoning, Ward 4 (Steinman). Staff recommends APPROVAL

85. EOT-33160- EXTENSION OF TIME - SPECIAL USE PERMIT - APPLICANT: DESERT CAPITAL GROUP - OWNER: CRAIG TENAYA LLC - Request for an Extension of Time of an approved Special Use Permit (SUP-18821) FOR A PROPOSED MIXED-USE DEVELOPMENT adjacent to the east side of Tenaya Way, approximately 970 feet south of Craig Road (APN 138-03-701-021), O (Office) with a Resolution of Intent to R-4 (High Density Residential) Zoning, Ward 4 (Steinman). Staff recommends APPROVAL

86. EOT-33159 - EXTENSION OF TIME - SITE DEVELOPMENT PLAN REVIEW - APPLICANT: DESERT CAPITAL GROUP - OWNER: CRAIG TENAYA LLC - Request for an Extension of Time of an approved Site Development Plan Review (SDR-18822)FOR A PROPOSED FIVE-STORY MIXED-USE DEVELOPMENT CONSISTING OF 213 CONDOMINIUM UNITS AND 29,717 SQUARE FEET OF COMMERCIAL SPACE on 7.49 acres adjacent to the east side of Tenaya Way, approximately 970 feet south of Criag Road (APN 138-03-701-021), O (Office) with a Resolution of Intent to R-4 (High Density Residential) Zoning, Ward 4 (Steinman). Staff recommends APPROVAL

87. EOT-33054 - EXTENSION OF TIME - VARIANCE - APPLICANT: LASCAL CORPORATION DBA TACO BELL - OWNER: MARIA FERRA, TRUSTEE - Request for an Extension of Time of an approved Variance (VAR-17998) TO ALLOW 15 PARKING SPACES WHERE 23 SPACES ARE REQUIRED FOR A PROPOSED RESTAURANT WITH DRIVE-THROUGH on 0.52 acres at 4717 West Charleston Boulevard (APN 162-06-102-001), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). Staff recommends APPROVAL

88. EOT-33055 - EXTENSION OF TIME - SITE DEVELOPMENT PLAN REVIEW - APPLICANT: LASCAL CORPORATION DBA TACO BELL - OWNER: MARIA FERRA TRUSTEE - Request for an Extension of Time of an approved Site Development Plan Review (SDR-17999) FOR A PROPOSED 2,227 SQUARE-FOOT RESTAURANT WITH DRIVE-THROUGH AND A WAIVER TO ALLOW A ZERO-FOOT LANDSCAPE BUFFER ALONG INTERIOR LOT LINES WHERE 8 FEET IS REQUIRED AND A 5-FOOT LANDSCAPE BUFFER WHERE 15 FEET IS REQUIRED ALONG PUBLIC RIGHT-OF-WAY on 0.52 acres at 4717 West Charleston Boulevard (APN 162-06-102-001), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). Staff recommends APPROVAL

89. EOT-32991 - EXTENSION OF TIME - SITE DEVELOPMENT PLAN REVIEW - APPLICANT: NEW VISTA COMMUNITY - OWNER: NEW VISTA RANCH, INC. - Request for an Extension of Time of an approved Site Development Plan Review (SDR-16581) FOR A PROPOSED TWO-STORY, 56-UNIT ASSISTED LIVING APARTMENT DEVELOPMENT WITH A 43,283 SQUARE-FOOT COMMERCIAL AMUSEMENT/RECREATION (INDOOR) FACILITY, 3,024 SQUARE FEET OF MEDICAL OFFICE SPACE, AND 1,382 SQUARE FEET OF RETAIL SPACE on 15.05 acres at 7875 North Rainbow Boulevard (APN 125-15-501-002), PD (Planned Development) Zone, Ward 6 (Ross). Staff recommends APPROVAL

**PLANNING & DEVELOPMENT - DISCUSSION**

90. GPA-32167 - ABEYANCE ITEM - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT: P'S AUTO SALES - OWNER: BEARD FAMILY TRUST - Request to Amend a portion of the Southeast Sector Plan of the General Plan FROM: SC (SERVICE COMMERCIAL) TO: GC (GENERAL COMMERCIAL) on 0.55 acres at 3920 West Sahara Avenue (APN 162-06-801-005), Ward 1 (Tarkanian). The Planning Commission (3-2 vote) and staff recommend DENIAL

91. ZON-32168 - ABEYANCE ITEM - REZONING RELATED TO GPA-32167 - PUBLIC HEARING - APPLICANT: P'S AUTO SALES - OWNER: BEARD FAMILY TRUST - Request for a Rezoning FROM: C-1 (LIMITED COMMERCIAL) TO: C-2 (GENERAL COMMERCIAL) on 0.55 acres at 3920 West Sahara Avenue (APN 162-06-801-005), Ward 1 (Tarkanian). The Planning Commission (3-2 vote) and staff recommend DENIAL

92. SUP-32548 - ABEYANCE ITEM - SPECIAL USE PERMIT RELATED TO GPA-32167 AND ZON-32168 - PUBLIC HEARING - APPLICANT: P'S AUTO SALES - OWNER: BEARD FAMILY TRUST - Request for a Special Use Permit FOR A PROPOSED MOTOR VEHICLE SALES (USED) ESTABLISHMENT WITH A WAIVER TO ALLOW A 23,900 SQUARE-FOOT PARCEL WHERE 25,000 SQUARE FEET IS THE MINIMUM REQUIRED at 3920 West Sahara Avenue (APN 162-06-801-005), C-1 (Limited Commercial) Zone [PROPOSED: C-2 (General Commercial)], Ward 1 (Tarkanian). The Planning Commission (3-2 vote) and staff recommend DENIAL

93. SDR-32549 - ABEYANCE ITEM - SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-32167, ZON-32168 AND SUP-32548 - PUBLIC HEARING - APPLICANT: P'S AUTO SALES - OWNER: BEARD FAMILY TRUST - Request for a Major Amendment to an approved Site Development Plan Review (SDR-1167) FOR A PROPOSED MOTOR VEHICLE SALES (USED) ESTABLISHMENT on 0.55 acres at 3920 West Sahara Avenue (APN 162-06-801-005), C-1 (Limited Commercial) Zone [PROPOSED: C-2 (General Commercial)], Ward 1 (Tarkanian). The Planning Commission (3-2 vote) and staff recommend DENIAL

94. SUP-31367 - ABEYANCE ITEM - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: NOE ZUBIA - OWNER: MARIO PENA PENA - Appeal filed from the denial by the Planning Commission of a request for a Special Use Permit FOR AUTO REPAIR GARAGE, MINOR, WITH SERVICE BAY DOORS FACING THE RIGHT-OF-WAY at 1550 North Rancho Drive (APN 139-29-112-120), C-1 (Limited Commercial) Zone, Ward 5 (Barlow). The Planning Commission (6-1 vote) and staff recommend DENIAL

95. RQR-32710 - REQUIRED REVIEW - PUBLIC HEARING - APPLICANT/OWNER: TERRIBLE HERBST, INC. - Required Review of an approved Special Use Permit (SUP-18910) FOR A LIQUOR STORE IN CONJUNCTION WITH A CONVENIENCE STORE WITH FUEL PUMPS on 0.91 acres at 1051 Desert Foothilld Drive(APN 137-34-818-003), P-C (Planned Community) Zone, Ward 2 (Wolfson). Staff recommends APPROVAL

96. SDR-32826 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT/OWNER: PROJECT ALTA, LLC AND PROJECT ALTA II, LLC - Request for a Site Development Plan Review FOR A PROPOSED OFFICE DEVELOPMENT CONSISTING OF TWO, FOUR-STORY 120,000 SQUARE-FOOT BUILDINGS; ONE FIVE-STORY 150,000 SQUARE-FOOT BUILDING; AND ONE SIX-STORY 1,679-SPACE PARKING STRUCTURE WITH A WAIVER OF THE BUILDING PLACEMENT AND ORIENTATION STANDARDS on 14.55 acres at the northwest corner of Alta Drive and Martin L King Boulevard (APNs 139-33-202-004 and 008), C-1 (Limited Commercial) Zone, Ward 5 (Barlow). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL

**SET DATE**

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

**COUNCIL MEMBER RECOGNITION**

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

**CITIZENS PARTICIPATION**

99. 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