

RESOLUTION NO. R-30-2009

**A RESOLUTION AND PUBLIC HEARING MAKING CERTAIN
WRITTEN FINDINGS AND DETERMINATIONS PURSUANT TO
NRS 271A.080(2), (3) AND (6) AND NRS 360.855(3) RELATING TO A
PROPOSED TOURISM IMPROVEMENT DISTRICT IN THE CITY
OF LAS VEGAS AND OTHER MATTERS PROPERLY RELATING
THERE TO.**

WHEREAS, the City Council (the "City Council") of the City of Las Vegas, Nevada (the "City"), in the State of Nevada (the "State") desires to consider adopting an ordinance pursuant to NRS 271A.070 creating a Tourism Improvement District (the "TID" or "District") as further described herein; and

WHEREAS, under Nevada Revised Statutes Chapter 271A (the "Tourism Act"), the City has the power if certain conditions are satisfied to create a tourism improvement district (the "District") for the development of property within the jurisdiction of the City; and

WHEREAS, the City Council desires to proceed with the steps necessary for the creation of the district (the "District") described in the resolution adopted by the Council on February 4, 2009 calling a hearing on the District to be held on May 6, 2009 to consider making certain findings and determinations; and

WHEREAS, there has been filed with the City Clerk:

- (i) A report entitled "*Proposed Tourism Improvement District, An Analysis of Selected Regulatory Requirements*" prepared by Applied Analysis, dated November 30, 2008, as amended on February 27, 2009 (the "Report") which is a report of an independent consultant addressing the fiscal effect of the project proposed for the District and the financing thereof under Chapter 271A of NRS on the provision of local governmental (the "Fiscal Effect") as required in Subsection 3 of NRS 271A.080;

- (ii) A letter from CIM/LL Manager, LLC (the "Developer") dated January 16, 2009 relating to the Developer's ability and desire to proceed with certain projects, including retail projects in the District;
- (iii) A memorandum from Keyser Marston Associates dated January 27, 2009 concerning the Developer's financial ability to proceed with the projects described in (ii) above;
- (iv) A memorandum from the City's Office of Business Development, dated January 22, 2009 concerning certain real estate matters relating to the District and a Disposition and Development Agreement between the City and the Developer dated July 2, 2008; and
- (v) A presentation made to the Council at its February 4, 2009 meeting about the District;

(the "Filed Information"); and

WHEREAS, the Council desires to construct a project (the "Project") to be located in the District as further described in the Report; and

WHEREAS, pursuant to the Tourism Act, the City desires to finance a portion of the Project through the issuance of bonds or an agreement or both pursuant to the Tourism Act which shall be repaid through the pledge of a portion of the sales and use taxes collected in the District pursuant to the Tourism Act; and

WHEREAS, the Tourism Act requires, among other things, that before the District may be created, the City Council shall make a written finding at a public hearing, based upon reports from independent consultants, as to whether the Project and the financing thereof will have a positive fiscal effect on the provision of local governmental services (the "Fiscal Effect Finding"), after considering the factors described in NRS 271A.080(3); and

WHEREAS, pursuant to the Tourism Act, at least 45 days before making the Fiscal Effect Finding, the Council must have provided and has provided, to the Board of Trustees of the Clark County School District (the "School Board") and the Board of County Commissioners of Clark County (the "County BCC"), written notice of the time and place of the meeting at which the Council will consider making the Fiscal Effect Finding and the Filed Information which

consists of each analysis prepared by or for or presented to the Council regarding the fiscal effect of the Project and the use of any money proposed to be pledged pursuant to the Tourism Act on the provision of local governmental services, including education; and

WHEREAS, the Filed Information, among other things, addresses the fiscal effect on the provision of local governmental services and the estimated amount and source of sales and use taxes generated in the District; and

WHEREAS, the City desires:

- (i) to approve and authorize and
- (ii) to seek approval of

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

WHEREAS, the City has provided at least 15 days' notice of a public hearing held on the date hereof by publication pursuant to the Tourism Act.

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

Section 1. Written Findings Pursuant to NRS 271A.080(2) and (3).

The Council has provided the materials and notices required by NRS 271A.080(4) and (5) to the School Board and the County BCC. The School Board and the County Board conducted public hearings and the School Board and the County BCC have provided comments to the Council. The Council has considered the comments provided by the School Board and the County BCC in making the written Fiscal Effect Finding set forth below. Pursuant to NRS 271A.080(2) and (3) as part of the process of establishing the proposed District, the Council must make a written finding at a public hearing, based upon the Filed Information as to whether the proposed Project and the financing thereof pursuant to the Tourism Act will have a positive fiscal effect on the provision of local governmental services and that the Project will benefit the proposed District. For purposes of NRS 271A.080(2) and (3), at a public hearing on the date hereof, the Council hereby finds and determines that based upon the Filed Information and after considering the factors listed in NRS 271A.080(3)(a) through (d), inclusive, and all written and oral information presented at the public hearing held on this date: (i) The Project will have a positive fiscal effect on the provision of local governmental services and (ii) The Project will benefit the District.

Section 2. Written Finding Pursuant to NRS 271A.080(6).

For purposes of NRS 271A.080(6), at a public hearing on the date hereof, based upon the Filed Information, and all written and oral information presented at the public hearing held on this date the Council hereby finds and determines that: (a) As a result of the Project (1) retailers will locate their businesses as such in the District; and (2) there will be a substantial increase in the proceeds from sales and use taxes remitted by retailers with regard to tangible personal property sold at retail, or stored, used or otherwise consumed in the District; and (b) A preponderance of that increase in the proceeds from the sales and use taxes will be attributable to transactions with tourists who are not residents of the State of Nevada.

Section 3. Approval of Use of Monies Under NRS 360.855(3).

Pursuant to NRS 360.855(3) the City Council hereby approves and authorizes the use of money received pursuant to subsection 1 of NRS 360.855 that is not needed to make payments due during a fiscal year of the principal of, interest on, and other payments or security-related costs with respect to, any bonds or notes issued pursuant to NRS 271A.120 and payments due during that fiscal year under any agreements made pursuant to NRS 271A.120 for the purpose of prepaying, defeasing or otherwise retiring all or a portion of any bonds or notes issued pursuant to NRS 271A.120 or of prepaying amounts due under any agreements entered into pursuant to NRS 271A.120, or any combination thereof, with respect to the TID.

Section 4. Providing Notice and Materials to the Commission on Tourism and the Governor of Nevada. City staff is hereby authorized and directed to provide notice and materials required by NRS 271A.080(7) and (8) and NRS 360.855(3) to the Commission on Tourism and the Governor of Nevada necessary to effectuate the provisions of this resolution.

Section 5. Conclusive Determinations. Pursuant to NRS 271A.090, the determinations and written findings made by the Council in this Resolution are conclusive in the absence of fraud or gross abuse of discretion.

Section 6. Effective Date. This resolution shall be effective upon passage.

Section 7. Repealer and General Provisions. Any resolution which conflicts with this resolution is hereby repealed. The officers of the City are hereby authorized and directed to take all action necessary to effectuate the provisions of this resolution. The provisions of this resolution shall be liberally construed to effectively carry out its purposes. In the event that any provision in this resolution is deemed void, invalid or unenforceable by a court of competent jurisdiction, then such offending provision shall be severed from this resolution and all the remaining provisions (including the repealer provision) shall remain in full force and effect.

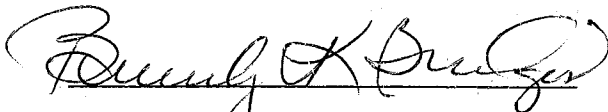
PASSED, ADOPTED AND APPROVED this May 6, 2009.

(SEAL)



Oscar B. Goodman, Mayor

Attest:


Beverly K. Bridges, CMC, City Clerk

Approved as to form:


4/24/09
Date

4. All members of the Council were given due and proper notice of the meeting. Pursuant to Nevada Revised Statutes ("NRS") 241.020, written notice of the meeting was given not later than 9:00 a.m. on the third working days 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 on the City's website, at the principal office of the 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 Council, to wit:

- (i) Court Clerk's Office Bulletin Board
City Hall Plaza
Las Vegas, Nevada;
- (ii) City Hall Plaza
Special Outside Posting Bulletin Board
Las Vegas, Nevada;
- (iii) Las Vegas Library
833 Las Vegas Boulevard North
Las Vegas, Nevada;
- (iv) Clark County Government Center
500 S. Grand Central Parkway
Las Vegas, Nevada; and
- (v) Grant Sawyer Building
555 E. Washington Avenue
Las Vegas, Nevada.

and

(b) Prior to 9:00 a.m. at least 3 working days before such meeting, such notice was mailed to each person, if any, who has requested

notices of meetings of the Council in compliance with NRS 241.020(3)(b) by United States Mail, or if feasible and agreed to by the requestor, by electronic mail.

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

6. A copy of such notice so given of the meeting of the Council on May 6, 2009 is attached to this certificate as Exhibit A.

IN WITNESS WHEREOF, I have hereunto set my hand on this May 6, 2009.

(SEAL)


City Clerk

EXHIBIT "A"

(Attach Copy of Notice of Meeting)

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.

May 6, 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 – CHAPLAIN STEVE SANSON, VETERANS IN POLITICS INTERNATIONAL
4. PLEDGE OF ALLEGIANCE
5. OATH OF OFFICE ADMINISTERED TO ELECTED OFFICIALS – COUNCILMAN, WARD 2; COUNCILMAN, WARD 6; MUNICIPAL COURT JUDGE, DEPARTMENT 1; MUNICIPAL COURT JUDGE, DEPARTMENT 4; AND MUNICIPAL COURT JUDGE, DEPARTMENT 6
6. RECOGNITION OF THE CITIZEN OF THE MONTH
7. RECOGNITION OF HISTORIC PRESERVATION MONTH
8. RECOGNITION OF ASIAN-PACIFIC AMERICAN HERITAGE MONTH

BUSINESS ITEMS - MORNING

9. Any items from the morning session that the Council, staff and/or the applicant wish to be stricken or held in abeyance to a future meeting may be brought forward and acted upon at this time
10. Approval of the Final Minutes by reference of the Special Joint City Council and Planning Commission meeting of March 23, 2009, the Special Joint City Council and Redevelopment Agency Budget Workshop meeting of March 30, 2009 and the regular City Council meeting of April 1, 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 - CONSENT

11. Approval to authorize the president of City Parkway V, Inc., a Nevada non-profit corporation, to execute the Quitclaim Deed to Remise, Release and Quitclaim certain real property commonly known as Parcel H/I to the City of Las Vegas, a political subdivision of the State of Nevada, located northeast of the intersection of Bonneville Avenue and Grand Central Parkway - Ward 5 (Barlow)

FIELD OPERATIONS - CONSENT

12. Approval of a Lease Agreement between the City of Las Vegas and Robert Humphreys for use of the residence at Floyd Lamb Park at Tule Springs located at 9200 Tule Springs Road (Estimated monthly revenue \$925) - Ward 6 (Ross)

FINANCE & BUSINESS SERVICES - ADMINISTRATION CONSENT

13. Approval to renew an Interlocal Agreement for Coordination of Franchise-Related Activities with Clark County, Henderson, North Las Vegas and Boulder City (\$45,000 - General Fund) - All Wards
14. Approval of Service and Material Checks/Payroll Checks/Wire Transfers/Other Checks and Investments

FINANCE & BUSINESS SERVICES - BUSINESS SERVICES CONSENT

15. Approval of a Special Event Beer/Wine License for Boricua Association of Las Vegas, Location: Sammy Davis Jr. Plaza - Lorenzi Park, 720 Twin Lakes Drive, Date: May 24, 2009, Type: Special Event Beer/Wine, Event: 11th Annual Memorial Day Puerto Rican Festival, Responsible Person in Charge: Hector Pelaez - Ward 5 (Barlow)
16. Approval of a Special Event Beer/Wine License for Brotherhood and Welfare Fund, Location: IBEW Building, 4322 East Bonanza Road, Date: May 9, 2009, Type: Special Event Beer/Wine, Event: Harley and Hot Rods Poker Run, Responsible Person in Charge: Anthony C. Napolitano - Ward 3 (Reese)
17. Approval of a Change of Ownership for a Package License subject to the provisions of the planning and fire codes and Health Dept. regulations, From: E & T Produce Company, LLC, William J. Miguel, Mmbr 25%, Constantino Miguel, Mmbr, 25%, and Aner J. Iglesias, Mmbr, 50%, To: King Ranch Markets, Inc., dba King Ranch #6, 840 North Decatur Boulevard, 1993 Miguel Family Trust, 75%, Constantino Miguel, Pres, Co-Trustee and Alice Miguel, Co-Trustee and William P. Miguel, Secy, Treas, 25% - Ward 5 (Barlow)
18. Approval of a Change of Ownership for a Package License subject to the provisions of the planning and fire codes and Health Dept. regulations, From: E & T Produce Company, LLC, William J. Miguel, Mmbr 25%, Constantino Miguel, Mmbr, 25%, and Aner J. Iglesias, Mmbr, 50%, To: King Ranch Markets, Inc., dba King Ranch #8, 755 North Nellis Boulevard, 1993 Miguel Family Trust, 75%, Constantino Miguel, Pres, Co-Trustee and Alice Miguel, Co-Trustee and William P. Miguel, Secy, Treas, 25% - Ward 3 (Reese)

19. Approval of a Change of Ownership for a Package License subject to the provisions of the planning and fire codes and Health Dept. regulations, From: E & T Produce Company, LLC, William J. Miguel, Mmbr 25%, Constantino Miguel, Mmbr, 25%, and Aner J. Iglesias, Mmbr, 50%, To: King Ranch Markets, Inc., dba King Ranch #9, 1570 North Eastern Avenue, 1993 Miguel Family Trust, 75%, Constantino Miguel, Pres, Co-Trustee and Alice Miguel, Co-Trustee and William P. Miguel, Secy, Treas, 25% - Ward 3 (Reese)
20. Approval of a Change of Business Name for a Beer/Wine/Cooler On-sale license subject to Health Dept. regulations, Calvino & Calvino-Remon, dba From: Mamacitas Mexican & Cubana Food, To: Mamitas Mexican and Cuban Food Restaurant, 611 Fremont Street, Suite 1, Maria Calvino, 100% jointly with spouse and Josemil Calvino-Remon, 100% jointly with spouse - Ward 5 (Barlow)
21. Approval of a Rescission of the January 7, 2009 City Council action for a Change of Business Name and Entity Conversion of a Tavern License, From: Santa Fe Station, Inc., dba Santa Fe Station, To: Santa Fe Station, LLC, dba Santa Fe Station Hotel & Casino, 4949 North Rancho Drive, Station Casinos, Inc., 100%, Kevin Kelly, Pres, Dir, Scott Neilson, Sr VP, Richard Haskins, Sr VP, Secy, and Thomas Friel, Sr VP, Treas - Ward 6 (Ross)
22. Approval of a Rescission of the January 7, 2009 City Council action for a new Non-restricted Gaming License subject to confirmation of approval by the Nevada Gaming Commission, Santa Fe Station, LLC, dba Santa Fe Station Hotel & Casino, 4949 North Rancho Drive, Station Casinos, Inc., 100%, Kevin Kelly, Pres, Dir, Scott Neilson, Sr VP, Richard Haskins, Sr VP, Secy, and Thomas Friel, Sr VP, Treas - Ward 6 (Ross)
23. Approval of a Change of Business Name for a Martial Arts Instruction License, Michael Evans, dba From: Desert Sun Tae Kwon Do, To: Master Evans Mixed Martial Arts (MEMMA), 11035 Calder Avenue, Michael Evans, Owner, 100% - Ward 2 (Wolfson)
24. Approval of new Psychic Arts and Science License, Tracy Taylor, dba Tracy Taylor, 6848 West Charleston Boulevard, Tracy Taylor, Owner, 100% - Ward 1 (Tarkanian) [NOTE: This license is located in an existing business – Psychic Eye Book Shop]
25. Approval of a Special Event Beer/Wine License for A Time in History, Inc., Location: 713 Stewart Avenue, Dates: May 14 - 17, 2009, Type: Special Event Beer/Wine, Event: Helldorado Rodeo Event, Responsible Person in Charge: Lori Yerger - Ward 5 (Barlow)

FINANCE & BUSINESS SERVICES - PURCHASING & CONTRACTS CONSENT

26. Approval of award of Agreement No. 090171-LD, Geotechnical Evaluation and Geophysical Survey Agreement for Regional Public Safety Complex located at Deer Springs Way and Alpine Ridge Way - Department of Public Works - Award recommended to: NINYO AND MOORE (\$67,000 - Multipurpose Special Revenue Fund) - Ward 6 (Ross)
27. Approval of revision to Purchase Order No. 250783, Legal Representation for Union Park Development Matters located at 100 South Grand Central Parkway - APN 193-34-110-006 - City Parkway V, Inc. - Award recommended to: THE ROSENFELD LAW GROUP (\$100,000 - City Parkway V Operating Fund) - Ward 5 (Barlow)
28. Approval of award of Contract No. 090140-CW, Professional Annual Audit Services for the City of Las Vegas and the Redevelopment Agency for Fiscal Years 2009, 2010 and 2011 - Department of Finance and Business Services - Award recommended to: KAFOURY, ARMSTRONG & CO. (\$552,000 - General Fund and Las Vegas Redevelopment Agency General Fund)
29. Approval of award of Agreement No. 090174-LD, Program Consulting Services Agreement for RMP-CAPP (Risk Management Plan-Chemical Accident Prevention Program) 2009 for the Water Pollution Control Facility (WPCF) located at 6005 Vegas Valley Drive - Department of Public Works - Award recommended to: ANGELO & NEWTON LLC (\$458,865 - Sanitation Enterprise Fund) - County
30. Approval of First Amendment to Agreement No. 080197-DC, Engineering Design Services for the Large Diameter Pipeline Assessment Program: 5 Year Cycle - Department of Public Works - Award recommended to: PROJECT ENGINEERING CONSULTANTS, LTD. (\$988,814.52 - Sanitation Enterprise Fund) - All Wards
31. Approval of award of Contract No. 080166-TB, Equestrian Concession located at Floyd Lamb Park at Tule Springs, 9200 Tule Springs Road - Department of Leisure Services - Award recommended to: LAS VEGAS CARRIAGE, LLC (minimum revenue of \$3,600 annually) - Ward 6 (Ross)

PUBLIC WORKS - CONSENT

32. Approval of an Encroachment Request from CVL Consultants, Incorporated, on behalf of Gilcrease Well Corporation, developer (Racel Street and Cimarron Road) - Ward 6 (Ross)
33. Approval of an Encroachment Request from Larry D. Thomas and Nerissa L. Thomas, owners (northeast corner of Duncan Drive and Rancho Drive) - Ward 6 (Ross)
34. Approval of a Sewer Connection Agreement with WRG Design on behalf of Las Vegas LTC Properties, LLC, owner and an Interlocal Contract with Clark County Water Reclamation District for sewer services located at the northwest corner of Regena Avenue and Fort Apache Road, APN 125-30-502-010 - County (near Ward 6 - Ross)
35. Approval of a Sewer Connection Agreement with Samuel Newberry, owner and an Interlocal Contract with Clark County Water Reclamation District for sewer services located north of Vegas Drive and east of Valley Drive, APN 139-19-811-049 - County (near Ward 5 - Barlow)
36. Approval of a Sewer and Horse Trail Improvements Agreement with D.R. Horton, Inc., developer, for the construction and installation of sewer and horse trail improvements within Tule Springs at Floyd Lamb State Park - Ward 6 (Ross)
37. Approval of Contract No. 461d between the City of Las Vegas, Clark County and the Regional Transportation Commission of Southern Nevada (RTC) to extend the project completion date to provide fiber optic communication trunk lines across major roads within the ITS Communication Infrastructure project - All Wards and County
38. Approval of Contract No. 500a between the City of Las Vegas, the City of North Las Vegas, Clark County and the Regional Transportation Commission of Southern Nevada (RTC) to extend the project completion date for the development, design and deployment of arterial incident and event management systems in the Craig Road and Las Vegas Boulevard corridors within the arterial incident and event management system project - Ward 6 (Ross), North Las Vegas and County
39. Approval of Contract 515d between the City of Las Vegas and the Regional Transportation Commission of Southern Nevada (RTC) to extend the project completion date for various street improvements associated with the Arterial Restoration and Preservation projects, fiscal year 2006 and arterial network pavement evaluation - All Wards
40. Approval of Contract No. 536a between the City of Las Vegas and the Regional Transportation Commission of Southern Nevada (RTC) to extend the project completion date for improvements associated with the Annual Restoration and Preservation projects, fiscal year 2007 - Wards 1, 3 and 5 (Tarkanian, Reese and Barlow)
41. Approval of Interlocal Agreement 113444 between the City of Las Vegas and the Las Vegas Valley Water District for water services at the Neon Boneyard Park project located east of Las Vegas Boulevard and north and south of McWilliams Avenue (\$17,339 - Southern Nevada Public Land Management Act [SNPLMA]) - Ward 5 (Barlow)
42. Approval of a Rule 9 Non-Refundable Construction Agreement with Nevada Power Company (NV Energy) for the extension of existing power facilities to provide power for improvements associated with the Freedom Park Renovation project located at 850 N. Mojave Road (\$27,333 - Southern Nevada Public Land Management Act [SNPLMA]) - Ward 3 (Reese)
43. Approval of Amendment Number 4 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

RESOLUTIONS - CONSENT

44. R-26-2009 - Approval of a Resolution Awarding Bid for Special Improvement District No. 1511 - Farm Road (Virginia Dale Street to Tule Springs Road) (\$63,517 - Capital Projects Fund/Special Assessments) - Ward 6 (Ross)
45. R-27-2009 - Approval of a Resolution directing the City Treasurer to give notice of the sale of properties subject to the lien of a delinquent assessment in Special Improvement District 505 and in certain other districts and providing other matters properly relating thereto - All Wards

46. R-28-2009 - Approval of a Resolution directing the City Treasurer to give notice of the sale of properties subject to the lien of a delinquent assessment in the Summerlin Special Improvement Districts and in certain other districts and providing other matters properly relating thereto - All Wards
47. R-29-2009 - Approval of a Resolution to adopt policy regarding recycled water utilization in Southern Nevada - All Wards

DISCUSSION/ACTION ITEMS

HEARINGS - DISCUSSION

48. Public Hearing to consider the report of expenses to recover costs for abatement of vacant or abandoned dangerous building located at 4830 Kansas Avenue in the amount of \$3,956 (General Fund) and assess a maximum of \$69,550 in daily civil penalties. PROPERTY OWNER: LUIZA PAIRICH - Ward 1 (Tarkanian)
49. Public Hearing to consider the report of expenses to recover costs for abatement of vacant or abandoned dangerous building located at 5913 West Washington Avenue in the amount of \$3,314.35 (General Fund) and assess a maximum of \$51,550 in daily civil penalties. PROPERTY OWNER: ARMAN DAVTYAN - Ward 1 (Tarkanian)
50. Public Hearing to consider the report of expenses to recover costs for abatement of vacant or abandoned dangerous building located at 4701 Alpine Place in the amount of \$1,150 (General Fund) and assess a maximum of \$62,350 in daily civil penalties. PROPERTY OWNER: BANK DEUTSCHE NATIONAL TR CO TRS - C/O REO DEPT - Ward 1 (Tarkanian)
51. Public Hearing to consider the report of expenses to recover costs for abatement of vacant or abandoned dangerous building located at 2200 West Washington Avenue in the amount of \$3,199.35 (General Fund) and assess a maximum of \$37,050 in daily civil penalties. PROPERTY OWNER: A C A B ENTERPRISES INC - C/O C. BANKSTON - Ward 5 (Barlow)
52. Hearing to consider a request for a waiver and/or reduction of civil penalties for the property located at 5041 North Cimarron Road in the amount of \$70,550. PROPERTY OWNER: BANK WASHINGTON MUTUAL/JP MORGAN CHASE - Ward 4 (Steinman)

ADMINISTRATIVE - DISCUSSION

53. Discussion and possible action concerning the status of the 2009 legislative issues - All Wards
54. Discussion and possible action regarding the Second Amended And Restated Agreement To Design, Construct And Lease A Performing Arts Center by and among Las Vegas Performing Arts Center Foundation, a Nevada non-profit corporation, City Parkway V, Inc., a Nevada not-for-profit corporation, and the City of Las Vegas, Nevada, a political subdivision of the State of Nevada, for the site commonly known as Parcel H/I on Union Park, located north of the intersection of Bonneville Avenue and Grand Central Parkway - Ward 5 (Barlow)

ADMINISTRATIVE SERVICES - DISCUSSION

55. Report and possible action by a representative from the Southern Nevada Health District regarding the outbreak of swine flu - All Wards

CITY ATTORNEY - DISCUSSION

56. Discussion and possible action to ratify retainer of Lewis and Roca and Daniel Polsenberg as outside counsel to represent the City in all matters stemming from litigation relating to the Las Vegas Taxpayer Accountability Committee; Las Vegas Redevelopment Reform Committee, et al., v. City Council of Las Vegas, et al., and Culinary Workers Union Local 226, et al v. City Council of Las Vegas, et al.

FINANCE & BUSINESS SERVICES - BUSINESS SERVICES DISCUSSION

57. Discussion and possible action regarding Temporary Approval of a Change of Ownership for a Tavern License subject to the provisions of the planning and fire codes and Health Dept. regulations, From: Vallone Becker Enterprises, LLC, John P. Vallone, Mgr, William E. Becker, Mgr, Leisure Investments, Inc., Mmbr, 100%, John P. Vallone, Dir, VP, William E. Becker, Dir, Pres, Michele M. La Count, Dir, Secy, and Kelly C. Preuss, Dir, Treas, To: Silver Saddle, Inc., dba Bogey's Bar & Grill, 7770 West Ann Road, Saeed Shakeri, Pres, Secy, Treas, Dir - Ward 6 (Ross)

58. Discussion and possible action regarding Temporary Approval of a new Restricted Gaming License subject to confirmation of approval by the Nevada Gaming Commission, Silver Saddle, Inc., dba Bogey's Bar & Grill, 7770 West Ann Road, Saeed Shakeri, Pres, Secy, Treas, Dir, Saeed Shakeri 2008 Gaming Trust, 100%, Saeed Shakeri, Trustee, 100% Shareholder - Ward 6 (Ross)
59. Discussion and possible action regarding Temporary Approval of a new Beer/Wine/Cooler On-sale License subject to the provisions of the fire codes and Health Dept. regulations, Krazy Sushi, Inc., dba Krazy Sushi, 7160 North Decatur Boulevard, Suite 140, Doo Yong Jung, Pres, Dir, 50% and Ji Haeng Hur, Secy, Treas, 50% - Ward 6 (Ross)
60. Discussion and possible action regarding Temporary Approval of a Change of Ownership for a Package License subject to the provisions of the planning and fire codes and Health Dept. regulations, From: Sam Sadek Yousif, Owner, 100%, To: Bidi Family Corp, dba Liquor Stop 1, 865 North Lamb Boulevard, Suite 2, Kalid Bidi, Pres, Dir, Raid Bidi, Secy, Dir, and Salwan Bidi, Treas, Dir - Ward 3 (Reese)
61. Discussion and possible action regarding Temporary Approval of a new Restricted Gaming License subject to confirmation of approval by the Nevada Gaming Commission, Bidi Family Corp, dba Liquor Stop 1, 865 North Lamb Boulevard, Suite 2, Kalid Bidi, Pres, Dir, Raid Bidi, Secy, Dir, and Salwan Bidi, Treas, Dir - Ward 3 (Reese)
62. Discussion and possible action regarding Temporary Approval of a new Beer/Wine/Cooler On-sale License subject to the provisions of the fire codes, LL & Q Base, LLC, dba Tokyo Sushi House, 10040 West Cheyenne Avenue, Suite 150, Yujun Wang, Mgr, 100% - Ward 4 (Steinman)
63. Discussion and possible action regarding a Change of Location for an Astrology License and a Psychic Arts and Science License subject to the provisions of the planning codes, Annie Phillips, dba Annie Phillips, From: 216 South 7th Street, Suite 13, To: 2801 South Valley View Boulevard, Suite 13, Annie Phillips, Owner, 100% - Ward 1 (Tarkanian) [NOTE: Item to be heard in the afternoon session in conjunction with Item 132 - SUP-33604]
64. Discussion and possible action regarding Temporary Approval of a Change of Business Name and Change of Ownership for a Locksmith License, From: A B C Locksmiths, Inc., dba A B C Locksmiths, Inc., Rebecka L. Caster, Dir, Pres, Secy, Treas, 100%, To: NK Enterprises, Inc., dba A B C Locksmiths, 3981 West Sunset Road, Suite E, Nir Kaufman, Pres, Secy, Treas, Dir, 100% - County
65. Discussion and possible action regarding Temporary Approval of a new Locksmith License subject to the provisions of the planning and fire codes, Speedy Locksmith & Key, Inc., dba Able Lock & Key, 1913 East Charleston Boulevard, Sonia I. Osbourne, Pres, Secy, Treas, 100% - Ward 3 (Reese)
66. Discussion and possible action regarding Temporary Approval of a new Class II Secondhand Dealer License subject to the provisions of the planning and fire codes, Bargain Hunters, LLC, dba Bargain Hunters, 1200 South Rainbow Boulevard, Stacy Luxenberg, Mgr, 100% - Ward 1 (Tarkanian) [NOTE: Item to be heard in the afternoon session in conjunction with Item 131 - SUP-33388]
67. Discussion and possible action for rescission of City Council action taken on March 18, 2009 for 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)
68. Discussion and possible action for rescission of City Council action taken on March 18, 2009 for 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)
69. Discussion and possible action regarding a Six Month Review of a Psychic Arts and Science License, Psychic Solutions, LLC, dba Psychic Solutions, 2925 West Sahara Avenue, Angie Marks, Managing Mmbr, 50% and Stephanie Marks, Managing Mmbr, 50% - Ward 1 (Tarkanian)

70. Discussion and possible action regarding a Six Month Review of a Psychic Arts and Science License, Helen Adams, dba Tarot Card Readings, 4921 Alta Drive, Helen Adams, 100% - Ward 1 (Tarkanian)

FINANCE & BUSINESS SERVICES - PURCHASING & CONTRACTS DISCUSSION

71. Discussion and possible action regarding award of Agreement No. 09-25557, Owner-CMAR (Construction Manager At Risk) Agreement, The Smith Center for the Performing Arts, located on Discovery Drive in Union Park and the construction conflicts and contingency reserve set by Finance and Business Services - Department of Public Works - Award recommended to: THE WHITING-TURNER CONTRACTING COMPANY (\$245,980,000 - Parks and Leisure Activities Capital Projects Fund) - Ward 5 (Barlow)

NEIGHBORHOOD SERVICES - DISCUSSION

72. Discussion and possible action regarding the City of Las Vegas Substantial Amendment to the 2008 Action Plan for the Homeless Prevention and Rapid Re-housing Program (HPRP) that secures \$2,105,118 as part of the American Recovery and Re-Investment Act (ARRA) of 2009 through the Department of Housing and Urban Development (HUD) – All Wards

PUBLIC WORKS - DISCUSSION

73. Discussion and possible action on a request to install speed humps on 20th Street between Bonanza Road and Harris Avenue (\$7,800 - Neighborhood Traffic Management Program) - Ward 3 (Reese)

RESOLUTIONS - DISCUSSION

74. R-30-2009 - Public Hearing, discussion and possible action regarding a Resolution making written findings, approving the use of monies, providing notice and materials to the Commission on Tourism and Governor of Nevada and making conclusive determinations, all relative to a Tourism Improvement District (TID) for parcels at Fourth Street and Stewart Avenue (APNs 139-34-501-004, -007 to -008, 139-27-899-042 and 139-34-599-009) - Ward 5 (Barlow)
75. R-31-2009 - Discussion and possible action regarding a Resolution consenting to certain undertakings of the City of Las Vegas Redevelopment Agency (RDA) in connection with the Interlocal Agreement by and between the RDA and City of Las Vegas, a political subdivision of the State of Nevada, for the project concerning the development of the Smith Center for the Performing Arts, to be located just northeast of the intersection of Bonneville Avenue and Grand Central Parkway - Ward 5 (Barlow) [NOTE: This is a related item to RDA Item 4 (RA-7-2009)]
76. R-32-2009 - Discussion and possible action regarding a Resolution consenting to the City of Las Vegas acceptance of the Grant Agreement by and between Donald W. Reynolds Foundation, a Nevada non-profit corporation, and the City of Las Vegas, a political subdivision of the State of Nevada, concerning the funding of the construction of a performing arts center to be located northeast of the intersection of Bonneville Avenue and Grand Central Parkway in the Union Park Master Planned development - Ward 5 (Barlow)

BOARDS & COMMISSIONS - DISCUSSION

77. TRAFFIC & PARKING COMMISSION – Vernell McNeal, Term Expiration 5-18-2009
78. BUILDING AND SAFETY ENTERPRISE FUND ADVISORY COMMITTEE – James Chachas, representing the Residential Construction Industry, Term Expiration 5-2-2009

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.

79. Bill No. 2009-16 - Levies Assessment for Special Improvement District No. 1516 – Fremont Street Maintenance District (Las Vegas Boulevard to 8th Street) Sponsored by: Step Requirement
80. Bill No. 2009-17 – Updates Municipal Code standards and requirements for ambulance services provided by means of franchise. Proposed by: Candace Falder, Acting Director of Finance and Business Services

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.

81. Bill No. 2009-18 – Updates and corrects various provisions of the City's zoning regulations relative to certain land use categories and development standards. Sponsored by: Mayor Oscar B. Goodman
82. Bill No. 2009-19 – Updates the Municipal Code prohibition regarding the possession of false identifying information or documentation. Proposed by: Bradford R. Jerbic, City Attorney
83. Bill No. 2009-20 – Prohibits alcoholic beverages and glass beverage containers in City parks except pursuant to a permit or other written authorization. Sponsored by: Councilman Gary Reese

CLOSED SESSION

84. Closed Session - Upon duly carried Motion, a closed meeting is called in accordance with NRS 288.220 to discuss the upcoming labor negotiations

1:00 P.M. - AFTERNOON SESSION

BUSINESS ITEMS - AFTERNOON

85. 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 - 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.

86. SUP-33189 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: BIG MAMAS COOKING OR KITCHEN, INC. - OWNER: BUD HOLDINGS, LLC - Request for a Special Use Permit FOR A SUPPER CLUB IN AN EXISTING 4,091 SQUARE-FOOT RESTAURANT at 2230 West Bonanza Road (APNs 139-29-704-023 through 025), C-1 (Limited Commercial) Zone, Ward 5 (Barlow). The Planning Commission (6-0 vote) and staff recommend APPROVAL
87. SDR-33191 - SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-33189 - PUBLIC HEARING - APPLICANT: BIG MAMAS COOKING OR KITCHEN, INC. - OWNER: BUD HOLDINGS, LLC - Request for a Site Development Plan Review FOR ON-SITE ALTERATIONS FOR AN EXISTING 4,091 SQUARE-FOOT RESTAURANT at 2230 West Bonanza Road (APNs 139-29-704-023 through 025), C-1 (Limited Commercial) Zone, Ward 5 (Barlow). The Planning Commission (6-0 vote) and staff recommend APPROVAL

88. SUP-33491 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: LAPTOP XCHANGE - OWNER: CENTENNIAL GATEWAY LLC - Request for a Special Use Permit FOR A SECONDHAND DEALER at 5765 Centennial Center, Suite #160 (APN 125-27-411-013), [SC-TC (Service Commercial-Town Center) Special Land Use Designation] Zone, Ward 6 (Ross). The Planning Commission (6-0 vote) and staff recommend APPROVAL
89. SUP-33584 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: BUZZ BBQ - OWNER: CRAIG MARKETPLACE, LLC - Request for a Special Use Permit FOR A BEER/WINE/COOLER ON-SALE ESTABLISHMENT WITHIN AN EXISTING RESTAURANT at 7121 West Craig Road, Suite #101 (APN 138-03-715-007), C-1 (Limited Commercial) Zone, Ward 4 (Steinman). The Planning Commission (6-0 vote) and staff recommend APPROVAL
90. RQR-31529 - REQUIRED REVIEW - PUBLIC HEARING - APPLICANT/OWNER: GOLDEN ARCH LP - Required Review of an approved Special Use Permit (U-53-87) FOR A 40-FOOT, 14-FOOT BY 48-FOOT OFF-PREMISE SIGN (BILLBOARD) at 4400 East Charleston Boulevard (APN 140-32-401-004), C-1 (Limited Commercial) Zone, Ward 3 (Reese). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL
91. RQR-33286 - REQUIRED REVIEW - PUBLIC HEARING - APPLICANT: LAMAR CENTRAL OUTDOOR, LLC - OWNER: EWING INVESTMENTS, A PARTNERSHIP - Required Review of an approved Variance (V-0131-90) WHICH ALLOWED AN 80-FOOT TALL, 14-FOOT BY 48-FOOT OFF-PREMISE SIGN (BILLBOARD) WHERE 40 FEET IS THE MAXIMUM HEIGHT ALLOWED at 1405 "A" Street (APN 139-27-501-003), M (Industrial) Zone, Ward 5 (Barlow). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL
92. RQR-33287 - REQUIRED REVIEW - PUBLIC HEARING - APPLICANT: LAMAR CENTRAL OUTDOOR, LLC - OWNER: INTEGRAL PARTNERS PARK PLACE CENTRE-LAS VEGAS, LLC - Required Review of an approved Special Use Permit (U-0101-95) FOR ONE 14-FOOT BY 48-FOOT OFF-PREMISE SIGN (BILLBOARD) ORIENTED TOWARD INTERSTATE-15 AT A HEIGHT OF 30 FEET ABOVE THE ELEVATED FREEWAY; AND A SECOND 14-FOOT BY 48-FOOT OFF-PREMISE SIGN (BILLBOARD) ORIENTED TOWARD THE DESERT INN ROAD "SUPER ARTERIAL" AT A HEIGHT OF 55 FEET ABOVE GRADE at 3200 South Rancho Drive (APN 162-08-418-002), M (Industrial) Zone, Ward 1 (Tarkanian). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL
93. RQR-33344 - REQUIRED REVIEW - PUBLIC HEARING - APPLICANT: CLEAR CHANNEL OUTDOOR - OWNER: RONALD M. HIRAHARA ETAL - Required Review of an approved Special Use Permit (U-0086-86) FOR A 65-FOOT TALL, 14-FOOT BY 48-FOOT OFF-PREMISE SIGN (BILLBOARD) on property located at 831 West Bonanza Road (APN 139-28-801-010), M (Industrial) Zone, Ward 5 (Barlow). The Planning Commission (6-0 vote) and staff recommend APPROVAL
94. RQR-33487 - REQUIRED REVIEW - PUBLIC HEARING - APPLICANT: LUTHERAN SOCIAL SERVICES OF NEVADA - OWNER: HARSCH INVESTMENT PROPERTIES - NEVADA, LLC - Request for a Required Review of an approved Special Use Permit (SUP-26576) FOR A SOCIAL SERVICE PROVIDER at 51 North Pecos Road, Suite #109 (APN 139-36-811-010), M (Industrial) Zone, Ward 3 (Reese). The Planning Commission (6-0 vote) and staff recommend APPROVAL
95. RQR-33580 - REQUIRED REVIEW - PUBLIC HEARING - APPLICANT/OWNER: FRANK SWEENEY - Required Review of a previously approved Special Use Permit (SUP-25031) FOR AN EXISTING HALFWAY HOUSE FOR RECOVERING ALCOHOL AND DRUG ABUSERS WITH APPROVED WAIVERS TO ALLOW A 300-FOOT SEPARATION FROM AN EXISTING GROUP RESIDENTIAL CARE FACILITY WHERE 1,500 FEET IS THE MINIMUM SEPARATION DISTANCE REQUIRED AND TO ALLOW A 6,136 SQUARE-FOOT LOT WHERE 6,500 SQUARE FEET IS THE MINIMUM REQUIRED at 2621 Brady Avenue (APN 139-25-215-079), R-1 (Single Family Residential) Zone, Ward 3 (Reese). Staff recommends APPROVAL
96. VAC-30172 - VACATION - PUBLIC HEARING - APPLICANT: FOREST CITY COMMERCIAL DEV, INC. - OWNER: LIVEWORK, LLC., ET AL - Petition to Vacate an 80-foot wide portion of First Street between Bonneville Avenue and Garces Avenue, Ward 3 (Reese). The Planning Commission (6-0 vote) and staff recommend APPROVAL

PLANNING & DEVELOPMENT - DISCUSSION

97. 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
98. 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
99. 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
100. 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
101. GPA-32424 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: GARNON LLC - Request to Amend a portion of the Southeast Sector Plan of the General Plan FROM: SC (SERVICE COMMERCIAL) TO: GC (GENERAL COMMERCIAL) on 0.35 acres at 4201 West Charleston Boulevard (APN 162-06-510-004), Ward 1 (Tarkanian). The Planning Commission (6-0 vote) and staff recommend DENIAL
102. SUP-30693 - SPECIAL USE PERMIT RELATED TO GPA-32424 - PUBLIC HEARING - APPLICANT/OWNER: GARNON, LLC - Request for a Special Use Permit FOR A PROPOSED AUTO REPAIR GARAGE (MAJOR) WITH A WAIVER TO ALLOW THE OPENINGS OF THE SERVICE BAYS TO FACE THE PUBLIC RIGHT-OF-WAY at 4201 West Charleston Boulevard (APN 162-06-510-004), C-2 (General Commercial) Zone, Ward 1 (Tarkanian). The Planning Commission (6-0 vote) and staff recommend DENIAL
103. GPA-32550 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: SMOKE RANCH DEVELOPMENT, LLC - Request to Amend a portion of the Southwest Sector Plan of the General Plan FROM: O (OFFICE) TO: SC (SERVICE COMMERCIAL) on 2.63 acres adjacent to the south side of Smoke Ranch Road, approximately 1,300 feet east of Buffalo Drive (APN 138-22-102-004), Ward 4 (Steinman). Staff recommends DENIAL. The Planning Commission (6-0 vote) recommends APPROVAL
104. ZON-32551 - REZONING RELATED TO GPA-32550 - PUBLIC HEARING - APPLICANT/OWNER: SMOKE RANCH DEVELOPMENT, LLC - Request for a Rezoning FROM: U (UNDEVELOPED) [O (OFFICE) GENERAL PLAN DESIGNATION] UNDER RESOLUTION OF INTENT TO P-R (PROFESSIONAL OFFICE AND PARKING) TO: N-S (NEIGHBORHOOD SERVICE) on 2.63 acres adjacent to the south side of Smoke Ranch Road, approximately 1,300 feet east of Buffalo Drive (APN 138-22-102-004), Ward 4 (Steinman). Staff recommends DENIAL. The Planning Commission (6-0 vote) recommends APPROVAL

105. VAR-32553 - VARIANCE RELATED TO GPA-32550 AND ZON-32551 - PUBLIC HEARING - APPLICANT/OWNER: SMOKE RANCH DEVELOPMENT, LLC - Request for a Variance TO ALLOW A ONE-FOOT SETBACK ALONG THE SOUTH PERIMETER WHERE 25 FEET IS REQUIRED; TO ALLOW A ONE-FOOT SETBACK ALONG PORTIONS OF THE NORTH AND WEST PERIMETERS WHERE 10 FEET IS REQUIRED; TO ALLOW A FIVE-FOOT SETBACK ALONG A PORTION OF THE EAST PERIMETER; TO ALLOW A LOT COVERAGE OF 59% WHERE 30% IS THE MAXIMUM PERMITTED; AND TO ALLOW A 60-FOOT WIDE LOT WHERE 100 FEET IS THE MINIMUM REQUIRED on 2.63 acres adjacent to the south side of Smoke Ranch Road, approximately 1,300 feet east of Buffalo Drive (APN 138-22-102-004), U (Undeveloped) Zone [O (Office) General Plan Designation] under Resolution of Intent to P-R (Professional Office and Parking) Zone [PROPOSED: N-S (Neighborhood Service)], Ward 4 (Steinman). Staff recommends DENIAL. The Planning Commission (6-0 vote) recommends APPROVAL
106. SUP-32552 - SPECIAL USE PERMIT RELATED TO GPA-32550, ZON-32551 AND VAR-32553 - PUBLIC HEARING - APPLICANT/OWNER: SMOKE RANCH DEVELOPMENT, LLC - Request for a Special Use Permit FOR A PROPOSED MINI-STORAGE FACILITY adjacent to the south side of Smoke Ranch Road, approximately 1,300 feet east of Buffalo Drive (APN 138-22-102-004), U (Undeveloped) Zone [O (Office) General Plan Designation] under Resolution of Intent to P-R (Professional Office and Parking) Zone [PROPOSED: N-S (Neighborhood Service)], Ward 4 (Steinman). Staff recommends DENIAL. The Planning Commission (6-0 vote) recommends APPROVAL
107. SDR-32555 - SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-32550, ZON-32551, VAR-32553 AND SUP-32552 - PUBLIC HEARING - APPLICANT/OWNER: SMOKE RANCH DEVELOPMENT, LLC - Request for a Site Development Plan Review FOR A PROPOSED 99,549 SQUARE-FOOT MINI-STORAGE FACILITY WITH A WAIVER TO ALLOW A ZERO-FOOT LANDSCAPE BUFFER ALONG THE EAST, SOUTH, NORTH AND A PORTION OF THE WEST PERIMETER WHERE EIGHT FEET IS REQUIRED on 2.63 acres adjacent to the south side of Smoke Ranch Road, approximately 1,300 feet east of Buffalo Drive (APN 138-22-102-004), U (Undeveloped) Zone [O (Office) General Plan Designation] under Resolution of Intent to P-R (Professional Office and Parking) Zone [PROPOSED: N-S (Neighborhood Service)], Ward 4 (Steinman). Staff recommends DENIAL. The Planning Commission (6-0 vote) recommends APPROVAL
108. GPA-33478 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS - Request to amend a portion of the Southeast Sector Plan of the General Plan FROM: ML (MEDIUM LOW DENSITY RESIDENTIAL) TO: PR-OS (PARKS/RECREATION/OPEN SPACE) on 0.16 acres located north of the Las Vegas Wash at the southwest end of Sandhill Road (APN 140-30-296-001) Ward 3 (Reese). The Planning Commission (6-0 vote) and staff recommend APPROVAL
109. ZON-33479 - REZONING RELATED TO GPA-33478 - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS - Request for a Rezoning TO: C-V (CIVIC) on 4.06 acres located at the intersection of the Las Vegas Wash and Sandhill Road (APN 140-30-296-001 thru 003), Ward 3 (Reese). The Planning Commission (6-0 vote) and staff recommend APPROVAL
110. WVR-33480 - WAIVER RELATED TO GPA-33478 AND ZON-33479 - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS - Request for a Waiver of the TITLE 18.12.130 REQUIREMENT TO ALLOW PUBLIC STREETS TO NOT TERMINATE IN A CUL-DE-SAC on 8.78 acres located at the intersection of the Las Vegas Wash and Sandhill Road (APN 140-30-296-001, 003 and 140-30-601-001), [Proposed: C-V (Civic)], Ward 3 (Reese). The Planning Commission (6-0 vote) and staff recommend APPROVAL
111. SDR-33481 - SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-33478, ZON-33479, AND WVR-33480 - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS - Request for a Site Development Plan Review FOR A PROPOSED CITY PARK on 8.92 acres located at the intersection of the Las Vegas Wash and Sandhill Road (APN 140-30-296-001 thru 003 and 140-30-601-001), [Proposed: C-V (Civic)], Ward 3 (Reese). The Planning Commission (6-0 vote) and staff recommend APPROVAL
112. GPA-33542 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: RED CARD, LLC - Request to Amend a portion of the Southwest Sector Plan of the General Plan FROM: SC (SERVICE COMMERCIAL) TO: GC (GENERAL COMMERCIAL) on 0.87 acres at 8490 Westcliff Drive (APN 138-28-401-009), Ward 2 (Wolfson). The Planning Commission (6-0 vote) and staff recommend DENIAL

113. ZON-33543 - REZONING RELATED TO GPA-33542 - PUBLIC HEARING - APPLICANT/OWNER: RED CARD, LLC - Request for a Rezoning FROM: C-1 (LIMITED COMMERCIAL) TO: C-2 (GENERAL COMMERCIAL) on 0.87 acres at 8490 Westcliff Drive (APN 138-28-401-009), Ward 2 (Wolfson). The Planning Commission (6-0 vote) and staff recommend DENIAL
114. SUP-33544 - SPECIAL USE PERMIT RELATED TO GPA-33542 AND ZON-33543 - PUBLIC HEARING - APPLICANT/OWNER: RED CARD, LLC - Request for a Special Use Permit FOR A TRUCK RENTAL ESTABLISHMENT at 8490 Westcliff Drive (APN 138-28-401-009), C-1 (Limited Commercial) Zone [PROPOSED: C-2 (General Commercial)], Ward 2 (Wolfson). The Planning Commission (6-0 vote) and staff recommend DENIAL
115. SDR-33546 - SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-33542, ZON-33543 AND SUP-33544 - PUBLIC HEARING - APPLICANT/OWNER: RED CARD, LLC - Request for a Major Amendment to an approved Site Development Plan Review (Z-0110-90) TO ELIMINATE REQUIRED LANDSCAPE AND TO ADD TRUCK STORAGE FOR A PROPOSED TRUCK RENTAL ESTABLISHMENT IN CONJUNCTION WITH AN EXISTING CONVENIENCE STORE AND RESTAURANT at 8490 Westcliff Drive (APN 138-28-401-009), C-1 (Limited Commercial) Zone [PROPOSED: C-2 (General Commercial)], Ward 2 (Wolfson). The Planning Commission (6-0 vote) and staff recommend DENIAL
116. GPA-33597 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT: LAKES CONGREGATION OF JEHOVAH'S WITNESSES, LAS VEGAS, NEVADA - OWNER: ARMONDO TULLY - Request to Amend a portion of the Southwest Sector Plan of the General Plan FROM: DR (DESERT RURAL DENSITY RESIDENTIAL) TO: PF (PUBLIC FACILITIES) on 1.49 acres at the northeast corner of O'Bannon Drive and Lisa Lane (APN 163-04-305-006), Ward 2 (Wolfson). The Planning Commission (4-2 vote) recommends DENIAL. Staff recommends APPROVAL
117. ZON-33598 - REZONING RELATED TO GPA-33597 - PUBLIC HEARING - APPLICANT: LAKES CONGREGATION OF JEHOVAH'S WITNESSES, LAS VEGAS, NEVADA - OWNER: ARMONDO TULLY - Request for a Rezoning FROM: U (UNDEVELOPED) [DR (DESERT RURAL DENSITY RESIDENTIAL) GENERAL PLAN DESIGNATION] TO: C-V (CIVIC) on 1.49 acres at the northeast corner of O'Bannon Drive and Lisa Lane (APN 163-04-305-006), Ward 2 (Wolfson). The Planning Commission (4-2 vote) recommends DENIAL. Staff recommends APPROVAL
118. SDR-33599 - SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-33597 AND ZON-33598 - PUBLIC HEARING - APPLICANT: LAKES CONGREGATION OF JEHOVAH'S WITNESSES, LAS VEGAS, NEVADA - OWNER: ARMONDO TULLY - Request for a Site Development Plan Review FOR A PROPOSED ONE-STORY, 18-FOOT TALL 4,576 SQUARE-FOOT CHURCH/HOUSE OF WORSHIP on 1.49 acres at the northeast corner of O'Bannon Drive and Lisa Lane (APN 163-04-305-006), U (Undeveloped) Zone [DR (Desert Rural Density Residential) General Plan Designation] Zone [PROPOSED: C-V (Civic)], Ward 2 (Wolfson). The Planning Commission (4-2 vote) recommends DENIAL. Staff recommends APPROVAL
119. GPA-33607 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: REZAIIE FAMILY TRUST - Request to Amend a portion of the Southeast Sector Plan of the General Plan FROM: O (OFFICE) TO: SC (SERVICE COMMERCIAL) on 0.16 acres at 1580 East Sahara Avenue (APN 162-02-411-025), Ward 3 (Reese). The Planning Commission (6-0 vote) and staff recommend DENIAL
120. ZON-29221 - REZONING - PUBLIC HEARING - APPLICANT/OWNER: ANNE AND KENNY WONG - Request for a Rezoning FROM: R-1 (SINGLE FAMILY RESIDENTIAL) TO: P-R (PROFESSIONAL OFFICE AND PARKING) on 0.10 acres at 1413 South Eastern Avenue (APN 162-01-210-039), Ward 3 (Reese). The Planning Commission (6-0 vote) recommends DENIAL. Staff recommends APPROVAL
121. SDR-29281 - SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-29221 - PUBLIC HEARING - APPLICANT/OWNER: ANNE AND KENNY WONG - Request for a Site Development Plan Review FOR THE CONVERSION OF AN EXISTING 1,038 SQUARE-FOOT RESIDENCE INTO AN OFFICE WITH WAIVERS OF THE PERIMETER LANDSCAPE BUFFER STANDARDS TO ALLOW BUFFERS OF ONE-FOOT ALONG THE WEST PERIMETER WHERE 15 FEET IS REQUIRED; ZERO FEET ALONG THE EAST PERIMETER WHERE EIGHT FEET IS REQUIRED; ONE-FOOT ALONG THE NORTH PERIMETER WHERE FIVE FEET IS REQUIRED; AND ZERO FEET ALONG THE SOUTH PERIMETER WHERE FIVE FEET IS REQUIRED on 0.10 acres at 1413 South Eastern Avenue (APN 162-01-210-039), Ward 3 (Reese). The Planning Commission (6-0 vote) and staff recommend DENIAL

122. ZON-32514 - REZONING - PUBLIC HEARING - APPLICANT: NEVADA H.A.N.D., INC. - OWNER: SILVER SKY TWO, LP - Request for a Rezoning FROM: U (UNDEVELOPED) [M (MEDIUM DENSITY RESIDENTIAL) GENERAL PLAN DESIGNATION] TO: R-3 (MEDIUM DENSITY RESIDENTIAL) on 4.71 acres adjacent to the north side of Silver Sky Drive, approximately 500 feet east of Roland Wiley Drive (APNs 138-28-401-017 and 018), Ward 2 (Wolfson). The Planning Commission (6-0 vote) and staff recommend APPROVAL
123. VAR-33012 - VARIANCE RELATED TO ZON-32514 - PUBLIC HEARING - APPLICANT: NEVADA H.A.N.D., INC. - OWNER: SILVER SKY TWO, LP - Request for a Variance TO ALLOW A 79-FOOT SETBACK WHERE RESIDENTIAL ADJACENCY STANDARDS REQUIRE 99 FEET on 4.71 acres adjacent to the north side of Silver Sky Drive, approximately 500 feet east of Roland Wiley Drive (APNs 138-28-401-017 and 018), U (Undeveloped) Zone [M (Medium Density Residential) General Plan Designation] [PROPOSED: R-3 (Medium Density Residential)], Ward 2 (Wolfson) NOTE: THIS APPLICATION IS BEING AMENDED TO ALLOW A 79-FOOT SETBACK WHERE RESIDENTIAL ADJACENCY STANDARDS REQUIRE 136 FEET. The Planning Commission (6-0 vote) and staff recommend APPROVAL
124. SDR-33010 - SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-32514 AND VAR-33012 - PUBLIC HEARING - APPLICANT: NEVADA H.A.N.D., INC. - OWNER: SILVER SKY TWO, LP - Request for a Site Development Plan Review FOR A PROPOSED TWO AND THREE-STORY, 120-UNIT SENIOR CITIZEN APARTMENT DEVELOPMENT WITH A WAIVER TO ALLOW A ZERO-FOOT LANDSCAPE BUFFER ALONG THE WEST PERIMETER WHERE SIX FEET IS REQUIRED on 4.71 acres adjacent to the north side of Silver Sky Drive, approximately 500 feet east of Roland Wiley Drive (APNs 138-28-401-017 and 018), U (Undeveloped) Zone [M (Medium Density Residential) General Plan Designation] [PROPOSED: R-3 (Medium Density Residential)], Ward 2 (Wolfson). The Planning Commission (6-0 vote) and staff recommend APPROVAL
125. ZON-33240 - REZONING - PUBLIC HEARING - APPLICANT/OWNER: DEAN HARDY AND ILANA KLYM, ET AL - Request for a Rezoning FROM: R-1 (SINGLE FAMILY RESIDENTIAL) TO: P-R (PROFESSIONAL OFFICE AND PARKING) on 0.35 acres at 610 South 9th Street (APNs 139-34-810-063 and 064), Ward 3 (Reese). The Planning Commission (6-0 vote) and staff recommend APPROVAL
126. ZON-33588 - REZONING - PUBLIC HEARING - APPLICANT: LV LAND PARTNERS - OWNER: OEHLER 1992 TRUST - Request for a Rezoning FROM: R-4 (HIGH DENSITY RESIDENTIAL) TO: C-1 (LIMITED COMMERCIAL) on 0.32 acres generally located along the east alignment of 3rd Street approximately 210 feet south of Charleston Boulevard (APNs 162-03-110-003 and 004), Ward 3 (Reese). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL
127. VAR-32873 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: ANTONIO AND CRISTINA SOSA - Appeal filed from the denial by the Planning Commission of a request for a Variance TO ALLOW 16 PARKING SPACES WHERE 24 ARE REQUIRED FOR THE CONVERSION OF 500 SQUARE FEET OF OFFICE TO A RESTAURANT USE on 0.56 acres at 1499 North Lamb Boulevard (APN 140-29-101-006), N-S (Neighborhood Service) Zone, Ward 3 (Reese). The Planning Commission (6-0 vote) and staff recommend DENIAL
128. VAR-33522 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: DENNIS WHITE AND SUSAN SCHAFF - Request for a Variance TO ALLOW A SEVEN-INCH SIDE YARD SETBACK WHERE FIVE FEET IS REQUIRED FOR EXISTING ADDITIONS ALONG THE EAST PERIMETER AND A ZERO-FOOT SIDE YARD SETBACK ALONG THE WEST PERIMETER WHERE THREE FEET IS REQUIRED FOR AN EXISTING ACCESSORY STRUCTURE (CLASS II) on 0.16 acres at 4601 Evergreen Place (APN 139-31-410-010), R-1 (Single Family Residential) Zone, Ward 1 (Tarkanian). Staff recommends DENIAL. The Planning Commission (5-1 vote) recommends APPROVAL
129. SUP-32171 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: FRANCISCO LARA - OWNER: 7TH STREET PROPERTIES, LLC - Request for a Special Use Permit FOR A PROPOSED TAVERN-LIMITED ESTABLISHMENT at 115 North 7th Street (APN 139-34-612-086), C-2 (General Commercial) Zone, Ward 5 (Barlow). The Planning Commission (6-0 vote) and staff recommend APPROVAL
130. SDR-33426 - SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-32171 - PUBLIC HEARING - APPLICANT: FRANCISCO LARA - OWNER: 7TH STREET PROPERTIES, LLC - Request for a Site Development Plan Review FOR A PROPOSED TAVERN-LIMITED ESTABLISHMENT IN AN EXISTING TWO-STORY, 7,632 SQUARE-FOOT BUILDING WITH A 6,160 SQUARE-FOOT COMMERCIAL RECREATION/AMUSEMENT FACILITY (OUTDOOR) at 115 North 7th Street (APN 139-34-612-086), C-2 (General Commercial) Zone, Ward 5 (Barlow). The Planning Commission (6-0 vote) and staff recommend APPROVAL

131. SUP-33388 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: BARGAIN HUNTERS, LLC - OWNER: JACK S. LAIRD, LLC - Request for a Special Use Permit FOR A PROPOSED 20,457 SQUARE-FOOT SECOND HAND DEALER at 1200 South Rainbow Boulevard (APN 163-02-101-003), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). NOTE: To be heard on conjunction with Morning Session Item 66 The Planning Commission (6-0 vote) and staff recommend APPROVAL
132. SUP-33604 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: ANNIE PHILLIPS - OWNER: QUAIL VALLEY VIEW LLC - Request for a Special Use Permit FOR AN ASTROLOGER, HYPNOTIST, OR PSYCHIC ART AND SCIENCE at 2801 South Valley View Boulevard, Suite #13 (APN 162-07-601-001) P-R (Professional Office and Parking) Zone, Ward 1 (Tarkanian). NOTE: To be heard in conjunction with Morning Session Item 63 The Planning Commission (6-0 vote) and staff recommend APPROVAL
133. SDR-33576 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT/OWNER: GATEWAY MOTEL INC. - Request for a Site Development Plan Review FOR A PROPOSED FOUR-STORY, 45-FOOT TALL, 114-ROOM HOTEL AND 2,964 SQUARE FEET OF COMMERCIAL SPACE WITH A WAIVER OF THE DOWNTOWN CENTENNIAL PLAN REQUIREMENTS TO ALLOW A ZERO-FOOT LANDSCAPE SETBACK WHERE 10 FEET IS REQUIRED on 1.23 acres adjacent to the northwest corner of Charleston Boulevard and Las Vegas Boulevard (APN 139-34-410-139 and 165), C-2 (General Commercial) Zone, Ward 3 (Reese). The Planning Commission (6-0 vote) and staff recommend APPROVAL
134. RQR-33579 - REQUIRED REVIEW - PUBLIC HEARING - APPLICANT: MARIA ZUBIA - OWNER: NORA ARMENIAN - Required Review of a previously approved Special Use Permit (SUP-3128) FOR AN AUTO PARTS (NEW AND REBUILD) (ACCESSORY SALES & SERVICE) AND AUTO REPAIR GARAGE, MINOR on 3.9 acres located at 4401 Stewart Avenue (APN 140-32-201-002), C-1 (Limited Commercial) Zone, Ward 3 (Reese). Staff recommends DENIAL
135. RQR-33320 - REQUIRED REVIEW - PUBLIC HEARING - APPLICANT/OWNER: MAYNARD J. WEINS JR ETAL - Required Review of an approved Special Use Permit (U-0030-91) FOR A 55-FOOT TALL, 14-FOOT BY 48-FOOT OFF-PREMISE SIGN (BILLBOARD) on property located at 2750 North Decatur Boulevard (APN 139-18-302-002), C-2 (General Commercial) Zone, Ward 5 (Barlow). Staff recommends DENIAL. The Planning Commission (6-0 vote) recommends APPROVAL
136. RQR-33332 - REQUIRED REVIEW - PUBLIC HEARING - APPLICANT/OWNER: SCHMONIES LLC - Required Review of an approved Special Use Permit (U-0074-95) FOR A 40-FOOT TALL, 14-FOOT BY 48-FOOT OFF-PREMISE SIGN (BILLBOARD) on property located at 7200 West Lake Mead Boulevard (APN 138-22-610-002), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). Staff recommends DENIAL. The Planning Commission (6-0 vote) recommends APPROVAL
137. RQR-33341 - REQUIRED REVIEW - PUBLIC HEARING - APPLICANT: CLEAR CHANNEL OUTDOOR - OWNER: CHARLES RICHARD HART JR. FAMILY TRUST - Required Review of an approved Special Use Permit (U-0029-96) FOR A 40-FOOT TALL, 14-FOOT BY 48-FOOT OFF-PREMISE SIGN (BILLBOARD) on property located at 2151 North Rancho Drive (APN 139-19-103-002), C-2 (General Commercial) Zone, Ward 5 (Barlow). Staff recommends DENIAL. The Planning Commission (6-0 vote) recommends APPROVAL
138. RQR-33351- REQUIRED REVIEW - PUBLIC HEARING - APPLICANT: LAMAR CENTRAL OUTDOOR - OWNER: VEGAS OUTDOOR ADVERTISING INC - Required Review of an approved Special Use Permit (U-0322-94) FOR A 70-FOOT TALL, 14-FOOT BY 48-FOOT OFF-PREMISE SIGN (BILLBOARD) on property located at 369 North 13th Street (APN 139-35-101-001), C-1 (Limited Commercial) Zone, Ward 5 (Barlow). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL
139. RQR-33583 - REQUIRED REVIEW - PUBLIC HEARING - APPLICANT: MASSAGE ENVY - OWNER: SHADOW MOUNTAIN MARKETPLACE, LLC - Required Review of an approved Special Use Permit (SUP-23093) FOR A 3,270 SQUARE-FOOT MASSAGE ESTABLISHMENT WITH A WAIVER OF THE HOURS OF OPERATION LIMITATION TO ALLOW BUSINESS HOURS FROM 8:00 A.M. to 10:00 P.M. WHERE BUSINESS HOURS ARE RESTRICTED TO 8:00 A.M. to 9:00 P.M.; A WAIVER OF THE 400-FOOT MINIMUM DISTANCE SEPARATION REQUIREMENTS TO ALLOW A 67-FOOT DISTANCE SEPARATION FROM A CITY PARK; AND A WAIVER OF THE 1,000-FOOT DISTANCE SEPARATION REQUIREMENT TO ALLOW A 130-FOOT DISTANCE SEPARATION FROM ANOTHER MASSAGE ESTABLISHMENT at 6475 North Decatur Boulevard, Suite #160 and #165 (APN 125-24-811-003), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). NOTE: NO WAIVER OF BUSINESS HOURS. The Planning Commission (6-0 vote) and staff recommend APPROVAL

SET DATE

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

COUNCILMEMBER RECOGNITION

141. 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

142. 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 Minutes of Public Hearing on May 6, 2009 Meeting)

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 6, 2009

DEPARTMENT: OFFICE OF BUSINESS DEVELOPMENT

DIRECTOR: BILL ARENT, ACTING

☐ Consent ☒ Discussion

SUBJECT:

RESOLUTIONS:

R-30-2009 - Public Hearing, discussion and possible action regarding a Resolution making written findings, approving the use of monies, providing notice and materials to the Commission on Tourism and Governor of Nevada and making conclusive determinations, all relative to a Tourism Improvement District (TID) for parcels at Fourth Street and Stewart Avenue (APNs 139-34-501-004, -007 to -008, 139-27-899-042 and 139-34-599-009) - Ward 5 (Barlow)

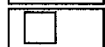
Fiscal Impact



No Impact



Augmentation Required



Budget Funds Available

Amount:

Funding Source:

Dept./Division:

PURPOSE/BACKGROUND:

Pursuant to NRS 271A, prior to the consideration of an ordinance creating a TID, Council must hold a public hearing to consider comments from the Clark County School Board and Clark County Board of County Commissioners before adopting a resolution making certain written findings and conclusive determinations, as well as provide notice and materials to the Commission on Tourism and the Governor of Nevada.

RECOMMENDATION:

Approval.

BACKUP DOCUMENTATION:

1. Resolution No. R-30-2009
2. Proposed Tourism Improvement District, An Analysis of Selected Regulatory Requirements prepared by Applied Analysis dated November 30, 2008 (Amended February 27, 2009)
3. Letter from CIM/LL Manager, LLC, dated January 16, 2009
4. Memorandum from Keyser Marston Associates dated January 27, 2009
5. City Memorandum from Office of Business Development to City Manager's Office dated January 22, 2009
6. Comments from Clark County Board of County Commissioners dated April 8, 2009
7. Comments from Clark County School Board dated April 24, 2009
8. Written Comments from City of Las Vegas to Clark County School Board dated April 23, 2009
9. Site Map
10. Verbatim Transcript

CITY COUNCIL MEETING OF: MAY 6, 2009

Motion made by RICKI Y. BARLOW to Approve

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

RICKI Y. BARLOW, LOIS TARKANIAN, STEVE WOLFSON, OSCAR B. GOODMAN,
GARY REESE, STEVEN D. ROSS, DAVID W. STEINMAN; (Against-None); (Abstain-None);
(Did Not Vote-None); (Excused-None)

Minutes:

The Verbatim Transcript was made a part of the Final Minutes.

APPEARANCES:

OSCAR GOODMAN, Mayor

BILL ARENT, Acting Director, Office of Business Development

BRIAN GORDON, Applied Analysis

STEVEN D. ROSS, Councilman

JEFF ROSEN, CIM Group

DEE TAYLOR, 1630 South Commerce Drive

STEVE WOLFSON, Councilman

DIANE WOOLMAN, 9029 Blue Raven Avenue

MARIA GANDARA

ANDREW BROWNSON

JOSEPH MICHAEL CORDOVA, III, President, Turtle Creek Homeowner's Association

TEDDY RUSSELL, Las Vegas resident

BRYAN SCOTT, Assistant City Attorney

GARY REESE, Councilman

LOIS TARKANIAN, Councilwoman

BRAD JERBIC, City Attorney

SCOTT ADAMS, Chief Urban Redevelopment Officer

RICKI Y. BARLOW, Councilman

CITY COUNCIL MEETING OF
May 6, 2009
VERBATIM TRANSCRIPT – ITEM 74

Public Hearing, discussion and possible action regarding a Resolution making written findings, approving the use of monies, providing notice and materials to the Commission on Tourism and Governor of Nevada and making conclusive determinations, all relative to a Tourism Improvement District (TID) for parcels at Fourth Street and Stewart Avenue (APNs 139-34-501-004, -007 to -008, 139-27-899-042 and 139-34-599-009) - Ward 5 (Barlow)

Appearance List:

OSCAR GOODMAN, Mayor
BILL ARENT, Acting Director, Office of Business Development
BRIAN GORDON, Applied Analysis
STEVEN D. ROSS, Councilman
JEFF ROSEN, CIM Group
DEE TAYLOR, 1630 South Commerce Drive
STEVE WOLFSON, Councilman
DIANE WOOLMAN, 9029 Blue Raven Avenue
MARIA GANDARA
ANDREW BROWNSON
JOSEPH MICHAEL CORDOVA, III, President, Turtle Creek Homeowner's Association
TEDDY RUSSELL, Las Vegas resident
BRYAN SCOTT, Assistant City Attorney
GARY REESE, Councilman
LOIS TARKANIAN, Councilwoman
BRAD JERBIC, City Attorney
SCOTT ADAMS, Chief Urban Redevelopment Officer
RICKI Y. BARLOW, Councilman

(1 hour 30 minutes)

Typed by: Lean Coleman, Deeny Araujo, Angela Crolli

Proofed by: Angela Crolli

CITY COUNCIL MEETING OF
May 6, 2009
VERBATIM TRANSCRIPT – ITEM 74

MAYOR GOODMAN

Item 74 is R-30-2009, a Public Hearing, discussion and possible action regarding a Resolution making written findings, approving the use of monies, providing notice and materials to the Commission on Tourism and Governor of Nevada and making conclusive determinations, all relative to a Tourism Improvement District. The acronym is TID, T-I-D, for parcels at Fourth Street and Stewart Avenue, and this is in Ward 5. It's a Public Hearing, which I now declare open. Mr. Arent.

BILL ARENT

Thank you, Mr. Mayor and members of Council. This is a public hearing. I realize the hour's a little bit late, but I think it's important to get certain comments onto the record. I'm gonna go through a PowerPoint presentation as quickly as I can. With me today, also, is Brian Gordon of Applied Analysis. He will give a part of the PowerPoint presentation as well. We also have representative of the developer, CIM Group, Mr. Jeff Rosen, and I'll invite him to make any comments after we finish our presentation.

The Tourism Improvement District allows a City or a County to retain up to 75 percent of mandatory sales and use tax proceeds generated within a district, within a self-defined district pursuant to the Nevada Revised Statutes. Proceeds can be used to acquire, improve, equip, operate or maintain a project within a district, and eligible uses include retail, tourism or entertainment purposes.

Thought it was important to remind the Council of where we are at in the process. On February 4th, you, as the City Council, authorized us to start this process. In addition, we attended a public hearing held by the Board of County Commissioners on April 8th. We also attended a public hearing of the Clark County School District Board of Trustees on April 23rd. Today is a public hearing to primarily determine three things. One, to make an increased finding, as I'll describe in just a moment; make a preponderance finding, and I'll describe what that means also. We also, as a body, the City Council I should say, should consider both the Board of County Commissioner written comments and the Clark County School District written comments. As part of your backup documentation, we included a transcript of the April 8th hearing at the Board of County Commission, and we also included a letter from Mr. Jeff Weiler, who is the

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62 Chief Financial Officer of the School District, representing the Board of Trustees regarding their
63 written comments. And I'll touch on that at the end of the presentation.

64 The next steps, after today, are a Nevada Commission on Tourism hearing, the date of, for which
65 it's pending. We anticipate that it will be some time in June. And then, finally, it goes to the
66 Governor for final approval.

67 The required findings, as I mentioned, there's an increase finding and a preponderance finding.
68 The increase finding requires the Council to find, as a result of this project, retailers will locate
69 their businesses in the District, and there will be a substantial increase in sales and use tax
70 revenues. Additionally, a preponderance finding must be determined to show that proceeds from
71 sales and use tax revenues will be attributable to the transactions with tourists who are not
72 Nevada residents. And I'll explain how the resolution and the supporting documentation, today,
73 meets (sic) both of those findings.

74 The next steps, as I mentioned, we have Commission on Tourism and then to the Governor's
75 desk. The Governor is required, by law, to consider any fiscal effect of the pledge of money for
76 educational funding. So I'll spend a little bit of time at the end of the presentation to address
77 that.

78 The City Council, following the Governor, would adopt an ordinance through our, its normal
79 two-step process. And that ordinance would define that no retail sales could have occurred 120
80 days prior to the enactment date of the ordinance.

81 Finally, the City and the State Taxation would enter into an agreement describing the distribution
82 of the revenues generated within the TID. And there is a statutory limit for a 20-year term. So,
83 should the City look to actually issue a bond to secure those revenues and use those capital funds
84 upfront for the uses that I'm gonna describe, we would be limited by statute to a 20-year term.
85 We're not obligated to issue a bond, but we would have the ability to do that with the TID
86 legislation.

87 This map shows the proposed TID boundaries. It's a site that is situated next to the I Fif, 515,
88 US 95, and then it's bounded by Casino Center, Fourth Street and then Stewart Avenue. So the
89 area that you see in red, when I mentioned earlier, District, this is the District that we're seeking
90 to creating it. Zooming in on it from an aerial photo, you can see the District within the District.
91 The area highlighted in yellow is Phase 2 of a project proposed by the developer, the CIM Group,

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92 and then the area outlined in red is the Historic Post Office that we're seeking to convert into a
93 new museum use. So that shows the site and the District.

94 The Development Program, just to bring you back why we're doing this, the TID we're
95 proposing to use these funds for public uses. We're trying to create a vibrant public plaza, a
96 public parking garage and also enhance streetscape, primarily on Stewart Avenue, to promote
97 additional pedestrian activity. The Development Program will be anchored by the Las Vegas
98 Museum of Organized Crime and Law Enforcement. We'll be proceeding with that project
99 independently of this incentive and moving forward with that project to support the overall
100 Development Program from the CIM Group. The Program eventually compleates (sic) retail
101 enter, and entertainment uses, including 200,000 square feet of retail, 150,000 square feet of
102 office, a 500-room hotel and potentially a new casino.

103 I wanna emphasize a point here. One of the misunderstandings that took place at the School
104 District's Board of Trustee meeting was an impression that the hotel was an optional component
105 of the project and that the retail could proceed without the hotel. In working with the developer,
106 we did not find that to be the case. They run hand in hand as part of the Development Project,
107 and I'll explain why that's important toward the end of the presentation.

108 Again, the use of TID funds, public costs, the parking structure, the public plaza, the street
109 improvements, in the overall development agreement with the CIM Group, one of the thresholds
110 and a condition precedent to actually getting and acquiring development rights from that property
111 outlined in yellow on the map is to actually invest new capital into the Lady Luck property on the
112 south side of Stewart. So, there's a, an investment threshold, and this is very important to
113 mention also. Like all of our incentives that we try to do with our office, this is a back end
114 incentive. The developer must perform on the front end in order to obtain this back end
115 incentive.

116 And then, also, it's important to mention that no TID funds will go toward private development
117 or (sic) to the developer to support the private development. We were using the funds for public
118 programs and public uses as identified in the slide.

119 I'm gonna turn it over to Brian Gordon. He's gonna go over real briefly the findings of the study
120 that they did to show what the fiscal affect is. And then I'll conclude the presentation on what

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121 action is before you today and speak again a little bit more detail about the impact on education
122 funding.

123

124 **MAYOR GOODMAN**

125 Thank you.

126

127 **BILL ARENT**

128 Brian.

129

130 **MAYOR GOODMAN**

131 Mr. Gordon.

132

133 **BRIAN GORDON**

134 Thanks. Thank you, Bill. Mr. Mayor and members of the Council, thank you for the opportunity
135 to speak to you today. As Bill mentioned, I'll just cover the summary findings of our more
136 comprehensive report.

137 Essentially, the creation of the Tourism Improvement District, based on our analysis, would
138 result in incremental revenues of about \$26 million, and those would inure to various entities,
139 about 88.2 percent or \$23 million worth of those revenues would inure to public entities. The 3.1
140 million differential would inure back to the Tourism Improvement District, which would be used
141 for these public infrastructure improvements in the area.

142 In addition to the incremental revenues that would be cost associated with the development that
143 takes place on the site, the overall costs are expected to be about \$17.6 million, resulting in a net
144 fiscal benefit overall related to the development of \$5.4 million per year. That is, after
145 accounting for the – allocation of sales tax back into the Tourism Improvement Direct, Tourism
146 Improvement District, excuse me.

147 Taking a look at a handful of the other public revenues that would be generated as part of the
148 project, obviously, sales and use tax being a – major component. You can see the split here on
149 the slide, in terms of the – amount that would continue to go to public entities and then the
150 portion that would inure back into the Tourism Improvement District. We also took a look at the

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transient – lodging tax that would be created as part of the hotel component of the project. That would generate an estimated \$2 million. Property taxes would contribute another \$1.6 million and the modified business tax, or the payroll tax, if you will, would create another \$400,000 or so in public revenues, going to – various public entities.

We also took a look at the scenario if the project is developed. Obviously, we've just run through the numbers: 21, 23.1 million in public revenues, plus the three point million in the TID. Without the project, the property remains in – public hands and there would be no incremental revenues associated with the lack of the development of a project.

We're also asked to take a look at the impact on surrounding retailers. One of the things we're – responsible for looking at is what – that impact might be. If we take a look, historically, at the market over the last decade or so, we see that incremental investments in the area generate incremental demand and ultimately additional spending in the area. During the past decade, we've seen hotel rooms grow at a compound annual growth rate of about 2.4 percent, the number of visitors comparable to that. The spending, per trip, has increased and we're looking at aggregate spending increases of about 9.1 percent annually. So, significantly more than just the – number of visitors or infrastructure that's put in place. This project is contemplating about a \$200 million plus investment. That combined with the – hundred million investment that Bill mentioned in terms of the investment required at the Lady Luck site, a lot of money going into the area. We expect that to generate incremental demand.

We're also required to take a look at the source of those retail sales and use taxes. Who would be paying those? We took a look at different market areas, one, three and five miles; obviously, the area is dominated by hotel rooms and mostly non-Nevada visitors. We estimate about 79 percent of the spending in the area is attributable to non-Nevada visitors. We would expect a similar profile at this site.

When evaluating the overall impacts of the project, we took a look at some of the economic impacts during, first, the construction phases as well as the operational phase. During the construction phase, the project will directly employ about a thousand person years of employment, including the secondary impacts; we're looking at about 1,800 jobs. They're gonna earn approximately \$66 million in wages and generate over \$280 million in economic output; that being the construction phase.

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181 As we move into the operational phase or the ongoing operations of the project, on an annual
182 basis, we're looking at 1,600 direct jobs on site. The ripple effect associated with that or the
183 secondary impacts would total about almost 2,700 jobs. They would be earning approximately
184 114 million in wages and contributing about 267 million in economic output on an annual basis.
185 We were also asked to take a look and discuss briefly the – impact on education funding.
186 Certainly, a portion of the sales tax would be allocated back towards these public improvements.
187 Just generally speaking how education is funded is through a myriad of sources, a portion of it
188 coming from State General Fund revenues and they're several sources within that, including the
189 State portion of the sales and use tax, which is the two percent rate out of the seven and three
190 quarters rate that we all pay in Southern Nevada.
191 Gaming taxes as well as the modified business tax or payroll tax, portions of that could be
192 allocated towards education. The local school's support tax is also, contributes to the funding of
193 education as well as property taxes and, of course, the room tax.
194 The components that would be impacted by the creation of the Tourism and Improvement
195 District, specifically would be a portion of that two percent sales tax rate as well as the – local
196 school support tax that's included within the overall sales tax rate. I think Bill's gonna discuss
197 some of those in more detail.

198

199 **MAYOR GOODMAN**

200 All right. Thank you, Mr. Gordon.

201

202 **BRIAN GORDON**

203 Thank you.

204

205 **COUNCILMAN ROSS**

206 Your Honor?

207

208 **MAYOR GOODMAN**

209 Yes.

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210 **COUNCILMAN ROSS**

211 So, Mr. Gordon, you're saying that we'll actually be spending more on education if we create this
212 Tourism, this TID?

213

214 **BRIAN GORDON**

215 We initially reached out to the Clark County School District, and they responded that there would
216 be – no impact associated with this proposed development. We subsequently received
217 information from them that they had estimated a certain ballpark figure on a per pupil basis for
218 the workers that would be on site that would be incremental to come into the marketplace. So, if
219 the project's developed and uses the existing labor pool, those people are already in the market
220 place and being educated. Their children are being educated. The assumption is that a portion
221 could potentially come from outside of the market, which would create incremental costs for the
222 school district. This estimate is about 25 percent of the labor that would be on site would come
223 from outside the market. Today, we're at a 10.4 unemployment rate. So, you know, again, just
224 an estimate at this point, but yes, there's certainly a cost associated with incremental individuals
225 in the School District.

226

227 **COUNCILMAN ROSS**

228 Well, it's not the cost I was looking for; it was the additional incremental taxes that are being
229 paid towards education.

230

231 **BRIAN GORDON**

232 Sure, and I think – Bill's gonna walk through the details here of the additional potential revenues
233 that are gonna be generated as part of the project, as well as the cost side. And I think it's up on
234 the slide here, the total potential revenues inuring to public education as potentially 1.5 million
235 dollars, which is significantly above the estimated costs.

236

237 **MAYOR GOODMAN**

238 Mr. Arent.

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239 **BILL ARENT**

240 Mr. Mayor. Thank you. Thank you, Brian. I wanted to go over this slide personally because I
241 wanted to point out that for those of us, those that are attending the meeting here today and the
242 listening public on KCLV or the internet broadcast, that this slide is actually part of the backup
243 documentation. It is actually part of the backup documentation, Item Number Eight and the last
244 page. So, I apologize for anyone in the audience if they're having difficulty reading this slide. I
245 do have a paper copy as well. But this is actually numbers that were ac, extracted from the
246 Applied Analysis report and wanted to summarize in one slide the net fiscal impacts on
247 education.

248 So, as Brian had mentioned, the impact to education from the revenue side, comes from a variety
249 of sources. It comes to sales and use tax revenue, which is State sales and use tax component
250 and local schools support tax. It also comes from property tax, modified business tax and then
251 also the transient lodging tax. And that last one, the transient lodging taxes, for some reason,
252 was not considered by the School District at their public hearing. We politely requested that they
253 do consider it because we fully expect the hotel to move forward in conjunction with the retail, as
254 I mentioned earlier. When you add all those revenue sources to the State and to education with
255 the TID, it's a little over \$2 million in new public revenue that would not otherwise exist should
256 the project not occur.

257 To education, monies that are actually potentially available for education, as Brian had
258 mentioned, this sums to 1.5 million. Now, as the School District have requested in their written
259 letter to Ms. Fretwell and to the City Council, the School District require, requested that the City
260 Council consider setting aside the estimated expenditure of \$824,759. As Brian had mentioned,
261 this is not the net cost to education based on the report by plot analysis. This is just the cost.

262 When you account for the new revenues generated by the project and available to the State for
263 education, this leaves a net potential impact on the education system in the State of \$679,344.

264 So, I thought it was important to go through that and then also reference the backup
265 documentation that is supported and was available to the public as part of this public hearing.

266 Just, wanna summarize again what findings you're making today. The, today's Council
267 Resolution which you're voting on, makes the finding that there is positive fiscal affect from the
268 TID and the proposed project will benefit this area, the District. It establishes the increase

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269 finding and the preponderance finding. It approves the use of the TID proceeds by the City for
270 public costs and it sends written notice to – the Nevada Commission on Tourism and to the
271 Governor.

272 And in closing, before we take public comment, I wanted to invite Jeff Rosen from the CIM
273 Group, if he had any comments and just if I could, take the liberty, Mr. Mayor. Two of the
274 common questions that we as staff has, have fielded on the project have been as follows: One
275 question is, is the developer receiving another tax incentive from the City or from the
276 Redevelopment Agency? The answer to that question is, no. This is the only tax incentive that's
277 being contemplated by the City or the Redevelopment Agency.

278 And a second question, and then I'll let Mr. Rosen comment on it, is would the developer
279 proceed without this incentive? I think it's real important to view this in light of the macro-
280 economic climate of Las Vegas and Southern Nevada. And staff believes that this incentive, but
281 for this incentive, the project might not proceed. And with that, I'll turn it over to Jeff Rosen
282 with the CIM Group.

283

284 **MAYOR GOODMAN**

285 Thank you. Mr. Rosen.

286

287 **JEFF ROSEN**

288 Jeff Rosen with the CIM Group. Good day Mayor and Council. You know, I was gonna go back
289 to the timeline. While the first hearing might not have been since February, the TID process
290 actually started last July, when we entered into our DDA with the City, that had many, it's a
291 fairly complicated document and a very long process and you know, maybe today with the
292 approval of the Smith Center, as you saw, it's a very long. When you want something significant
293 to be developed in downtown, many times, it takes a long time and a lot of things go into it. Part
294 of that DDA was a collaboration between CIM and the City to work towards a creation of a
295 Tourism Improvement District, as well as with the whole team from the – Mob Museum.
296 So, since that, we've all worked extremely well. A lot of thanks to Bill and everyone on his staff
297 and, as well as Betsy and everyone overseeing the Mob Museum, where things are moving

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298 forward. It's a – tough economy out there but we continue to push things forward. This is one
299 part of the many eras and the quiver to help redevelop this – part of downtown.
300 So, on the Tourism Improvement District, while the first hearing might not have been until
301 February, we've been at this for almost a year now. And hopefully, we'll continue to – move
302 forward with that process.

303

304 **MAYOR GOODMAN**

305 Okay. Thank you.

306

307 **BILL ARENT**

308 Mr. Mayor, that concludes my presentation. I should also mention we have our Bond Counsel,
309 John Swenseid, here in the audience.

310

311 **MAYOR GOODMAN**

312 (Inaudible)

313

314 **BILL ARENT**

315 And so if there are any technical or legal questions in nature, I'll defer to Mr. Swendsein (sic).

316

317 **MAYOR GOODMAN**

318 Very good. This is a public hearing. How many wish to speak on it?

319

320 **DEE TAYLOR**

321 We got a few of us.

322

323 **MAYOR GOODMAN**

324 Well, I – wanna see so I know how to allocate –

325

326 **DEE TAYLOR**

327 Sure.

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328 **MAYOR GOODMAN**

329 – the time here. How many plan to speak? Alright then, we'll put the –

330

331 **DEE TAYLOR**

332 A few.

333

334 **MAYOR GOODMAN**

335 We'll give Mr. Taylor three minutes and the others two.

336

337 **COUNCILMAN WOLFSON**

338 Mayor Goodman, I'm sorry. And Mr. Taylor, I apologize. May I just make one observation first

339 before we go into public comment? Bill, if you don't mind, I just wanna make sure that the

340 record is clear for anybody that's watching this is, this site right now is owned by the City of Las

341 Vegas and because we are a – government entity, we are tax exempt. So, there are no revenues

342 that are going to the, I'm not sure the word, the receiving entities, like the School District, at this

343 time. Is that right?

344

345 **BILL ARENT**

346 That's correct. The City owns it. There are deed restrictions from the GSA and there are

347 restrictions also from Interior, related to the museum itself, the Historic Post Office. But it's, it is

348 currently tax exempt.

349

350 **COUNCILMAN WOLFSON**

351 So, the recipients that will receive tax revenues in the future, once this project is up and running

352 and receipts are coming in and taxes are paid out, are not receiving anything right now.

353

354 **BILL ARENT**

355 From this specific property, that's correct.

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356 **COUNCILMAN WOLFSON**

357 That's what I'm talking about.

358

359 **BILL ARENT**

360 The – only minor exception would be, there are, there were some vending machines that paid
361 some very nominal fees that, as I mentioned the 120-day closure requirement, there cannot be any
362 retail. It was the opinion of our counsel, that in an abundance of precaution, we needed to close
363 down those vending machines. But other than any ancillary license fees associated with those
364 vending machines, as far as tax revenue, that's correct.

365

366 **COUNCILMAN WOLFSON**

367 Okay. Thank you.

368

369 **MAYOR GOODMAN**

370 Okay.

371

372 **DEE TAYLOR**

373 Hi, my name is Dee Taylor, 1630 South Commerce.

374

375 **MAYOR GOODMAN**

376 Timer on, please.

377

378 **DEE TAYLOR**

379 Thank you so much for letting me speak. I'm sure when you opened the paper today, you saw
380 ready for coming cuts in the school budget. The Culinary Union, we have about 40 or 50
381 thousand of our members who have kids in K through 12 here in Clark County. I think
382 everybody here knows the schools are severely challenged and we're asking every political body
383 to step up for educational funding now and in the future. In fact, Assembly Leader Barbara
384 Buckley and Senate Majority Leader Steven Horsford estimate we are 44 percent underfunded for
385 just current services in education; 44 percent now. So, I find with that factual background, which

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386 I'm not the only one who has that, that I feel like I'm in Never Never Land here, when we're
387 talking about diverting money away from schools. By proposing a TID on 5.5 acres in
388 downtown Las Vegas, you're gonna rebate 75 percent sales tax for further development. That
389 sounds pretty nice. But what will the City do with taking that money away. You're gonna build
390 a parking garage for, obviously, the use of the multi-billion dollar out-of-state developer and a
391 public plaza for the same benefit.

392 Now, the analysis that was paid for by the developer, they themselves say they will divert \$3.1
393 million every year for the next twenty years, which a high percentage of that would go to schools.
394 I cannot understand why at this time, the City feels that they haven't done enough for this multi-
395 billion dollar out-of-state developer. You are prepared to sell land for under appraised value,
396 that's already well known. You've already done it a lot and that's great. But this is like Robin
397 Hood in reverse. You're taking from the masses to give to the wealthy. You know, the question
398 that was just asked is, will they develop this even if they don't have this. Of course they will.
399 Somebody said they just spend \$200 million. So, the idea that you would take money out of the
400 schools for a gigantic multi-billion dollar developer in this economic environment where we are
401 44 percent underfunded in schools right now, according to the State Legislature, is beyond belief.
402 Now, I know I've been called evil. Our union's been called evil for opposing some measures,
403 but let's be frank, on this issue the Clark County County Commission is opposed to this. The
404 Clark County School District voted six to nothing being opposed to this, and the Nevada
405 Legislature is dealing with this right now. And, in fact –

406

407 **MAYOR GOODMAN**

408 Time's up.

409

410 **DEE TAYLOR**

411 Well, I'm gonna have just a minute, Mayor.

412

413 **MAYOR GOODMAN**

414 No, you're not.

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415 **DEE TAYLOR**

416 I've been very patient.

417

418 **MAYOR GOODMAN**

419 No, you're not. Time's up.

420

421 **DEE TAYLOR**

422 No, no. I've very patient.

423

424 **MAYOR GOODMAN**

425 Have a seat. Have a seat.

426

427 **DEE TAYLOR**

428 Let me finish, please.

429

430 **MAYOR GOODMAN**

431 No, I put a three-minute timer.

432

433 **DEE TAYLOR**

434 You know what, Mr. Mayor, people come up here –

435

436 **MAYOR GOODMAN**

437 A three-minute timer.

438

439 **DEE TAYLOR**

440 Well, listen, I'll do a tag team.

441

442 **MAYOR GOODMAN**

443 All right, fine. Fair enough. Go ahead.

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444 **DEE TAYLOR**

445 So, no, no, no. Folks, folks, folks. No, folks, no, folks, please.

446

447 **MAYOR GOODMAN**

448 As I said –

449

450 **DEE TAYLOR**

451 Please.

452

453 **MAYOR GOODMAN**

454 – we play by rules here. I said three minutes for Mr. Taylor, two minutes for you folks.

455

456 **DEE TAYLOR**

457 Okay, I just got two minutes from somebody else. Thank you, Mr. Mayor.

458

459 **MAYOR GOODMAN**

460 All right –

461

462 **DEE TAYLOR**

463 So –

464

465 **MAYOR GOODMAN**

466 – then why don't they sit down, then?

467

468 **DEE TAYLOR**

469 Yes, they will. They've been very patient. They're taxpayers and I'm sorry you don't feel like

470 you should listen to them. So, just last week –

471

472 **MAYOR GOODMAN**

473 Wait – a second. Wait a second.

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474 **DEE TAYLOR**

475 Excuse me, can I finish, please?

476

477 **MAYOR GOODMAN**

478 No, not 'till I say this. I said I would listen to everybody and I gave them two minutes and I gave
479 you three. You're taking their time away from being able to talk, not me buddy.

480

481 **DEE TAYLOR**

482 You know what, Mr. Mayor –

483

484 **MAYOR GOODMAN**

485 You heard me.

486

487 **DEE TAYLOR**

488 – with all due respect.

489

490 **MAYOR GOODMAN**

491 You heard me. Now –

492

493 **DEE TAYLOR**

494 Mr. Mayor, please, I just wanna finish. I don't want to make this personal. I'm very –

495

496 **MAYOR GOODMAN**

497 It's not personal.

498

499 **DEE TAYLOR**

500 – very passionate about this and very concerned about it –

501

502 **MAYOR GOODMAN**

503 And I'm very concerned about it too.

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504 **DEE TAYLOR**

505 – because of the schools.

506

507 **MAYOR GOODMAN**

508 – and I expect that the truth is gonna be said. I don't want to put people under oath. You heard
509 the question that was asked by Councilman Wolfson, right now zero taxes, zero money is coming
510 from this property. So, don't say we're taking away money from the School District.

511

512 **DEE TAYLOR**

513 Excuse me. The analysis done, paid for by the developer himself, for the TID would take \$3.1
514 million per year. That is what their analysis is.

515

516 **MAYOR GOODMAN**

517 There's nothing now –

518

519 **DEE TAYLOR**

520 I also –

521

522 **MAYOR GOODMAN**

523 – Mr. Taylor.

524

525 **DEE TAYLOR**

526 Excuse me, can I please finish?

527

528 **MAYOR GOODMAN**

529 No. I said no –

530

531 **DEE TAYLOR**

532 Well, you know what –

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533 **MAYOR GOODMAN**

534 I'm telling you if you're gonna say something tell the truth. There's nothing now. There're no
535 taxes because the City owns that property. So, we're not taking anything away from the School
536 District.

537

538 **DEE TAYLOR**

539 Well –

540

541 **MAYOR GOODMAN**

542 What we're doing, is we're trying to get a project where it can give money to the School District.

543

544 **DEE TAYLOR**

545 Excuse me, Mr. Mayor, but the School District doesn't agree with you. They voted six to
546 nothing against this proposal. So, to finish up –

547

548 **MAYOR GOODMAN**

549 All right.

550

551 **DEE TAYLOR**

552 The City testified last week, I am sure, by the approval of the City Council, against this exact
553 same bill up in Carson City, put forth by Marilyn Kirkpatrick, that would, in fact, band the
554 diversion of sales tax for schools in TIDs. They understand this problem; that's why they've
555 addressed it. They had a hearing last week; the City – opposed that, I am confident. Just like the
556 Clark County School District, just like the Clark County County Commission, the Nevada
557 legislature has come out firmly against this practice. So, today you have the opportunity. You
558 can vote for children in schools or you can vote for the benefit of large, multi-billion out-of-state
559 developers. And as my mother once said, it is not what you say, it's what you do.
560 So, I appreciate the time you've given me, and I would turn this over to a – woman who is a
561 long-term member. Thank you.

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562 **MAYOR GOODMAN**

563 Thank you.

564

565 **DIANE WOOLMAN**

566 Hello. My name is –

567

568 **MAYOR GOODMAN**

569 Timer, please.

570

571 **DIANE WOOLMAN**

572 – Diane Woolman. My address is 9029 Blue Raven Avenue.

573

574 **MAYOR GOODMAN**

575 Your name, again, Ma'am.

576

577 **DIANE WOOLMAN**

578 Diane Woolman. I'm – here today, I've – been with the union for appro, about 18 years. I've

579 been in this town for about 20 years. I've raised three children in this town, and I have eight

580 grandchildren, and they go to various school districts within Clark County.

581 I've worked with the schools very, very closely through the years with my children and now my

582 grandchildren. I've helped as many ways as I can to get funding, to help the schools because

583 they've already been on short budgets and short incomes for years and years. We're talking 15

584 years ago, and we're still going on with this. This economy is horrible for all of us, grant,

585 granted, but to subtidize (sic) casinos that are being built at our children's expense, to me, is an

586 atrocity. These children have paid a high enough price now, with the cuts that are taking place.

587 And there are many, many developers here in this town that have not had to be subtidize (sic),

588 that have made a good living and have gone, had businesses for years and years here and made a

589 lot of money.

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590 Please, I'm beggin you, on not just behalf of my own children and grandchildren, do not take
591 anything more from their education. We already are low in the standings, you know that. We're
592 suffering very, very much in our school systems.

593

594 **MAYOR GOODMAN**

595 Ma'am, did you hear?

596

597 **DIANE WOOLMAN**

598 And I beg you –

599

600 **MAYOR GOODMAN**

601 Did you – hear that right now, because the City owns that property, there're no tax dollars that –

602

603 **DIANE WOOLMAN**

604 Yes.

605

606 **MAYOR GOODMAN**

607 – to education? Did you hear that?

608

609 **DIANE WOOLMAN**

610 I did hear that, but I also know that –

611

612 **MAYOR GOODMAN**

613 And what we're doing is, is that we're –

614

615 **DIANE WOOLMAN**

616 – if you subtidize (sic), you're gonna have to get that money from somewhere, and our children
617 have already been affected by these cuts. I'm begging you, please, don't take any more money
618 from them. Yes, they will bring revenue to the schools, but so does every other casino in this

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619 town, and they're not asking you to bail them out or help them with anything. They've made
620 money in this town without the City's help.

621

622 **MAYOR GOODMAN**

623 All right. Thank you.

624

625 **DIANE WOOLMAN**

626 Please.

627

628 **MAYOR GOODMAN**

629 Next, please.

630

631 **MARIA GANDARA**

632 Good afternoon. My name is Maria Gandara. I live in this city since last nine years. I'm
633 member for the Culinary 226 Local, and I'm a wondering parent. I have two kids, that they go to
634 Kirk Adams. I'm really wondering about what happened right now with the schools. We know
635 the budget is in crasis (sic) in the schools. Right now, like parent, I'm (sic) try to help the school
636 that my kids, assist, because they send us a list, we can help with supplies for keep the programs
637 after schools. My kids have, involve in projects at schools, but they send us, for the next year,
638 they gonna cut the projects because they don't have the budget. I have other kids, three years old,
639 and I'm wondering what's gonna happen with him if this is still like the way it is right now.
640 As a citizen, as a parent, I'm available, and I'm trying to do everything that my government say
641 that I need to do for help, but I'm really scared. I'm in panic, when they say they gonna, or could
642 we take money from the taxes from the schools because everybody in this city, we love this city.
643 We live the, we love the visitors, but I want my kids, in the future, be part of the big city. I don't
644 want to be traveled (sic) or go to other place, that way they can have good jobs. And I think my
645 best investment that I can give to my kids is education for (inaudible) so they can work in this –
646 building, this big project. That's why we are here, I'm talking as a parent, to ask for your help.
647 To keep, no, the possibility to take away something for the kids; in place, give more for the kids.
648 Thank you.

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649 **MAYOR GOODMAN**

650 Thank you. Next, please.

651

652 **ANDREW BROWNSON**

653 Hello, Mr. Mayor. Ladies and gentlemen, thank you very much for having me. My name is
654 Andrew Brownson, I'm a Las Vegas resident. I've lived here since 2003. I have a child who's
655 going to be going to school, public school, next year. We just registered him. We're looking
656 forward to that. It's going to be exciting adventure for all of us, I think, my wife and I as parents.
657 Just to qualify, I am a Culinary member and generally speaking, I always walk (inaudible) in step
658 with the union, in terms of labor relations with management but, ideologically, sometimes differ.
659 I happen to be a Republican, and I haven't changed my party at any point and time. So, this
660 offers sort of balance perspective, as to where I'm coming from and how this issue affects
661 everyone. And you might look at it through a different lens that way.

662 Yeah, I stood up here and – you know, it's – frightening to think that, of course, our schools in as
663 bad a shape as – I think they are, and everyone has acknowledged this. Even as – rosy as times
664 were a decade ago, we still had schools that were ranked fairly low. We have police departments
665 that are probably underfunded and could use better creating and help Fire departments, which
666 need equipment and so forth.

667 The first gentleman that came up here and spoke, he talked about economic projections for the
668 next few years, which were based upon the previous decade, which we all know has no relevance
669 to what's going on right now and probably won't. Rather than a – stellar climb like we
670 experienced for the past decade, we're looking at either something that's going sideways or
671 perhaps negative growth, like what we're experiencing right now.

672 Then the last fellow that finished up, and wrapped up his presentation said, well in this current
673 macro economic climate, we have to look at what's going on, look at the big picture. We're
674 gonna have to apply for these, this tarp, par, sorry, TIP (sic) , sorry, semantics, this program of
675 funding, which is clearly wrong. If – this project actually had merit, they could find it within the
676 private sector. And you, being the lender of last resort in this case, probably understand that, and
677 it is probably a bad move right now at this point and time. But anyway, thank you very much.

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678 **MAYOR GOODMAN**

679 Thank you.

680

681 **JOSEPH MICHAEL CORDOVA, III**

682 Good afternoon, Mayor, City Council. My name is Joseph Michael Cordova, the Third. I'm a
683 born/raised native of the Las Vegas area. I've been here 44 years. I currently have two children,
684 one, I'm sorry, one child in the Clark County School District. I'm also the President of the Turtle
685 Creek Homeowner's Association in the Honorable Steve – Ross District.

686 At this point and time, everything that my predecessor, the gentleman before me, has said, a lot
687 of things are here based on projections, based on things that are going to happen in the future. As
688 you well know, our education is suffering an unsurmountable (sic) mountain of issues. Each
689 year, each and every one of us, as parents, are asked to contribute financially, whether it be on – a
690 volunteer basis or simply as being given a sheet of necessities that our – children are going to
691 need to be successful in school.

692 I beg you, at this time, to consider this seriously in the nature. And I, Mayor, I do understand
693 you, that there is zero going out right now, but we need to look at the future and look at what the
694 people, previous to us, or previous to you, have voted on. Thank you again for your time.

695

696 **MAYOR GOODMAN**

697 Thank you. Anybody else like to be heard?

698

699 **TEDDY RUSSELL**

700 Your Honor, Council, my name is Teddy Russell, resident of Las Vegas. I've only been here for
701 seven years. This acquired a life of its own, long before I got here. For better or for worse, I
702 understand that there are controls. In fact, on the board for the Mob Museum, is a special agent
703 retired for the FBI, to ensure that in, by no we, way, means or form, we glorify the Mob – years.
704 If I might have the overhead. This past weekend, we had an excellent article called "Quiet
705 Kingmaker". It celebrates the life of the banking power, gentleman named Mr. E. Perry Thomas,
706 who does give you straight scoop, like it or not, about the Mob years.

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If I had my druthers and I'm entitled to my opinion, as I say, this started long before I got here, I would have like to have seen the courthouse be a courthouse for senior citizens, victims of crime, and I would have liked to seen the Post Office retained as a post office.

Thank you for your time and have a great day.

MAYOR GOODMAN

Thank you. Anybody else like to be heard during the Public Hearing? All right. Seeing none, we'll close the Public Hearing. Mr. Arent, did you want to make any comments at this point before there's a motion?

BILL ARENT

Mr. Mayor. Thank you. I just wanted to offer a point of clarification for what actually took place at the Clark County School District Board of Trustee's hearing. The hearing was called for fiscal effect on the Clark County School District, of a project to be constructed in the Tourism Improvement District, proposed by the City of Las Vegas, to be located in the Las Vegas Redevelopment District. The Trustees did take an action at that meeting. The action was to provide written comments to the City of Las Vegas, and I wanted to read directly from the letter. I did not want the words to be my own but rather the words of the employee responsible for the School District. In Jeff Weiler's letter, he, again, Mr. Weiler is the Chief Financial Officer, and this is part of your backup documentation. Mr. Weiler writes: "Following the public hearing, the bull, Board of School Trustees took action on an agenda item, requesting that, pursuant to NRS 271A.110, any agreement entered into by the City of Las Vegas and owner of property interest, within the Tax Increment District defray, in whole, the initial \$824,759, additional expenditures identified in the report by Applied Analysis."

And I just wanted to make it abundantly clear, not only to this body but also to the listening public as well, that the school board did not take position for the project. They did not take a position against the project. They simply directed staff to make written comments to the City of Las Vegas, which is the requirement that the law sets out. So, they requested that expenditure be defrayed. We believe that we addressed that in the body of the presentation here today at the public hearing.

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737 **MAYOR GOODMAN**

738 Very good. Thank you.

739

740 **COUNCILMAN WOLFSON**

741 Mayor Goodman?

742

743 **BILL ARENT**

744 Thank you.

745

746 **COUNCILMAN WOLFSON**

747 I'm sorry.

748

749 **MAYOR GOODMAN**

750 Yes, Councilman.

751

752 **COUNCILMAN WOLFSON**

753 A few minutes ago, after Mr. Taylor made his comments about the School District or the Board
754 of Trustees voting 6/0 against this and the County Commissioners voting 6/0, again, against this,
755 I asked our City Attorney, Mr. Jerbic, if that was true, because I was reading in my backup the
756 transcript from the County Commission meeting, and unless I'm reading something different
757 than anybody else, it didn't even go to a vote.

758

759 **BRYAN SCOTT**

760 What they did, Councilman –

761

762 **COUNCILMAN WOLFSON**

763 So, Mr. Taylor, I, I'm not invite, excuse me, I'm not inviting you to comment back –

764

765 **MAYOR GOODMAN**

766 No.

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767 **DEE TAYLOR**

768 No, I – didn't say the County Commissioners, I said the School District –

769

770 **MAYOR GOODMAN**

771 No.

772

773 **COUNCILMAN REESE**

774 You said both.

775

776 **COUNCILWOMAN TARKANIAN**

777 You said both.

778

779 **MAYOR GOODMAN**

780 Yes, you did.

781

782 **COUNCILMAN WOLFSON**

783 Well, Mayor Goodman, I – thought I – heard him say both –

784

785 **MAYOR GOODMAN**

786 He did.

787

788 **COUNCILMAN WOLFSON**

789 – But for the record, I just thought I'd ask, Mr. Jerbic, and if you know the answer, because that
790 was something that I'd be curious about. Did the County Commission take a vote on this matter
791 that is before us? And I think Mr. Arent just explained what the school board did.

792

793 **BRAD JERBIC**

794 They took a vote; the vote was not for or against. They had a discussion at the County level, and
795 I just read the motion in Mr. Adams' backup. The motion was to forward their comments to the
796 City, and that motion passed.

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797 **COUNCILMAN WOLFSON**

798 Now was that the School Board of Trustees or was that the County Commission?

799

800 **BRAD JERBIC**

801 That's the County Commission.

802

803 **COUNCILMAN WOLFSON**

804 Okay. Thank you.

805

806 **MAYOR GOODMAN**

807 Thank you.

808

809 **SCOTT ADAMS**

810 If – I can interject here, this is Scott Adams, Chief Urban Redevelopment Officer. I handled the
811 matter for the City at the County Board of Commissioners meeting, and it was simply a public
812 hearing. And the only, the process simply provides for a public hearing. It was simply a public
813 hearing, and the Commissioners made comment. And the vote was to direct those comments in a
814 formal memorandum or set of minutes to the City, so we could place those comments on the
815 record.

816

817 **COUNCILMAN WOLFSON**

818 And, Mayor Goodman, if you don't mind. And Mr. Adams, you're right 'cause that transcript I
819 read had part of your testimony in it. In fact, I just want to make another observation. When I
820 was reading the transcript, it appeared that, at least one particular County Commissioner, was
821 pretty much in favor of what we're doing. So, there was no vote against what we're doing.

822

823 **SCOTT ADAMS**

824 That's correct.

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825 **MAYOR GOODMAN**

826 Okay. Thank you. All right. Councilman Barlow.

827

828 **COUNCILMAN BARLOW**

829 Yes, Mayor, I have, this question is posed to Mr. Arent or possibly even Mr. Adams, you can
830 chime in. Explain, once again, the amount of monies. I know that there's (sic) no monies today
831 that is allocated because of the City's tax exempt status. But in the future, in regards to the TID
832 and the questions and comments that have come forward in regards to monies going back to the
833 developer and – not to the School District, break that out for me so that I'm clear in regards to,
834 that, the – statement that exists today.

835

836 **BILL ARENT**

837 Councilman, I'll address, answer that in two parts.

838

839 **COUNCILMAN BARLOW**

840 Okay.

841

842 **BILL ARENT**

843 The revenue that would be generated, we outlined in that last slide, and again, it's part of the
844 backup documentation.

845

846 **COUNCILMAN BARLOW**

847 Right. Go back to the last slide for the sake of the audience.

848

849 **BILL ARENT**

850 The revenue that would be generated, again, I think Councilman Wolfson did a good job of
851 articulating that. Today, there is new, no tax revenue from businesses operating on the property.
852 The property is tax exempt. So what the report by Applied Analysis attempted to do is to
853 delineate the exact revenue sources that would be created, as a result of this project. And in
854 doing so, they identified what funds would inure to the State, for the State and potentially

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855 education, but then, also, what is specifically delineated for education. And that outline, sales
856 and use tax, property tax, modified business tax and transient lodging tax. Now, that money goes
857 to the State, and it's part of a budgetary process for the State for education.

858 We believe the net effect to that is that there'd be new public revenue inuring to the State of 1.5
859 million, and that's the conclusion determined by Applied Analysis.

860

861 **COUNCILMAN BARLOW**

862 Now, the 1.5 million will go back to the State, and then the State will divvy up in the respective
863 sources, but a percentage of that 1.5 million, you're saying, will go towards education. Is that
864 accurate?

865

866 **BILL ARENT**

867 It's our belief, and I – can invite Mr. Gordon if I –

868

869 **COUNCILMAN BARLOW**

870 Yes. Mr. Gordon, if you'll come forward, please, because I wanna really be able to flush this out
871 because I – don't want to do anything to affect education, because that's – something that we
872 need to figure out ways in order to get more dollars to fully fund education. So, I am concerned
873 about that, so if you can walk me through that and be diligent in the process, I will be greatly
874 appreciative.

875

876 **BRIAN GORDON**

877 Sure. Essentially on the – slide that is on the – screen here, at the moment, is – a breakout of all
878 the major revenue sources that would go both to education as well as the State General Fund.
879 Education is generally funded from direct revenue sources, as well as allocations that potentially
880 inure from the State General Fund. We paired back some of those during the last biennium at the
881 State level, the General Fund. About 35 percent of those proceeds went towards education, so
882 we took that same share of the revenues and allocated those to the revenue side of the equation
883 that you see on the slide, and those are broken down by each element. Education is funded
884 through the Nevada plan, where funds go in various, different directions. Some go directly into

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885 the School District, some go up to the State level, and then they're reallocated on a per pupil
886 basis down to the various school districts throughout the State.
887 As part of that process, they account for direct revenues that would go to the local school district,
888 the Clark County School District, and adjust that contribution rate from the State level. So, there
889 is a mandatory per pupil funding amount that would go to the Clark County School District,
890 based on the number of students –

891

892 **COUNCILMAN BARLOW**

893 In your –

894

895 **BRIAN GORDON**

896 – in enrollment.

897

898 **COUNCILMAN BARLOW**

899 In your slide, right now, I'm looking at the Clark County School District, and as far as education,
900 it has 289,000, 289,890.

901

902 **BRIAN GORDON**

903 That represents just the portion of the room tax that would go directly to the Clark County School
904 District.

905

906 **COUNCILMAN BARLOW**

907 Okay.

908

909 **BRIAN GORDON**

910 The column to the left would be all potential revenue sources that would go to either to fund
911 education or the State General Fund, which is used as the back stop to fund education. That's a
912 \$2 million dollar number.

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913 **COUNCILMAN BARLOW**

914 Right.

915

916 **BRIAN GORDON**

917 Then it's paired down to a \$1.5 million dollar number in – potential revenues that would inure to
918 – education. So, this break out is just, represents the sources of where those revenues are coming
919 from.

920

921 **COUNCILMAN BARLOW**

922 Right.

923

924 **BRIAN GORDON**

925 At the end of the day, that's the potential pool, and then you see the – potential expenditure
926 number, then that affect being a positive number.

927

928 **COUNCILMAN BARLOW**

929 Now, there was – comment in regards to this tax in, this Tourism District (sic), TID, hurting
930 education. How does this hurt education, if at all?

931

932 **BRIAN GORDON**

933 Purely from a dollars and cents perspective, education would result in a positive financial impact
934 or positive fiscal impact, which is what you're looking at on the slide. The assumption is that a
935 portion of the students in the School District would be incremental or – would migrate into
936 Southern Nevada to – fill positions at this project. And – those incremental students would have
937 a cost associated with them. So, you see the cost side at about \$824,000, and the revenues
938 generated by the – overall project that would potentially go to the pool for education would be
939 1.5 million, so that the net effect, again, is a positive number. Does that answer your question?

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940 **COUNCILMAN BARLOW**

941 Yes, and one additional question. As far as monies going back to the developer, I was informed
942 in – a couple of briefings that monies would not go back to the developer. Does money, or does
943 money go (sic) back, or do money go back to the developer in this, within this District? And if
944 so, explain that process and why.

945

946 **BRIAN GORDON**

947 Essentially, the – creation of the Tourism Improvement District, the City is the – applicant for
948 that District. The dollars would inure back to the City. My understanding is that the City has
949 chosen to use those funds to invest in public infrastructures, such as the public plaza, the parking
950 structure and street improvements –

951

952 **COUNCILMAN BARLOW**

953 Not back into the District, I said to the developer.

954

955 **BRIAN GORDON**

956 My understanding is that the developer is getting no direct investment or dollars from the
957 Tourism Improvement District.

958

959 **BILL ARENT**

960 Councilman, if I – could just add, I thumb back to the point in the PowerPoint where we address
961 that, that the parking structure, the public plaza and the street improvements. Street
962 improvements, that one's obvious, the City owns streets, will continue to own Stewart Avenue.
963 The public plaza, that's gonna be open to the public. And then the parking structure, one of the
964 realities of doing business in an urban downtown, which Las Vegas is rapidly becoming, is that
965 parking is at a premium, and on a competitive basis, we're less competitive than the rest of the
966 region because of existing parking. We don't have the available land that the suburbs have to
967 build two, three-story parking structures. So, one of the things that is part of this project is that
968 the City, through the use of the TID funds, would be building a parking structure. 'Cause it's
969 public funds, we would own – it and potentially operate it. We might lease the management of

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970 the operation, but as far as the funding, as far as who gets to use the garage, it would be open to
971 all the residents of the city of Las Vegas.

972

973 **COUNCILMAN BARLOW**

974 So, the City of Las Vegas would own the garage?

975

976 **BILL ARENT**

977 Correct.

978

979 **COUNCILMAN BARLOW**

980 Okay. Not the developer?

981

982 **BILL ARENT**

983 Correct.

984

985 **MAYOR GOODMAN**

986 Thank you.

987

988 **SCOTT ADAMS**

989 Could I add – to that, ‘cause I – know this section of the agreement intimately. This is Scott
990 Adams again. That, there’s a provision in the agreement that, we don’t even, we haven’t even
991 sized the garage. At the point where they develop, are ready to develop the retail space on their
992 block, we would look at a radius of the site, in terms of the supply of parking that’s in the radius,
993 a walking distance radius site, to determine; and then through an independent study, how big we
994 should make that garage. The intent there would be to make it as small as we possibly can to
995 meet their needs on the site, and I – wanted to add that to the record.

996

997 **MAYOR GOODMAN**

998 All right. Councilwoman.

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999 **COUNCILWOMAN TARKANIAN**

1000 Yes. I want to get back down to this, very specifically, what is the subsidy (sic) that is being
1001 mentioned, that we're giving to the applicant?

1002

1003 **MAYOR GOODMAN**

1004 Nothing.

1005

1006 **COUNCILWOMAN TARKANIAN**

1007 You're saying nothing. They're, are you telling us that there is no direct subsidy (sic) being given
1008 to the applicant?

1009

1010 **BILL ARENT**

1011 Councilwoman, Bill Arent, Acting Director. That's essentially correct. The tax revenue that
1012 would be retained within the Tourism Improvement District, the City would use for these three
1013 uses. So –

1014

1015 **COUNCILWOMAN TARKANIAN**

1016 All right. Now the public, and the public plaza sort of takes the place of the public park that we
1017 had. We, you know, we – don't have the public park in the plaza, so I see that as a City use.
1018 And what were the other two?

1019

1020 **BILL ARENT**

1021 The parking structure and then Stewart Avenue; there're some street improvements, streetscape –
1022

1023 **COUNCILWOMAN TARKANIAN**

1024 And – the streets, yeah, that's an obvious, and then the other was the parking structure. And if
1025 we wanted to, if we vote, we could, ourselves, run the parking structure, could perhaps, collect
1026 monies off of it. Is that correct?

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1027 **BILL ARENT**

1028 That's correct, and we do that in a number of parking garages downtown already.

1029

1030 **COUNCILWOMAN TARKANIAN**

1031 So there's – no subsidy, which was one of the big problems. And the other is, if we're taking
1032 money from the School District. And that's what I'm really having a hard time understanding
1033 because I would never want to take money from the School District. My understanding is that
1034 it's just like what we have, the Marketplace, where we have the large buildings.

1035

1036 **COUNCILMAN WOLFSON**

1037 World Market Center.

1038

1039 **COUNCILWOMAN TARKANIAN**

1040 World Market Center, where the World Market Center is, before we had nothing but lots full of
1041 weeds and dirt. I passed it every time I came out in this direction, I passed it, so I know it didn't
1042 look very good at all. And then we gave some help to them to build, and they built, and it has
1043 added a lot more money, as far as taxes. And a lot more of that from the information you've
1044 given us has gone to the School District. In other words, they got their – percentage of zero was
1045 less than their percentage – of what they're getting from high taxes now. Am I correct in that?

1046

1047 **BILL ARENT**

1048 Councilwoman, that is correct. Essentially, I would make one distinction. For this project, it
1049 involves the use of sales and use taxes.

1050

1051 **COUNCILWOMAN TARKANIAN**

1052 Okay.

1053

1054 **BILL ARENT**

1055 So the World Market Center, different project –

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1056 **COUNCILWOMAN TARKANIAN**

1057 It's a little different.

1058

1059 **BILL ARENT**

1060 – different incentive. It was property tax but essentially the same.

1061

1062 **COUNCILWOMAN TARKANIAN**

1063 Now, we had no in – state business that wanted to build there, did we? I'm, as long as I've been
1064 on the Council, I'm not aware. This was the one company that wanted to build and take that over
1065 and – develop properties.

1066

1067 **COUNCILMAN WOLFSON**

1068 The World Market Center or –

1069

1070 **COUNCILWOMAN TARKANIAN**

1071 No, I'm talking about the CIM project now –. At the time, did we have other people who came
1072 to us who wanted because, you know, a lot of people don't want to build downtown and some
1073 do?

1074

1075 **BILL ARENT**

1076 Essentially, that's correct. It's been an evolving part public private partnership with the CIM
1077 Group. They did close on an equity position and the Lady Luck property. It's a very heavy lift to
1078 get that property up and running again and become a new (inaudible) of property for downtown.

1079

1080 **COUNCILWOMAN TARKANIAN**

1081 And – that's what I've been told since I've been on the Council. Then the last thing is, the
1082 percentage of money that would come from this project, we don't know for sure how much
1083 would go to the School District, but we're – counting on the 35 percent that they usually give.
1084 And the reason why I say that is because it goes to the State. You know, we can't guarantay (sic)
1085 what the State will do, but it's the State that the determines how much money goes to the Clark

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1086 County School District. And in the past, for years, they should have had a larger amounts (sic)
1087 going because of the urbanality of what was happening within that School District.
1088 So basically, quite honestly, I feel the State, whatever they're doing in the legislature right now,
1089 the State for years could have made a difference, as far as the amount of monies going to CCSD.
1090 But, when some people say, well, they might not get that 35 percent, we don't know where it's
1091 gonna go. That's because we all know it goes to the State, and the State determines the amount.
1092 I'm just verifying this, so I'm saying, is that correct?

1093

1094 **BILL ARENT**

1095 That's correct. I'm not an expert on school funding, but it's my understanding typically what
1096 happens, and maybe Mr. Gordon could allude to this. If the tax revenue generated from some of
1097 these local taxes coming in from Clark County exceeds what is budgeted for at the State level for
1098 education, that money's still going to the State. It's still intended to be for education, but
1099 practically, what happens in the budgetary process, is that that money shifts away from education
1100 into the State General Fund.

1101

1102 **COUNCILWOMAN TARKANIAN**

1103 As it –

1104

1105 **BILL ARENT**

1106 And essentially –

1107

1108 **COUNCILWOMAN TARKANIAN**

1109 – has shifted – for the past two, three decades.

1110

1111 **BILL ARENT**

1112 And I, Councilwoman, I think you've highlighted a budgetary problem and a legislative problem
1113 that, quite frankly, that the City has no control over.

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1114 **COUNCILWOMAN TARKANIAN**

1115 No, I know that. And that's why I feel some anguish here because I know the City does not have
1116 as much control as the State does. And the State could send the whole amount of the money to
1117 the School District, if it wanted to, and that's in – for wherever they're getting money.
1118 Anyway, thanks (sic) you for answering those questions. I – appreciate it very much. I don't
1119 want us to do anything that's inappropriate. I don't want us to cannibalize any other entity. I
1120 just, I cannot see where we're not helping the School District in this. That's the problem, and
1121 I'm trying to learn and maybe I need, I've been out of town awhile because of an illness in the
1122 family, and maybe I need to take more time and go through this, so I understand it better. But, in
1123 any case, the questions you answered for me now help.

1124

1125 **MAYOR GOODMAN**

1126 Mayor Pro Tem.

1127

1128 **COUNCILMAN REESE**

1129 Yes, Your Honor. You know, I – listen to the presentations we have here, and I – listen to what
1130 people are saying about this Council. And – I really get a little bit of heartburn because I have
1131 children that are school teachers. I have kids in school, college. I have grandchildren in school.
1132 And to think that I sit up here and have people think that I'm gonna try to take money away from
1133 their education. I pay for three children to go to college.

1134 And we look at this redevelopment area, and Lois alluded to, with the Allure Towers, with the
1135 Chelsea Mall, with the World Market Center, we had follow ground that was creating very, very
1136 little to our School District. But through the redevelopment area, we created businesses,
1137 structures that quadrupled the amount of money that was going to the School District through the
1138 City.

1139 And I – can't understand why people continue to say that this Council is trying to rape the School
1140 District. It's ludicrous to me. I – had a lady come to my house and talk to my sweet wife, and try
1141 to convince her what a bull I was because I was taking money away from the School District.
1142 My wife tried to explain to her, this is when she was trying to get her to sign a – petition, my wife
1143 tried to explain to her what was going on. She called my wife a liar. In essence, she's calling all
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1144 of us sitting up here liars. And I – take offense to that. I would never do anything to take away
1145 from the schools.

1146 What we're trying to do is create. We created money with the World Market Center. We created
1147 money with the Allure Towers. We created money with the Chelsea Mall. Through what we do,
1148 we create jobs. We create more money for the State. We're creating more money for education,
1149 more public infrastructure, but note, we're not raising taxes.

1150

1151 **MAYOR GOODMAN**

1152 Thank you.

1153

1154 **COUNCILMAN REESE**

1155 I – really feel like that, when people work together, they could accomplish a lot, but when people
1156 attack and won't listen, we're destroying what we're trying to do.

1157 We – sit through here today and we see a beautiful structure that's gonna be constructed here,
1158 called the Performing Arts Center, creating jobs. And before that structure's finished, they're
1159 gonna build a hotel, non-gaming, Charlie Palmer Hotel, which is gonna be just as beautiful as
1160 what you seen at, in the Performing Arts Center.

1161 I – just can't understand it. I – really feel like that what we're doing is a positive. What we're
1162 trying to do is to, and I'm not saying that this will ever be developed, but if it is, the school's just
1163 gonna benefit from it.

1164 And Your Honor, I – really appreciate all the comments, the questions asked by the other
1165 Councilmembers, your comments, and even the comments from those opposing this project. But
1166 I – really wish that we could – sit down and I guess, have a more applica, amenable – type
1167 discussions and stuff. But I – know that some people don't want to listen to what we're trying to
1168 say, and – I feel sorry for them. Thank you.

1169

1170 **MAYOR GOODMAN**

1171 All right. Thank you. Councilman Barlow, do you have a motion, please?

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1172 **COUNCILMAN BARLOW**

1173 Yes, Mayor, I do. I would like to move forward for approval of this item. And in closing, just
1174 state that I am all for education. I wanna make sure that we do all that we can to assi, to assist
1175 our young people in this community. And, although, this is a very complex puzzle that we're
1176 trying to put together, not only for the benefit of developing downtown, but also to give back to
1177 our community. The city of Las Vegas can't fully fund education on its own, but we can do our
1178 part, and I believe that we have done our part, and we continue to do our part. And as long as
1179 I'm on this Council, I will push to make sure that we continue to do so.

1180 With that being said, what is the next step? Is it to move to the tourism and then to the
1181 Governor, Bill?

1182

1183 **BILL ARENT**

1184 That's correct. With your approval today, we would move to the Nevada Commission on
1185 Tourism. Notice requesting a hearing has already been sent. We, at the staff level, are actively
1186 working with the Commission to schedule that. That will be a public hearing. So certainly, the
1187 public will have another opportunity to comment on this incentive in the Tourism Improvement
1188 District.

1189

1190 **COUNCILMAN BARLOW**

1191 Okay, and it's my understanding from the information that I not only have been briefed on but
1192 the information that I've read, if in fact the Tourism Committee or Commission votes this down,
1193 the TID is denied. Is that accurate?

1194

1195 **BILL ARENT**

1196 That's essentially correct. We need approval from Nevada Commission on Tourism and from
1197 the Governor.

1198

1199 **COUNCILMAN BARLOW**

1200 Correct.

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1201 **BILL ARENT**

1202 So, it's – a multi-step process.

1203

1204 **COUNCILMAN BARLOW**

1205 It's a multi-step process –

1206

1207 **BILL ARENT**

1208 We are not finished yet.

1209

1210 **COUNCILMAN BARLOW**

1211 – but I'm just asking the question in regards to if, in fact, the tourism commission votes it down,
1212 the TID is denied, it's dead. Correct?

1213

1214 **BILL ARENT**

1215 That's correct.

1216

1217 **COUNCILMAN BARLOW**

1218 And if, in fact, it's approved and it come (sic) before the Governor, and the Governor deny (sic)
1219 it, then it's dead as well. Correct?

1220

1221 **BILL ARENT**

1222 That is correct.

1223

1224 **COUNCILMAN BARLOW**

1225 Okay. And with that being said, I'll, I will move for approval of this item.

1226

1227 **MAYOR GOODMAN**

1228 Mr. Arent, is that sufficient with the findings being required?

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1229 **BILL ARENT**

1230 Yes, I think approving the Resolution, the Resolution itself, contains the findings.

1231

1232 **MAYOR GOODMAN**

1233 All right. Thank you.

1234

1235 **BILL ARENT**

1236 So, the motion's just needed to approve the Resolution.

1237

1238 **MAYOR GOODMAN**

1239 Very good.

1240

1241 **COUNCILMAN BARLOW**

1242 And I move to approve the Resolution.

1243

1244 **COUNCILWOMAN TARKANIAN**

1245 Before we vote on that, Mr. Mayor, could I just ask is there a possibility, I mean I know these are

1246 good people in the audience. They obviously believe, at least, I think they believe what they're

1247 saying to us. And, so I'm wondering is there a possibility we could, maybe, meet and talk as you

1248 said, in a way that, we're not full of anger, but in a way that we can get a better understanding of

1249 how we're feeling? Are we at total loggerheads? And I ask that, as I said, because I know there

1250 are good people who have spoken here about their concerns, and I spoke with one that I knew

1251 well, and – she was, she believes with her heart, that she's right, and that it, and you know, that,

1252 is there a possibility we can do that? Would the, would Mr. Taylor be willing for us to meet and

1253 –

1254

1255 **DEE TAYLOR**

1256 I'd be glad to if I have more than three minutes.

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1257 **COUNCILWOMAN TARKANIAN**

1258 Well, yeah, and, we don't have to meet here. We can meet some place else that you can have

1259 more than three minutes, I – would think, right, Mr. Mayor?

1260

1261 **MAYOR GOODMAN**

1262 Whatever you want to give them, you can give them.

1263

1264 **COUNCILWOMAN TARKANIAN**

1265 You have the motion. I'm just asking because it's in your District, your Ward. It's in your

1266 Ward.

1267

1268 **MAYOR GOODMAN**

1269 Yes.

1270

1271 **COUNCILWOMAN TARKANIAN**

1272 I'm just wondering, you don't have to have the meeting, I'm just saying –

1273

1274 **COUNCILMAN BARLOW**

1275 No, I mean –

1276

1277 **COUNCILWOMAN TARKANIAN**

1278 I'm just saying this doesn't seem good. We're using energy that we could be using for positive

1279 things, and I just think, let's put our energy in and let's move together, if we possibly can. And

1280 that's what I'm asking, in your motion, could you recommend that we hold a meeting in the next

1281 couple of weeks or something?

1282

1283 **MAYOR GOODMAN**

1284 No.

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1285 **COUNCILWOMAN TARKANIAN**

1286 No.

1287

1288 **MAYOR GOODMAN**

1289 You can meet with anybody you want, Councilwoman. I've had my meetings.

1290

1291 **COUNCILWOMAN TARKANIAN**

1292 Well, I'll ask –

1293

1294 **COUNCILMAN BARLOW**

1295 Thank you, Councilwoman –. In my motion, I would also ask that we have an opportunity to
1296 meet with the representatives from the Culinary Union, in regards to their concerns because the
1297 Councilwoman is right, in regards to hearing what it is that they're concerned about and making
1298 sure that the motion that we move forward is benefit for the entire community. And so, I would
1299 like to move for approval of the Resolution, with the condition of having an opportunity to meet
1300 with Mr. Taylor and – the Culinary Union –

1301

1302 **MAYOR GOODMAN**

1303 Well.

1304

1305 **COUNCILWOMAN TARKANIAN**

1306 Mr. Barlow, I – was just gonna say, maybe we have to check with legal, I'm sorry. I'm hearing,
1307 maybe we can't do that in a motion.

1308

1309 **COUNCILMAN BARLOW**

1310 Well, well how about we do this? If – this is okay with you, Brad. **I'll move for approval of**
1311 **the item.** We vote on the item and then Councilwoman, you and I will have an opportunity to set
1312 up a subsequent meeting to meet with Culinary. Would that be (sic) suffice?

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1313 **COUNCILWOMAN TARKANIAN**

1314 Would that be all right?

1315

1316 **BRAD JERBIC**

1317 That's fine.

1318

1319 **COUNCILMAN BARLOW**

1320 Okay. Then, that'll be my motion.

1321

1322 **MAYOR GOODMAN**

1323 All right. That's the motion. Let's vote. Post. Motion carries. **(Motion carried unanimously.)**

1324 Thank you.

1325 **(END OF DISCUSSION)**

1326 /lc, da, ac; ac

EXHIBIT "C"

(Attach Copy of Comments from School Board)

FINANCE & OPERATIONS DIVISION

5100 W. SAHARA AVE. • LAS VEGAS, NV 89146 • (702) 799-5445 • FAX 855-3112



CLARK COUNTY
SCHOOL DISTRICT

BOARD OF SCHOOL TRUSTEES

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Dr. Walt Rulffes, Superintendent

April 24, 2009

Ms. Elizabeth N. Fretwell, City Manager
City of Las Vegas
400 Stewart Avenue
Las Vegas, Nevada 89101

Dear Ms. Fretwell:

On behalf of the Board of School Trustees of the Clark County School District, I am writing in response to your letter of February 4, 2009, regarding the creation of a Tourism Improvement District proposed by the City of Las Vegas. You had requested comments prior to your City Council meeting on May 6, 2009.

Pursuant to NRS 271A.080, a public hearing regarding the fiscal effect on the Clark County School District of the project to be constructed in the Tourism Improvement District proposed by the City of Las Vegas, and the use of the money proposed to be pledged, was held at the meeting of the Clark County School District's Board of School Trustees on April 23, 2009.

Following the public hearing, the Board of School Trustees took action on an agenda item, requesting that, pursuant to NRS 271A.110, any agreement entered into by the City of Las Vegas and owner of property interest within the tax increment district defray, in whole, the initial \$824,759.00 additional expenditure identified in the report by Applied Analysis, dated November 30, 2008 (and subsequently amended on February 27, 2009), in the first year of the tax increment district; and that in subsequent years, the amount to be defrayed will be increased annually by the Consumer Price Index for Western States published for December of the preceding year.

Thank you for providing the Clark County School District an opportunity to present comment and input in this process. Feel free to contact me at 799-5445 if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Jeff Weiler", is written over the word "Sincerely,".

Jeff Weiler
Chief Financial Officer

cc: Board of School Trustees
Walt Rulffes

EXHIBIT "D"

(Attach Copy of Comments from County BCC)

VERBATIM TRANSCRIPT OF A PORTION OF THE SPECIAL MEETING OF THE CLARK COUNTY BOARD OF COUNTY COMMISSIONERS HELD ON APRIL 8, 2009 REGARDING ITEM NO. 2 (CONSIDER THE FISCAL EFFECT OF A PROPOSED CITY OF LAS VEGAS TOURISM IMPROVEMENT DISTRICT).

TAPE 1-1

RORY REID

Meeting of the Clark County Board of Commissioners.

DONALD BURNETTE

Good morning Mister Chairman, Commissioners. The first item on your special agenda is Item One to approve the agenda.

REID

Let's take a voice vote because I don't think we can switch off the machine. All those in favor say Aye.

BOARD MEMBERS

Aye.

REID

Anyone opposed? Motion carries.

BURNETTE

Item Number Two is to conduct a public hearing to consider the fiscal effect of a proposed City of Las Vegas Tourism Improvement District under Chapter 271A of Nevada Revised Statutes and authorize staff to submit comments from the hearing to the City of Las Vegas City Council. Mister Chairman, Ed Finger, the County Comptroller, is here to offer a few introductory comments.

EDWARD FINGER

Good morning County Commissioners. Ed Finger, Comptroller. As Mister Burnette mentioned, the item before you is a public hearing. I will point out to you that there is no action to be taken at the public hearing other than to receive comment for submission to the City of Las Vegas. In accordance with statute, that is the limit of the County's participation in the creation of such a district. Staff has prepared an agenda item development report that's been presented with the agenda item. Staff - County staff is available. I'm available. There are also representatives from the City of Las Vegas here should you have any questions.

REID

This is a public hearing. Anyone here wishing to speak? Again, this is a public hearing. Any comment from the Board? Commissioner

Shirley B. Rayburn
CLERK
APR 27 '09
THIS IS A COPY
DOCUMENT ATTACHED IS A
TRUE AND CORRECT COPY
OF THE DOCUMENT ON FILE

REID (continued)

Giunchigliani.

CHRIS GIUNCHIGLIANI

Thank you. I have a couple of questions. Ed, this is for establishing a Tourism Improvement District, and I believe by law it actually expires in September, correct?

FINGER

The - the current statute, unless it were to be amended, would prohibit after October 1, 2009 the creation of - of such a district because of the reason that after such date, a Tourism Improvement District may not be created that includes property that's also within the boundaries of a redevelopment area.

GIUNCHIGLIANI

Okay, 'cause it was the duplicative piece - I knew it was - so it's October 1st that it would go away?

FINGER

That's my understanding.

GIUNCHIGLIANI

Okay. And then the proposed project is - does not include the Lady Luck but it's across the street from that. It's the old museum and --

FINGER

That's correct. There's --

GIUNCHIGLIANI

A post office that's prepared. And - but the analysis that's been done anticipates a hotel and a casino.

FINGER

It does anticipate the possibility of such of a - and there are folks here who could answer more specific questions (unintelligible).

GIUNCHIGLIANI

'Cause it says the improvements that we're supposed to be looking at in the Tourism Improvement District is for a multi-story parking garage, open-air public plaza and other supporting improvements in the area. Yet if I read through the analysis that was done, it's all tied to hotel rooms, sales, taxes that could be possibly generated from that even though that's not part of the project. But can you explain that to me?

SCOTT ADAMS

Sure. Scott Adams, I'm the Director of Business Development with the City of Las Vegas and the City's Operations Officer of the Redevelopment Agency. This development - there - there - in

ADAMS (continued)

our agreement with the CIM Group, there - we really look at two components of their development. The existing Lady Luck is simply a threshold that once they've completed the renovation of the Lady Luck according to certain standards, they then have under our Development Agreement the right to access the site, the Post Office site, for development. That site, we believe, has the ability to be entitled for gaming. And so in their master plan, and I'll - I think --

GIUNCHIGLIANI

You just put it in the center --

ADAMS

In - in their development, this is the old Post Office right here. Surrounding that Post Office on the total developmental block there is proposed a - a gaming hotel. And that would be part of a phased in development as part of their master plan. So we did look at when we did the preponderance test the potential of developing gaming revenues on that site.

GIUNCHIGLIANI

Okay. Does - does this anticipate giving away public property then to the private group within the TID?

ADAMS

We - we own that site. The City owns that land. We own the land subject to a small sliver in the northwest corner that's owned by NDOT. And then the Post Office itself we own but it's subject to some deed covenants imposed by the U.S. Department of Interior. We - our Development Agreement with the CIM Group does provide for us selling that property to them and that we did structure a sale that was at that time based on a then-appraised value.

GIUNCHIGLIANI

Okay, 'cause I didn't see any reference then to sale cost anticipated in here. Is the park then still going to be there or is that outside?

ADAMS

The - in the center of the development, the - the core of the site we've closed what was Frank Wright Plaza for use as a construction/staging area for some improvements we're - we're making to Stewart. We're - the plan is to move the open space from the corner into the center of the development. And you see in the center of the master plan, there's a large compliment of

ADAMS (continued) open space which is the Plaza that we would be using Tourism Improvement District funding to develop as part of the overall master plan of the development. I would like to say that none of the Tourism Improvement District funding would be rebated back to the developer as has been in the case with other TID's in the State of Nevada. We would capture the TID funding as a City and use it to make the public improvements associated with the development of the build-out of that block.

GIUNCHIGLIANI Would the parking garage then be public?

ADAMS It - it would in some manner. Now, we've

GIUNCHIGLIANI (Unintelligible) charge like the one across the street?

ADAMS We - we don't have those detailed - details worked out because our Development Agreement stipulates that we - we are not fully committed even to having to build it. We - the Development Agreement stipulates that at the time they're ready to build, we do a study at that then time a multi-block radius of the site of the existence of parking at that time and the demand for parking to size that garage. So we did not commit to a specific garage 'cause I - I believe - I don't believe there - there's a need right now for parking.

GIUNCHIGLIANI You may not need it (unintelligible).

ADAMS Right - so that will be a demand induced in size parking garage at that time.

GIUNCHIGLIANI Okay. So - so I guess maybe that's my concern besides the - the potential detrimental effect of schools and the loss of revenue that comes into play is, what exactly is the project?

ADAMS They - the private component of the project is they're a mixed used development which consists of retail, office, hotel, gaming, mixed use.

GIUNCHIGLIANI Even though the mixed use is not in the TID, the anticipation is (unintelligible).

ADAMS It is - it is. Let me clarify again.

GIUNCHIGLIANI (Unintelligible).

ADAMS This - what you see on the overhead here is the Post Office block. It's a little skewed - elongated. The existing Lady Luck is off this master plan. The Lady Luck is immediately south of (unintelligible).

GIUNCHIGLIANI South --

ADAMS This master plan is only for the Post Office block itself. And as I said at the outset, the Lady Luck itself is not part of - any part of the master plan. It is simply a threshold. They have to perform in the renovation of the Lady Luck before they have the right to access and be sold the property on the Post Office block.

GIUNCHIGLIANI And so under NRS what we're supposed to make a finding as - that - that - financing would have a positive fiscal effect on the provision of local government services. And if I go into the analysis, there will be an income loss, or tax loss, to both the County, Metro, School District, State of Nevada, and so --

REID Commissioner Giunchigliani, I don't think we're required to make any findings. We're just - we can get (unintelligible).

GIUNCHIGLIANI Okay, I'm just reading what's in the Applied Analysis's document. And it says --

REID Can I ask that question, I'm going to make sure.

GIUNCHIGLIANI Sure.

REID And what's our role here?

MARY-ANNE MILLER Our role is just to accept comments and forward them on if you deem appropriate to the City Council. It's the City Council who will make the finding that you're referencing.

GIUNCHIGLIANI So my comments are I still don't know that it's - I think it could be detrimental even in this economic time to the School District as far as the loss of revenue as well as some of the losses that are there. I think the project - I

GIUNCHIGLIANI
(continued)

- I personally like the idea of the museum and so forth, but it's - I think the nexus of the mixed use is what's generating your issue for wanting a TID, and I don't know that that stands on it's own.

ADAMS

Let - let me correct for the record though that right now this site is tax exempt. The City owns it. There's - other than - we - there was a couple of vending machines in the (unintelligible) --

GIUNCHIGLIANI

(Unintelligible).

ADAMS

There was no tax generation on this site whatsoever. With the new development, there will be new taxes generated. And that tax base - that new generated tax base - will be split both the property taxes and the sales taxes. The property taxes we have not negotiated nor was there any contemplation in the Development Agreement any rebate back to the developer of any of the real estate property taxes. And they will be distributed the way they normally get distributed within the redevelopment area. And then the Tourism Improvement District is - we've laid out in the information. A portion of those taxes are protected by statute - would go back to the state and be distributed in their normal way through C-tax. The portion that's captured by this Tourism Improvement District seventy-five percent of that balance we keep to go into the District. The other twenty-five percent goes back to the state and gets distributed back to their normal taxing districts - jurisdictions through C-tax.

GIUNCHIGLIANI

But you already used your redevelopment money to build the "museum" and park. What you're saying though - you don't really need a TID to do that, but this allows you to compliment your Development Agreement that you are negotiating with the partner across the street. That's what I --

ADAMS

Yes. But I - I think it's cur - it's revenue neutral in the sense that --

GIUNCHIGLIANI

I don't believe it is, but that's my comments will go in and that's the way it goes. Thank

GIUNCHIGLIANI
(continued)

you.

REID

Any other comments? Commissioner Sisolak.

STEVE SISOLAK

Thank you. I've just got one, and I guess it's more of a question. (Unintelligible) in our role as also ask questions that can be forwarded but, you know, I'll ask it anyway. I appreciate - I got a great briefing from Terry and the City on this and I understand a lot better. What I'm not understanding is as explained the Tourism Improvement District's got to have fifty percent minimum of the sales from tourists, correct?

ADAMS

That's correct.

SISOLAK

Go ahead.

ADAMS

Yeah, the - the statute requires that a - a finding be made through an independent analysis, which we've done through Applied Analysis, that the taxes being generated by the development within the District, that being the sales taxes, the preponderance of those taxes are being generated by tourists or persons from outside the State of Nevada.

SISOLAK

Okay. How is that estimated and how is it quantified after the fact or is it quantified so that it's not just people going to each lunch there as opposed to going to eat lunch at the mall across the street. How do you eventually quantify that or?

ADAMS

I'll ask Brian Gordon of Applied Analysis to answer that question. They are the firm that we hired to do that preponderance test, and they're the experts in this matter and I'll defer to Brian.

BRIAN GORDON

Sure. What we did as part of the analysis to determine the preponderance between visitors and residents, we purely took a look at toward the mix of - of the population in that area. Obviously it's dominated by hotel rooms. So we took a look at the hotel room inventory and the number of sort of full time equivalents that would be on site down in that immediate area and then also looked at their consumer spending,

GORDON (continued) compared that to the number of residents that are likely to be in the area, balanced the two and the ratios come out about ninety- seventy-nine percent of the - the spending on site would come from non-Nevada tourists and the balance being from residents.

SISOLAK And is that verified after the fact or what if - what if after the fact we find out it's not working that way, what happens?

GORDON To be quite honest with you, I don't know if there's a method to measure that after the fact, so I - I don't what the procedure would be in that instance.

SISOLAK So all you basically have to do is get a study that verifies the assumption and that makes it a TID?

GORDON It's one of the tests and - and obviously in our report we outlined the - the steps that we took to produce the results and the findings that we came to.

SISOLAK Thank you.

REID Commissioner Weekly.

LAWRENCE WEEKLY Yes, just real briefly. Mister Adams, as we look at this proposed public plaza here, can you put on the record just for our Clark County residents who are not up to date as to what this project's all about. What's happening with the RTC bus terminal there?

ADAMS Sure.

WEEKLY What's the time line we're looking at?

ADAMS The - the existing site has the existing Regional Transportation Commission bus terminal on site. The plan is to relocate that bus terminal to a block within - basically between Bonneville, Casino Center, First, and Gass. That - that entire block, which is part of the - the Live Work (phonetic) Las Vegas development would be developed as a new inter-model bus terminal. That block has been cleared. The bus terminal is - the design is complete. They're

ADAMS (continued) in the permitting process. And the plan is to move forward with the relocation of the bus terminal. It will allow then the integration of that terminal with the - the new Ace system - the Bus Rapid Transit System that's going out Casino Center that will interface with that site and provide enhanced transit services to residents involved.

WEEKLY That's City owned land?

ADAMS On - in the Live Work (phonetic) Las Vegas development? No, that - that is land that's owned by the Live Work (phonetic) Las Vegas property owners and there's a long-term lease established between the Regional Transportation Commission and the owners of the property.

WEEKLY I see, okay. Thank you Mister Chair.

REID Other comments? We need a motion to authorize the staff to submit these comments to the City.

GIUNCHIGLIANI So moved.

REID You've heard that motion. All those in favor say Aye.

BOARD MEMBERS Aye.

REID Anyone opposed? Hearing none, the motion carries. This is the time set aside for comment by the general public. Is there anyone here to address the Board of County Commissioners on this matter? Come forward, state your name and address please.

DICK GARR Good morning. Dick Garr, 8260 Hilton Head Court. I'm on the Executive Committee of the Downtown Alliance which is basically in the last year and a half or so taken upon itself to get formed and to work for all aspects of the redevelopment and the promotion of the downtown area and in particular the RDA. I'm also the President of the 18B Las Vegas Arts District Neighborhood Association, and it's from that standpoint that I guess I should speak. We, of course, are having a - and have had over the years - a difficult time developing that part of town where Mister Weekly and Mister Brown are

GARR

very, very familiar from their work on the City Council of what has - has not happened there. Also, one thing that is happening is that the Ace Bus is going to stop at the corner of Casino Center and Coolidge and that is right there in the heart of the Arts District just north of the Arts Factory and S2 where you can get the finest prints in the world and other developments that are planned which of course would not be of interest to you since you have so many other projects to talk about. But having that bus stop there is very, very good for us. And then having this development downtown of this museum, we would expect a large number of people - and I think the City implied the people expected too - to come up from the Strip to see this museum. And we would think that they would be people who are not going up to go gaming. They're going up to see other aspects of Las Vegas. And, therefore, they'd be more likely to get off at our bus stop and - and explore the Arts District either on their way up to see the museum or on their way back down to their hotels on the south end of the Strip. So we are very excited about this happening, both these things, the museum and the bus. And whatever help it takes to make sure it happens, we hope that you will agree that - to forward a positive comment on it. Thank you.

REID

Anyone else? This meeting's adjourned.

END-MW

TAPE 1-562