RESOLUTION NO. R-53-2009

A RESOLUTION RECORDING IN THE MINUTES OF THE CITY COUNCIL OF THE CITY THE APPROVAL OF THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF TAXATION OF THE STATE OF NEVADA OF A PROPOSED MEDIUM-TERM OBLIGATION IN THE FORM OF AN INTERFUND LOAN; PROVIDING CERTAIN DETAILS IN CONNECTION THEREWITH; AND PROVIDING THE EFFECTIVE DATE THEREOF.

WHEREAS, the City Council of the City of Las Vegas, Nevada (the "Council," "City," and "State," respectively) proposes to incur a medium-term obligation in the form of an interfund loan from the City's Sanitation Enterprise Fund to the City's Capital Improvements Fund (the "Medium-Term Obligation"); and

WHEREAS, pursuant to Nevada Revised Statutes ("NRS") 350.089 and relevant provisions of the Nevada Administrative Code, the Council submitted certain information and supporting documents relating to the Medium-Term Obligation to the Executive Director of the Department of Taxation of the State of Nevada (the "Department of Taxation") for his approval; and

WHEREAS, the City has received the approval of the Executive Director of the Department of Taxation for the Medium-Term Obligation, a copy of such approval being attached to the following page as follows:

(Attach Approval of Department of Taxation)

STATE OF NEVADA
DEPARTMENT OF TAXATION
Web Site: http://tax.state.nv.us
1550 College Parkway, Suite 115
Carson City, Nevada 89706-7937
Phone: (775) 684-2000 Fax: (775) 684-2020

JIM GIBBONS
Governor
THOMAS R. SHEETS
Chair, Nevada Tax Commission
DINO DICIANNO
Executive Director

LAS VEGAS OFFICE
Grant Sawyer Office Building, Suite 1300
555 E. Washington Avenue
Las Vegas, Nevada, 89101
Phone: (702) 486-2300 Fax: (702) 486-2373

RENO OFFICE
4600 Kietzke Lane
Building L, Suite 235
Reno, Nevada 89502
Phone: (775) 688-1295
Fax: (775) 688-1303

HENDERSON OFFICE
2550 Paseo Verde Parkway Suite 180
Henderson, Nevada 89074
Phone:(702) 486-2300
Fax: (702) 486-3377

April 27, 2009

Mrs. Venetta Appleyard
Financial Services Manager
City of Las Vegas
400 Stewart Avenue
Las Vegas, NV 89101

Dear Mrs. Appleyard:

The Department of Taxation has received a request from the City of Las Vegas (City) for the approval of a medium term obligation (MTO). The City proposes to obtain the financing with an inter-fund loan from the City's Sanitation Fund. The proceeds of the loan would be used to fund infrastructure improvements in and around the redevelopment area known as Union Park as well as a performing arts center and possibly a museum facility. The term for this obligation/loan would be ten years. The original request was for an inter-fund loan of $80,000,000, however, since the original request, the City placed a successful bond issue in the amount of $75,000,000. The revised documentation submitted to the Department on April 2, 2009 shows amortization payments based on borrowing $15,000,000 rather than $80,000,000, however, the City renewed its request for an inter-fund loan of $80,000,000.

The request has been reviewed as required by NRS 350.089. The criteria we used in determining whether to approve the resolution of the governing body include:

1) Consideration of the tax structure of the local government;
2) The probable ability of the City to repay the requested medium-term obligation; and
3) Compliance of the local government with applicable provisions of law, including, without limitation, the provisions of chapter 354 of NRS.

Our decision relies principally on our analysis of the probable ability of the City to repay the requested medium-term obligation and its ability to comply with applicable provisions of law. The Department **conditionally approves** an inter-fund loan in the amount of $15,000,000.

Discussion

The information received from the City has been helpful in understanding the scope of the proposed projects as well as the importance of the projects to the downtown redevelopment area. Because the structure of the financing was different from the standard issuance of bonds, Department staff has taken a good deal of time to study the provided information. As you know, Department staff has been concerned about the City's ability to pay back the loan in this time of economic down turn, considering the large loan amount of $80 million. Originally City representatives explained to Department staff that the loan would be used as a bridge or a stop gap measure until the Redevelopment Agency (RDA) could issue bonds and pay back the loan. City representatives stated they had tried to issue bonds at the end of 2008 but were not successful and the inter-fund loan was an alternative way to keep the aforementioned projects going.

On March 23rd and again on April 2nd, the Department was notified that the RDA successfully issued bonds netting $75 million. In the cover letter, City representatives indicated the City would only need a $15 million loan for the stated projects, however they wanted to keep the maximum loan amount at $80 million. City representatives wanted the availability of additional money "to be able to respond to development changes as needed". This reason is unsupported by City Council Resolution R-18-2009, which specifically lists certain infrastructure improvements. Responding to "development changes as needed" is far too generic a reason. Development changes as needed should already be covered by the excess of the total of the placement of the bond issue plus the $15 million inter-fund loan ($75 million plus $15 million equals $90 million, which is $10 million more than proposed for the project). Because the City's analysis is based on repayment of $15 million, that is the amount the Department will consider for approval.

In the Department's final review of the information provided, we asked City representatives how they intended to book this inter-fund loan and how they intended to show the loan in the City's budget. The City's response was the inter-fund loan would be a receivable and for the budget, the proceeds of the loan would be shown on the cash flow statement of the Sanitation Fund. In the Capital Projects Fund the entry would be an inter-fund loan reported as "other financing sources." They further stated when the RDA starts to make payments, the Capital Projects Fund would show the payment as intergovernmental revenue and the loan payment under "other uses". The Department considered this approach; however the Department believes the City's planned booking is not in compliance with Generally Accepted Accounting Principles (GAAP). The 2008 Governmental GAAP Practice Manual states "loans among funds should be reported as interfund receivables by the lender fund and interfund payables by the borrower fund. That is, the proceeds from interfund loans should not be reported as *other financing sources or uses*".

Adherence to GAAP accounting principles is required. NRS 354.486 defines "audit" to mean the examination and analysis of financial statements, accounting procedures and other evidence made in conformity with generally accepted auditing standards in the United States for one or more of the following purposes:

> (3) ascertaining whether the financial statements prepared from the accounting records fairly present in all material respects the financial position and the results of financial operations and cash flows of the governmental unit *in accordance with generally accepted accounting principles in the United States* and on a basis which is consistent with that of the preceding year.

The requirement to audit in accordance with GAAP, combined with the requirements of the GAAP Practice Manual, indicate that the proposed loan proceeds may not be appropriately reflected in the books and records of the City. The Department's approval is therefore conditional and depends upon the ability of the City to book the proceeds of the $15 million loan to the satisfaction of its independent auditors. If the booking of the loan cannot be done in compliance with GAAP standards, the Department's approval is rescinded.

Sincerely,

Dino DiCianno
Executive Director
DD:ter:wra

cc: Mark Vincent

KAFOURY, ARMSTRONG & CO.
A PROFESSIONAL CORPORATION
CERTIFIED PUBLIC ACCOUNTANTS

Serving our clients since 1941.

May 20, 2009

Venetta Appleyard
Financial Services Manager
City of Las Vegas
400 Stewart Avenue
Las Vegas, NV 89101

Re: City of Las Vegas Interfund Loan

Dear Ms. Appleyard:

This letter is in follow-up to our conversation regarding the City of Las Vegas interfund loan between the Capital Projects fund and the Sanitation fund. You have asked Kafoury, Armstrong & Co. to review the proposed transaction and provide you with our analysis of the proper treatment of the transaction in accordance with generally accepted accounting principles (GAAP). This analysis will serve to assist you with proper presentation in the 2010 Final Budget submitted to the Department of Taxation as well as preparation of the City's Comprehensive Annual Financial Report for the fiscal year ending June 30, 2010.

As I understand the situation, the Sanitation fund will lend $15,000,000 to the Capital Projects fund for the purpose of infrastructure improvements in and around the Union Park area, the performing arts center, and possibly the museum facility. It is the City's expectation that this loan will be repaid within a reasonable period of time.

In accordance with GAAP, this transaction should be reported as increases and decreases in assets and liabilities, with no effect on activities in either government-wide or fund financial statements. The Sanitation fund should report a decrease in *Cash* and an increase in *Interfund Loans Receivable*. The Capital Projects fund should report an equal increase in both *Cash* and *Interfund Loans Payable*.

We have reviewed the City of Las Vegas' presentation of the interfund loan in the Final Budget for fiscal year 2010 and agree it is being presented in accordance with GAAP.

Very truly yours,

Tamara B. Miramontes

Tamara B. Miramontes, CPA
Engagement Shareholder

ELKO
FALLON
HENDERSON
LAS VEGAS
RENO
WINNEMUCCA
YERINGTON

8329 WEST SUNSET ROAD, SUITE 210, LAS VEGAS, NEVADA 89113
702.384.7717 FAX: 702.384.7718 www.kafoury.com

1700 WEST HORIZON RIDGE PARKWAY, SUITE 203, HENDERSON, NEVADA 89012
702.407.6801 FAX: 702.407.6803 www.kafoury.com

Jim Gibbons
Governor
THOMAS R. SHEETS
Chair, Nevada Tax Commission
DINO DICIANNO
Executive Director

STATE OF NEVADA
DEPARTMENT OF TAXATION
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Phone: (775) 688-1295
Fax: (775) 688-1303

HENDERSON OFFICE
2550 Paseo Verde Parkway Suite 180
Henderson, Nevada 89074
Phone:(702) 486-2300
Fax: (702) 486-3377

June 1, 2009

Ms. Venetta Appleyard
Financial Services Manager
City of Las Vegas
400 Stewart Avenue
Las Vegas, NV 89101

Dear Ms. Appleyard:

The Department has reviewed the letter you provided from Kafoury Armstrong and Company with regard to the booking of an interfund loan. This interfund loan is the center piece of a $15,000,000 medium term obligation for which the City has requested approval. In the Department's conditional approval letter of April 27, we stated if the City could book the proceeds of the interfund loan to the satisfaction of its independent auditor, the Department would approve the $15,000,000 medium term obligation. In the letter from Kafoury Armstrong and Company, the auditor states she has reviewed the City of Las Vegas final budget and she is in agreement the interfund loan is being presented in accordance with Generally Accepted Accounting Principles (GAAP).

The Department continues to have a concern with the auditor's statement and interpretation of a "reasonable period of time". The amortization schedule the City submitted with the $15,000,000 medium term obligation packet was for ten years, which seems to us to be an unfortunate expansion of time for an interfund loan. However, there are no Nevada regulations currently to guide us in the interpretation of a "reasonable period of time." Since you have complied with all of our requests, your request has been reviewed as required by NRS 350.089 and is approved without further condition.

Please be aware the Department is going to ask for an opinion from the Attorney General's Office with regard to NAC 350.150 for future application. The Department will ask for guidance in the area of interfund loans and the ability to make them medium term obligations. Therefore we consider this approval to be non-precedent setting.

Pursuant to NRS 350.089, the approval must be recorded in the minutes of the governing board. You are reminded the financing must be secured within eighteen months of receipt of this approve.

If you have any questions regarding the matter, please contact Warner Ambrose at 775-684-2077 or Tom Gransbery at 775-684-2073.

Sincerely,

Dino DiCianno
Executive Director

DD:tfg

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

Section 1. The approval of Executive Director of the Department of Taxation for the Medium-Term Obligation as set forth in the preambles hereof is hereby recorded in the minutes of the Council as required by NRS 350.089.

Section 2. All resolutions, or parts thereof, in conflict with the provisions of this Resolution, are hereby repealed to the extent only of such inconsistency. This repealer shall not be constructed to revive any resolution, or part thereof, heretofore repealed.

Section 3. If any section, paragraph, clause or other provision of this Resolution shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or other provision shall not affect any of the remaining provisions of this Resolution.

Section 4. This Resolution shall become effective upon passage and approval.

PASSED, ADOPTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF LAS VEGAS, NEVADA, THIS JUNE 17, 2009.

(SEAL)

Mayor

Attest:

City Clerk

Approved as to form:

6/5/09

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

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

1. The foregoing pages constitute a true, correct, complete and compared copy of a resolution adopted by the City Council of the City (hereinafter the "City Council") at a meeting held on June 17, 2009.

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

Those Voting Aye:	Oscar B. Goodman Gary Reese Steve Wolfson Lois Tarkanian Steven D. Ross Stavros S. Anthony
Those Voting Nay:	None
Those Absent:	Ricki Y. Barlow

3. The original of the resolution has been approved and authenticated by the signatures of the Mayor of the City and myself as City Clerk and has been recorded in the regular official record of the City Council kept for that purpose in my office, which record has been duly signed by the officers and properly sealed.

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

(a) By posting a copy of the notice at least three working days before the meeting at the principal office of the

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.

(b) By mailing prior to 9:00 a.m. at least 3 working days before such meeting, 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.

and

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

7. A copy of such notice so given of the meeting of the Council on June 17, 2009 is attached to this certificate as Exhibit "A."

IN WITNESS WHEREOF, I have hereunto set my hand on this June 17, 2009.

(SEAL)

Beverly K. Bridges, CMC, City Clerk

EXHIBIT "A"

(Attach Copy of Notice of Meeting)

City of Las Vegas

CITY COUNCIL AGENDA

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

Facilities are provided throughout City Hall for convenience of persons with disabilities. For meetings held in the Council Chambers, sound equipment is available for persons with hearing impairments. If you need an accommodation to attend and participate in this meeting, please call the City Clerk's office at 229-6311 and advise of your need at least 48 hours in advance of the meeting. The City's TDD number is 386-9108.

June 17, 2009

Morning Session begins at 9:00 a.m.
Afternoon Session begins at 1:00 p.m.

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

THESE PROCEEDINGS ARE BEING VIDEO RECORDED AS WELL AS PRESENTED LIVE ON KCLV, CABLE CHANNEL 2, AND ARE CLOSED CAPTIONED FOR OUR HEARING IMPAIRED VIEWERS. THE COUNCIL MEETING, AS WELL AS ALL OTHER KCLV PROGRAMMING, CAN BE VIEWED ON THE INTERNET AT www.kclv.tv. THE PROCEEDINGS WILL BE REBROADCAST ON KCLV CHANNEL 2 AND THE WEB THE WEDNESDAY OF THE MEETING AT 8:00 PM, AND ALSO ON FRIDAY AT 4:00 AM, SATURDAY AT 7:00 PM, SUNDAY AT 7:00 AM AND THE FOLLOWING MONDAY AT 1:00 PM.

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

NOTE: CELLULAR PHONES ARE TO BE TURNED OFF DURING THE COUNCIL MEETING.

CEREMONIAL MATTERS

1. CALL TO ORDER
2. ANNOUNCEMENT RE: COMPLIANCE WITH OPEN MEETING LAW
3. INVOCATION – REVEREND CYNDI DELONG, RELIGIOUS SCIENCE
4. PLEDGE OF ALLEGIANCE
5. OATH OF OFFICE ADMINISTERED TO ELECTED OFFICIAL – COUNCILMAN, WARD 4
6. RECOGNITION OF THE EMPLOYEE OF THE MONTH
7. RECOGNITION OF THE ANIMAL CONTROL UNIT FOR WINNING A NATIONAL AWARD
8. RECOGNITION OF NATIONAL TRANSFORMATION DAY ACTIVITIES IN THE GATEWAY DISTRICT
9. RECOGNITION OF THOMAS PFUNDSTEIN FOR COMMUNITY SERVICE
10. RECOGNITION OF THE LAS VEGAS FIRE & RESCUE DEPARTMENT SUMMER SAFETY PROGRAM

BUSINESS ITEMS - MORNING

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

12. Approval of the Final Minutes by reference of the Special Joint City Council and Redevelopment Agency Meeting of May 19, 2009 and the regular City Council meeting of May 20, 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

13. Approval of a .5% cost of living adjustment (COLA) for eligible executive and appointive employees for the FY 2009/10 ($161,120 - All Funds)

14. Approval of a Memorandum of Understanding (MOU) for the City of Las Vegas to act as fiscal agent for the Department of Justice/Bureau of Justice Assistance Byrne Justice Assistance Grant (JAG) Local Solicitation between the City of Las Vegas, City of North Las Vegas, City of Henderson and Clark County - All Wards

BUSINESS DEVELOPMENT - CONSENT

15. Approval of the Second Amendment to Lease Agreement between the City of Las Vegas and Port of Subs, Inc., to provide for an extension of the term of the lease, a modification to the rent structure and reduction of the reserved employee parking spaces in the retail space in the Stewart Avenue Garage located on the southwest corner of Las Vegas Boulevard and Stewart Avenue - Ward 5 (Barlow)

CITY ATTORNEY - CONSENT

16. Approval of the continued funding of arbitration expenses and for the law firm of Kemp, Jones & Coulthard, LLP to represent the City of Las Vegas in an arbitration filed against it by Asphalt Products Corporation over the construction of Washington Buffalo Park Phases 1-A and 1-B for an amount not to exceed $200,000 - Ward 4 (Steinman)

FIELD OPERATIONS - CONSENT

17. Approval of a Restated Cooperative Agreement between the City of Las Vegas and the Regional Transportation Commission of Southern Nevada (RTC) for a park and ride transit facility on City property located near the intersection of Durango Drive and Westcliff Drive, APN 138-29-801-002 - Ward 2 (Wolfson)

18. Approval of a Second Amendment to Lease Agreement between the City of Las Vegas and the Neon Museum for the use of certain real property located in the vicinity of Las Vegas Boulevard and McWilliams Avenue, APNs 139-27-805-004, 139-27-805-005, and 139-27-812-045 - Ward 5 (Barlow)

19. Approval of a Real Property Transfer Agreement and Agreement for Payment of Park Repairs between the City of Las Vegas and The Summerlin Council for real property owned and maintained by the City, commonly referred to as Hills Park located at 9100 Hillpointe Road ($370,900 plus closing costs – Non Departmental Funds/GF) - Ward 4 (Steinman)

FINANCE & BUSINESS SERVICES - ADMINISTRATION CONSENT

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

21. Approval of an Interlocal Agreement with Clark County regarding the Implementation of Tax on Transient Lodging for State General Fund and K-12 Education Funding - All Wards

22. Approval of transfer of FY2009 Budget Appropriations for the City of Las Vegas General Fund

23. Approval of transfer of FY2009 Budget Appropriations for the Special Revenue Funds

24. Approval of transfer of FY2009 Budget Appropriations for the Capital Projects Funds (CPF)

25. Approval of transfer of FY2009 Budget Appropriations for the Municipal Golf Enterprise Fund (EF)

26. Approval of transfer of FY2009 Budget Appropriations for the Computer Services Internal Service Fund (ISF) Budget

FINANCE & BUSINESS SERVICES - BUSINESS SERVICES CONSENT

27. Approval of a Special Event Alcoholic Beverage License for Gostinho de Brasil - Brazilian Grill Express, Location: Gostinho de Brasil - Brazilian Grill Express, 6475 West Charleston Boulevard, Suite 120, Date: June 20, 2009, Type: Special Event General, Event: Brazilian Festival - Festa Junina, Responsible Person in Charge: Tatiana Neil - Ward 1 (Tarkanian)

28. ABEYANCE ITEM - 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)

29. ABEYANCE ITEM - 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)

30. Approval of a Change of Name for a Non-operational Package License, Lucky 6030, 2400 East Bonanza Road - Ward 3 (Reese)

31. Approval of a Change of Business Name for a Beer/Wine/Cooler Off-sale License and a Restricted Gaming License, D & C Incorporated, dba From: Peccole Ranch Superstore, To: Red Rock Chevron, 8500 West Charleston Boulevard, Clifford R. Lamb, Dir, Pres, V.P., 50% and Clinton F. Lamb, Dir, Secy, Treas, 50% - Ward 2 (Wolfson)

32. Approval of a new Restricted Gaming License subject to confirmation of approval by the Nevada Gaming Commission, A1 Super Wash, LLC, dba A1 Super Wash, LLC, 1200 West Owens Avenue, Say Hai Cun, Managing Mmbr, 100% - Ward 5 (Barlow)

33. Approval of a new Burglar Alarm Service License subject to the provisions of the planning and fire codes, Safe Electronics, Inc., dba Safe Electronics, Inc., 2441 Western Avenue, Bruce Boles, Pres, 100% - Ward 3 (Reese)

34. Approval of a new Burglar Alarm Service License subject to the provisions of the planning and fire codes, Southwest Technologies, Inc., dba Southwest Technologies, Inc., 2441 Western Avenue, Brian Pross, Treas, 20%, Roy Pross, Secy, 20%, Brie Mueller, Corp. Owner, 20%, Jenny Boles, Corp. Owner, 20%, and Bruce D. Boles & Penny Boles Family Trust, Owner, 20% - Ward 3 (Reese)

35. Approval of a Change of Location and Change of Business Name for a Burglar Alarm Service License, Security Guard ITT Alarm Systems of Las Vegas, Inc., dba From: Security Guard ITT of Las Vegas, 839 Astro Court, To: Security Guard Alarm, 3433 Losee Road, Suite 9, Samuel C. Moore, Pres, Secy, Treas, 100% - North Las Vegas

FINANCE & BUSINESS SERVICES - PURCHASING & CONTRACTS CONSENT

36. Approval of award of Contract No. 080300-TB, Replacement of Dewatering and TWAS Centrifuge Backdrive Controls located at the Water Pollution Control Facility (WPCF), 6005 East Vegas Valley Drive, and the construction conflicts and contingency reserve set by Finance and Business Services - Department of Public Works - Award recommended to: K&F ELECTRIC, INC./ANDRITZ SEPARATION, INC. ($724,402 - Sanitation Enterprise Fund) - County

37. Approval of award of Service Agreement No. 090232-JL, American Registry for Internet Numbers, Ltd. (including indemnification provision) - Department of Information Technologies - Award recommended to: AMERICAN REGISTRY FOR INTERNET NUMBERS, LTD. ($500 - General Fund)

38. Approval of award of Contract No. 090207-CW, Public Attorney Services for Indigent Defendants - Department of Municipal Court - Award recommended to: BUSH & LEVY, LLC ($163,800 - General Fund)

39. Approval of award of Contract No. 090208-CW, Public Attorney Services for Indigent Defendants - Department of Municipal Court - Award recommended to: LAW OFFICE OF BRIAN J. SMITH, LTD. ($163,800 - General Fund)

40. Approval of award of Contract No. 090210-CW, Public Attorney Services for Indigent Defendants - Department of Municipal Court - Award recommended to: OCHOA LAW OFFICE ($163,800 - General Fund)

41. Approval of award of Contract No. 090206-CW, Public Attorney Services for Indigent Defendants - Department of Municipal Court - Award recommended to: LAW OFFICE OF JEANNIE HUA ($163,800 - General Fund)

42. Approval of award of Contract No. 090211-CW, Public Attorney Services for Indigent Defendants - Department of Municipal Court - Award recommended to: BELLON & MANINGO ($163,800 - General Fund)

43. Approval of award of Contract No. 090209-CW, Public Attorney Services for Indigent Defendants - Department of Municipal Court - Award recommended to: KOCKA & BOLTON, LLC ($163,800 - General Fund)

NEIGHBORHOOD SERVICES - CONSENT

44. Approval to allocate $1,400,000 in Community Development Block Grant (CDBG) Construction funds for the renovation of Rotary Park located at 901 Hinson Street - Ward 1 (Tarkanian)

45. Approval of an allocation of $997,204 - HOME/Low Income Housing Trust (LIHTF) Funds to Silver State Housing for the construction of McKnight Senior Village III located at 651 McKnight Street – Ward 3 (Reese)

46. Approval to amend the previous $280,000 HOME/Low Income Housing Trust Funds allocation of funds to Habitat for Humanity for the Vegas Heights Redevelopment project located at 916, 1012, 1325, 1329 and 1333 Miller Avenue, 1317 Hart Avenue and 1412 Lawry Avenue – Ward 5 (Barlow)

47. Approval to enter into an interlocal agreement between the Cities of Las Vegas, North Las Vegas, Henderson and the County of Clark that creates the Southern Nevada Neighborhood Stabilization Program 2 (NSP2) Consortium - All Wards

PLANNING & DEVELOPMENT - CONSENT

48. Approval of Centennial History Grant funding for improvements to historic buildings and site at Floyd Lamb Park at Tule Springs in the amount of $200,000 – Ward 6 (Ross)

PUBLIC WORKS - CONSENT

49. Approval of an Encroachment Request from SH Architecture on behalf of the Regional Transportation Commission of Southern Nevada (RTC), owner (northeast corner of Garces Avenue and 1st Street) - Ward 3 (Reese)

50. Approval of a Declaration of Utilization from the Bureau of Land Management for a portion of the South Half of the Northeast Quarter of Section 31, Township 19 South, Range 60 East and a portion of the South Half of the Northwest Quarter of Section 32, Township 19 South, Range 60 East, Mount Diablo Meridian, for sewer purposes located along Hammer Lane, between Grand Canyon Drive and El Capitan Way - APNs 125-31-601-001, 002 and 125-32-204-005 - County (near Ward 4 - Steinman)

51. Approval of Second Supplemental Interlocal Contract LAS22B05 between the City of Las Vegas and the Clark County Regional Flood Control District (CCRFCD) to extend the project completion date to December 31, 2010 for the Las Vegas Wash - Jones Boulevard, Elkhorn Road to Farm Road - Ward 6 (Ross)

52. Approval of Third Supplemental Interlocal Contract LLD04B07 between the City of Las Vegas and the Clark County Regional Flood Control District (CCRFCD) to extend the project completion date to June 30, 2010 for local drainage improvements in the Oakey Boulevard and Tenaya Way Storm Drain, located on Oakey Boulevard between Rosanna Street and Tenaya Way - Ward 1 (Tarkanian)

53. Approval of Third Supplemental Interlocal Contract LAS10Y05 between the City of Las Vegas and the Clark County Regional Flood Control District (CCRFCD) to extend the project completion date to December 31, 2009 for the Gowan Lone Mountain System - Cliff Shadows Park, located west of Cliff Shadows Parkway, south of Alexander Road - Ward 4 (Steinman)

54. Approval of Second Supplemental Interlocal Contract LAS24D06 between the City of Las Vegas and the Clark County Regional Flood Control District (CCRFCD) to extend the project completion date to December 31, 2009 for the Gowan Lone Mountain System - Branch 4 project, located west of Cliff Shadows Parkway, south of Buckskin Avenue - Ward 4 (Steinman)

55. Approval of First Supplemental Interlocal Contract LAS22F07 between the City of Las Vegas and the Clark County Regional Flood Control District (CCRFCD) to extend the project completion date to December 31, 2012 for the Las Vegas Wash - Rainbow (Elkhorn Road to Grand Teton Drive) - Ward 6 (Ross)

56. Approval of First Supplemental Interlocal Contract LAS23C08 between the City of Las Vegas and the Clark County Regional Flood Control District (CCRFCD) to reduce construction funding in the amount of $3,000,000 for the Horse Drive Interchange project located along the west side of US-95 and Horse Drive - Ward 6 (Ross)

57. Approval of First Supplemental Interlocal Contract LAS22J08 between the City of Las Vegas and the Clark County Regional Flood Control District (CCRFCD) to approve a waiver for the design cap, reduce construction funding in the amount of $941,541 and extend the project completion date to December 31, 2010 for the Las Vegas Wash - Jones Boulevard, Elkhorn Road to Farm Road project - Ward 6 (Ross)

58. Approval of Interlocal Contract LAS22P09 between the City of Las Vegas and the Clark County Regional Flood Control District (CCRFCD) to provide construction funding for the Elkhorn Springs and Buffalo Storm Drain located on Buffalo Drive from Farm Road to Sunny Springs Lane ($4,050,818 - CCRFCD) - Ward 6 (Ross)

59. Approval of Interlocal Contract LAS22N09 between the City of Las Vegas and the Clark County Regional Flood Control District (CCRFCD) to provide construction funding for the Las Vegas Wash - Decatur Boulevard from CC-215 to Elkhorn Road and on Elkhorn Road from Decatur Boulevard to Torrey Pines Drive ($45,470,637 - CCRFCD) - Ward 6 (Ross), North Las Vegas and County

60. Approval of Interlocal Contract LAS22M09 between the City of Las Vegas and the Clark County Regional Flood Control District (CCRFCD) to provide construction funding for the Las Vegas Wash - Rainbow Boulevard (Elkhorn Road to Grand Teton Drive ($18,940,000 - CCRFCD) - Ward 6 (Ross) and County

61. Approval of a Cooperative (Local Public Agency) Agreement with the State of Nevada Department of Transportation (NDOT) to fund the Hills Center Drive Repaving project located on Hills Center Drive and Village Center Circle from Summerlin Parkway to Lake Mead Boulevard ($1,292,000 - NDOT [Federal American Recovery and Reinvestment Act of 2009 Funding]) - Wards 2 and 4 (Steinman and Wolfson)

62. Approval of a Cooperative (Matching) Agreement between the City of Las Vegas and the State of Nevada Department of Transportation (NDOT) for the Fremont Street Landscaping project phases 1, 2 and 3, located on Fremont Street from 8th Street to Charleston Boulevard ($1,486,270 - NDOT) - Wards 3 and 5 (Reese and Barlow)

63. Approval of an Interlocal Contract between the City of Las Vegas and the Regional Transportation Commission of Southern Nevada (RTC) for the Fremont Street Landscaping project, located on Fremont Street from 8th Street to Charleston Boulevard ($1,486,270 - RTC) - Wards 3 and 5 (Reese and Barlow)

64. Approval of a Rule 9 Non-Refundable Construction Agreement with Nevada Power Company d/b/a NV Energy for the extension of utility facilities to provide service for streetlights and traffic signals for the Jones Boulevard Improvements - Elkhorn Road to Horse Drive project - Ward 6 (Ross)

65. Approval of a Rule 9 Non-Refundable Construction Agreement with Nevada Power Company d/b/a NV Energy for the relocation of power facilities for El Campo Grande Storm Drain project located at El Campo Grande Avenue between Durango Drive and the Rancho Detention Basin ($18,422 - Regional Transportation Commission of Southern Nevada [RTC]) - County (near Ward 6 - Ross)

66. Approval of a Rule 9 Line Extension Agreement with Nevada Power Company d/b/a NV Energy for the extension of existing power facilities to provide power for the Boulder Park Plaza project located within the Boulder Avenue right of way between Main Street and 1st Street ($2,575 - Southern Nevada Public Land Management Act [SNPLMA]) - Ward 3 (Reese)

67. Approval of an Interlocal Agreement between the Clean Water Coalition, the Cities of Las Vegas, North Las Vegas and Henderson and the Clark County Water Reclamation District allowing these member agencies to provide different types of support services such as financial, legal and human resources to the Clean Water Coalition - All Wards

68. Approval of an Interlocal Agreement between the Cities of Las Vegas and Henderson, Clark County, Clark County Regional Flood Control District, Clark County Water Reclamation District and the Southern Nevada Water Authority to establish funding allocations and the budget for the Las Vegas Wash activities in Fiscal Year 2009/2010 ($179,224 - Sanitation Fund) - All Wards

69. Approval of a Cooperative Agreement between the City of Las Vegas and the Nevada Department of Transportation (NDOT) for the construction of dual left turn lanes on Charleston Boulevard at Maryland Parkway and Craig Road at Rainbow Boulevard and modification of the median island on Decatur Boulevard at Nebraska Avenue ($70,000 - Intersection Improvements [1% Room Tax] Fund) - Wards 1, 3, 4, 5 and 6 (Tarkanian, Reese, Steinman, Barlow and Ross)

RESOLUTIONS - CONSENT

70. R-39-2009 - Approval of a Resolution to Augment the City of Las Vegas Fiscal Year 2009 Fire Equipment Internal Service Fund (ISF) Budget

71. R-40-2009 - Approval of a Resolution to Augment the City of Las Vegas Fiscal Year 2009 Multipurpose Special Revenue Fund (SRF) Budget

72. R-41-2009 - Approval of a Resolution to Augment the City of Las Vegas Fiscal Year 2009 Fiscal Stabilization Special Revenue Fund (SRF) Budget

73. R-42-2009 - Approval of a Resolution to Augment the City of Las Vegas Fiscal Year 2009 General Capital Projects Fund Budget

74. R-43-2009 - Approval of a Resolution to Augment the City of Las Vegas Fiscal Year 2009 Fire Services Capital Projects Fund Budget

75. R-44-2009 - Approval of a Resolution to Augment the City of Las Vegas Fiscal Year 2009 Traffic Improvements Capital Projects Fund Budget

76. R-45-2009 - Approval of a Resolution to Augment the City of Las Vegas Fiscal Year 2009 Sanitation Enterprise Fund (EF) Budget

77. R-46-2009 - Approval of a Resolution to Augment the City of Las Vegas Fiscal Year 2009 Municipal Parking Enterprise Fund (EF) Budget

78. R-47-2009 - Approval of a Resolution to Augment the City of Las Vegas Fiscal Year 2009 Graphic Arts Internal Service Fund (ISF) Budget

79. R-48-2009 - Approval of a Resolution to Augment the City of Las Vegas Fiscal Year 2009 Communications Internal Service Fund (ISF) Budget

80. R-49-2009 - Approval of a Resolution to Augment the City of Las Vegas Fiscal Year 2009 Automotive Operations Internal Service Fund (ISF) Budget

81. R-50-2009 - Approval of a Resolution to Augment the City of Las Vegas Fiscal Year 2009 Employee Benefits Internal Service Fund (ISF) Budget

82. R-51-2009 - Approval of a Resolution to Augment the City of Las Vegas Fiscal Year 2009 Liability Insurance & Property Damage Internal Service Fund (ISF) Budget

83. R-52-2009 - Approval of a Resolution to Augment the City of Las Vegas Fiscal Year 2009 City Facilities Internal Service Fund (ISF) Budget

84. R-53-2009 - Approval of a Resolution recording in the City Council minutes the approval of the Executive Director of the Department of Taxation of the State of Nevada of a proposed medium-term obligation in the form of an interfund loan in an amount not to exceed $15,000,000 for certain public improvements - Ward 5 (Barlow)

85. R-54-2009 - Approval of a Resolution recording in the City Council minutes the approval of the Executive Director of the Department of Taxation of the State of Nevada of a proposed lease-purchase agreement in an amount not to exceed $267,000,000 for the acquisition, improvement, and equipping of a new City Hall project - Ward 3 (Reese)

DISCUSSION/ACTION ITEMS

HEARINGS - DISCUSSION

86. Public Hearing to consider the report of expenses to recover costs for abatement of Nuisance regarding dangerous building located at 305 North Crestline Drive in the amount of $5,353.15 (General Fund) and assess a maximum of $113,550 in daily civil penalties. PROPERTY OWNER: MICHAEL J. MALLOY – C/O JUDITH REDFERN - Ward 1 (Tarkanian)

87. Public Hearing to consider the report of expenses to recover costs for abatement of nuisance located at 6528 Ruby Red Circle in the amount of $2,949 (General Fund) and assess a maximum of $81,050 in daily civil penalties. PROPERTY OWNER: FEDERAL HOME LOAN MORTGAGE CORP - Ward 1 (Tarkanian)

88. Public Hearing to consider the report of expenses to recover costs for abatement of dangerous building demolition located at 1225 South Commerce Street in the amount of $23,467.75 (General Fund) and assess a maximum of $109,500 in daily civil penalties. PROPERTY OWNER: KRUMMEL FAMILY TRUST - Ward 3 (Reese)

89. Public Hearing to consider the report of expenses to recover costs for abatement of nuisance located at 5377 Royal Castle Lane in the amount of $2,889.20 (General Fund) and assess a maximum of $45,200 in daily civil penalties. PROPERTY OWNER: IMELDA E. GALANGA - Ward 6 (Ross)

ADMINISTRATIVE - DISCUSSION

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

91. Discussion and possible action regarding authorizing staff to proceed with a Phase II Infrastructure Plan for a portion of Symphony Park located at 100 South Grand Central Parkway (a portion of APN 139-34-110-006) (not-to-exceed $22,124,290 - Capital Project Fund) - Ward 5 (Barlow)

92. Discussion and possible action regarding the Sixth Amendment to Project Management and Consulting Agreement among City Parkway V, Inc., a Nevada non-profit corporation, the City of Las Vegas, Nevada, a political subdivision of the State of Nevada, and Newland Communities, LLC, a Delaware limited liability company, concerning the Symphony Park (formerly Union Park) Master Plan located at 100 South Grand Central Parkway, (APNs 139-34-110-002, 005 and 006) ($4,068,870 Capital Project Fund) - Ward 5 (Barlow)

93. Discussion and possible action regarding the Second Amendment to Project Manager Disposition and Joint Development Agreement between City Parkway V, Inc., a Nevada non-profit corporation, the City of Las Vegas, Nevada, a political subdivision of the State of Nevada, and Newland Communities, LLC, a Delaware limited liability company, concerning parcels of land within the Symphony Park (formerly Union Park) Master Plan located at 100 South Grand Central Parkway (APNs 139-34-110-002 and 006) - Ward 5 (Barlow)

FINANCE & BUSINESS SERVICES - BUSINESS SERVICES DISCUSSION

94. Discussion and possible action regarding Temporary Approval of a Change of Business Name for a Beer/Wine/Cooler Off-sale License subject to the provisions of the planning and fire codes, 7-Eleven of Nevada, Inc., From: 7-Eleven Food Store #22939, To: 7-Eleven Store #22939D, 1624 South Decatur Boulevard, Rupinderjit S. Sangha, Franchise Manager - Ward 1 (Tarkanian)

95. Discussion and possible action regarding Temporary Approval of a Change of Business Name and Change of Ownership for a Package License subject to the provisions of the planning and fire codes and Health Dept. regulations, From: Bleu Gourmet, LLC, dba Bleu Gourmet (Non-operational), To: Liborio Markets #13, Inc., dba Liborio Market, 4440 East Charleston Boulevard, Enrique M. Alejo, Dir, 45%, John Alejo, Secy, Treas, 45%, Randy Alejo-Media, Stockholder, 10%, and Enrique J. Alejo, Dir - Ward 3 (Reese) [NOTE: Item to be heard in the afternoon session in conjunction with Item 162 - SUP-33973]

96. Discussion and possible action regarding Temporary Approval of a new Beer/Wine/Cooler On-sale License subject to the provisions of the planning and fire codes and Health Dept. regulations, Market Grille Cafe, LLC, dba Market Grille Cafe, 7175 West Lake Mead Boulevard, Suite 130, Joseph A. Pierro, Mgr, 50% and Rhonda K. Pierro, Managing Mmbr, 50% - Ward 1 (Tarkanian)

97. Discussion and possible action regarding Temporary Approval of a Change of Business Name, Change of Location, and Change of Ownership for a Liquor Caterer License subject to the provisions of the planning and fire codes and Health Dept. regulations, From: Paymon's Charleston, LLC, dba Paymon's Mediterranean Bistro, 107 East Charleston Boulevard, Suite 155, To: Vegas Treasures, Inc., dba Paymon's Cool Cocktail Catering, 8380 West Sahara Avenue, Suite 150, Paymon H. Raouf, Managing Mmbr, 60% and Fariba S. H. Raouf, Shareholder, 40% - Ward 2 (Wolfson)

98. Discussion and possible action regarding Temporary Approval of a Change of Ownership for a Tavern License subject to the provisions of the fire code and Health Dept.regulations, From: Brinker Nevada Inc., To: MAC Acquisition, LLC, dba, Romano's Macaroni Grill, 2001 North Rainbow Boulevard, MAC Holding LLC, Managing Mmbr, Joshua Olshansky, Mgr, VP, Bradley Blum, Pres, CEO, William Alexander, VP, Treas, Secy - Ward 5 (Barlow)

99. Discussion and possible action regarding Temporary Approval of a Change of Ownership for a Supper Club License subject to the provisions of the fire code and Health Dept. regulations, From: Brinker Nevada Inc., To: MAC Acquisition, LLC, dba, Romano's Macaroni Grill, 2400 West Sahara Avenue, MAC Holding LLC, Managing Mmbr, Joshua Olshansky, Mgr, VP, Bradley Blum, Pres, CEO, William Alexander, VP, Treas, Secy - Ward 1 (Tarkanian)

100. Discussion and possible action regarding Temporary Approval of a new Massage Establishment License subject to the provisions of the planning and fire codes, Chiropractic Healing Center, Unlimited, dba Chiropractic Healing Center, 7250 Peak Drive, Suite 106, Cheree Johnson, Pres, Secy, 100%, Rufus Johnson, Treas, Dir - Ward 4 (Steinman) [NOTE: This is an ancillary license to an existing chiropractic business - Chiropractic Healing Center]

101. Discussion and possible action regarding Temporary Approval of a new Psychic Arts and Science License, Robin Punsalan, dba Robin Punsalan, 6848 West Charleston Boulevard, Robin Punsalan, Owner 100% - Ward 1 (Tarkanian) [NOTE: This license is located in an existing business – Psychic Eye Book Shop]

102. Discussion and possible action regarding a Six Month Review of a Temporary Tavern License, Arias for Life, LLC, dba El Rodeo Nightclub VIP, 1815 East Charleston Boulevard, Maricela Arias, Mgr, 50% and Jesus Arias, Mgr, 50% - Ward 3 (Reese)

103. Discussion and possible action regarding the Review of Conditions on a Restaurant Service Bar License, Chipotle Mexican Grill Inc, dba Chipotle Mexican Grill, 7175 W Lake Mead Boulevard, Suite 105, Matthew S. Ells, CEO, Montgomery F. Moran, Pres, Secy, John R. Hartung, CFO - Ward 1 (Tarkanian)

FINANCE & BUSINESS SERVICES - PURCHASING & CONTRACTS DISCUSSION

104. Discussion and possible action regarding award of Bid No. 08.15341.04-LED, Las Vegas Museum Phase 3 - Rehabilitation for the Las Vegas Museum of Organized Crime and Law Enforcement located at 300 Stewart Avenue and the construction conflicts and contingency reserve set by Finance and Business Services - Department of Public Works - Award recommended to: APCO CONSTRUCTION ($11,512,000 - Parks and Leisure Activities Capital Projects Fund) - Ward 5 (Barlow)

NEIGHBORHOOD SERVICES - DISCUSSION

105. Discussion and possible action on the Neighborhood Partners Fund (NPF) Board recommendations to allocate $55,000 (General Fund) for 24 neighborhood projects - All Wards

RESOLUTIONS - DISCUSSION

106. R-55-2009 - Discussion and possible action regarding a Resolution consenting to the undertakings of the City of Las Vegas Redevelopment Agency (RDA) in connection with the Commercial Visual Improvement Program (CVIP) Agreement between the RDA and DFA, LLC, (Owner) located at 1415 West Bonanza Road (APNs 139-28-801-002 and 139-28-801-003) to be in compliance with and in furtherance of the goals and objectives of the RDA - Ward 5 (Barlow) [NOTE: This item is related to RDA Item 4 (RA-10-2009)]

BOARDS & COMMISSIONS - DISCUSSION

107. CITIZENS PRIORITY ADVISORY COMMITTEE (CPAC) –Duncan R. Lee - Term Expiration 6-2009; and Lori Harrison – Term Expiration 6-2009

108. SENIOR CITIZENS ADVISORY BOARD – Betty Evans - Term Expiration 6-2009; and Mel Henkin – Term Expiration 6-2009

RECOMMENDING COMMITTEE REPORT - DISCUSSION

BILLS ELIGIBLE FOR ADOPTION AT THIS MEETING

109. Bill No. 2009-20 – ABEYANCE ITEM - Prohibits alcoholic beverages and glass beverage containers in City parks except pursuant to a permit or other written authorization. Sponsored by: Councilman Gary Reese and Lois Tarkanian

110. Bill No. 2009-24 - Levies Assessment for Special Improvement District No. 1485 - Alta Drive (Rancho Drive to approximately 275 feet west of Lacy Lane) (Landscape Maintenance FY2010) Sponsored by: Step Requirement

111. Bill No. 2009-25 – Increases the regional sewer connection charge that funds the City's share of an alternate conveyance system to be built and operated by the regional Clean Water Coalition. Sponsored by: Councilman David W. Steinman

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.

112. Bill No. Z-2009-1 – Amends the City's Official Zoning Map Atlas by changing the zoning designations of certain parcels of land. Proposed by: M. Margo Wheeler, Director of Planning and Development

113. Bill No. 2009-22 – Updates the business licensing provisions of the Municipal Code by adding certain administrative and service-related fees, and adjusting various license fees and license origination charges. Sponsored by: Councilman David W. Steinman

114. Bill No. 2009-23 – Updates the City's business license fee provisions to increase the gross sales license fee; include for certain license categories annual fee adjustments based on the Consumer Price Index and the City's growth rate; adjust license fees for certain alcoholic beverage licenses; and add provisions regarding the licensing and regulation of persons who rent or lease certain types of commercial property. Sponsored by: Councilman David W. Steinman

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.

115. Bill No. 2009-26 – Provides alternative minimum on-site parking requirements for certain mixed-use developments and other qualifying uses. Sponsored by: Mayor Oscar B. Goodman

116. Bill No. 2009-27 – Updates the Municipal Code provision pertaining to the meeting schedule of the Traffic and Parking Commission. Proposed by: Jorge Cervantes, Director of Public Works

117. Bill No. 2009-28 – Readopts LVMC 10.02.010 to make State misdemeanors City misdemeanors if committed within the City. Proposed by: Bradford R. Jerbic, City Attorney

CLOSED SESSION

118. 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

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

PLANNING & DEVELOPMENT

THE ITEMS LISTED BELOW, WHERE APPROPRIATE, HAVE BEEN REVIEWED BY THE VARIOUS CITY DEPARTMENTS RELATIVE TO REQUIREMENTS FOR STORM DRAINAGE AND FLOOD CONTROL, CONNECTION TO SANITARY SEWER, TRAFFIC CIRCULATION, AND BUILDING AND FIRE REGULATIONS. THEIR COMMENTS AND/OR RECOMMENDATIONS AND REQUIREMENTS HAVE BEEN INCORPORATED INTO THE ACTION.

PLANNING & DEVELOPMENT - CONSENT

PM SESSION - ALL ITEMS LISTED ON THE CONSENT AGENDA ARE CONSIDERED TO BE ROUTINE AND HAVE BEEN RECOMMENDED "FOR APPROVAL". ALL ITEMS ON THE CONSENT AGENDA MAY BE APPROVED IN A SINGLE MOTION. HOWEVER, IF A COUNCIL MEMBER SO REQUESTS, ANY CONSENT ITEM MAY BE MOVED TO THE DISCUSSION PORTION OF THE AGENDA AND OTHER ACTION, INCLUDING POSTPONEMENT OR DENIAL OF THE ITEM, MAY TAKE PLACE.

120. EOT-34413 - EXTENSION OF TIME - VARIANCE - APPLICANT: NIGRO DEVELOPMENT - OWNER: SKY POINTE HOTEL GROUP, LLC - Request for an Extension of Time of a previously approved Variance (VAR-19447) TO ALLOW A FOUR-STORY HOTEL WHERE TWO-STORIES ARE THE MAXIMUM PERMITTED on 1.83 acres at the southwest corner of Tenaya Way and Sky Pointe Drive (APN 125-27-410-004), T-C (Town Center) Zone [SC-TC (Service Commercial- Town Center) Special Land Use Designation], Ward 6 (Ross). Staff recommends APPROVAL

121. EOT-34376 - EXTENSION OF TIME- SPECIAL USE PERMIT - APPLICANT: NIGRO DEVELOPMENT - OWNER: SKY POINTE HOTEL GROUP LLC - Request for an Extension of Time of a previously approved Special Use Permit (SUP-19100) FOR A HOTEL WITH A WAIVER TO ALLOW A DISTANCE SEPARATION OF 80 FEET FROM A RESIDENTIAL USE WHERRE 330 FEET IS THE MINIMUM REQUIRED at the southwest corner of Tenaya Way and Sky Pointe Drive (APN 125-27-410-004), T-C (Town Center) Zone [SC-TC (Service Commercial- Town Center) Special Land Use Designation], Ward 6 (Ross). Staff recommends APPROVAL

122. EOT-34375 - EXTENSION OF TIME - SITE DEVELOPMENT PLAN REVIEW - APPLICANT: NIGRO DEVELOPMENT - OWNER: SKY POINTE HOTEL GROUP LLC - Request for an Extension of Time of a previously approved Site Development Plan Review (SDR-19097) FOR A FOUR-STORY, 50,478 SQUARE-FOOT HOTEL WITH A WAIVER TO ALLOW A PERIMETER LANDSCAPE BUFFER WIDTH OF 14 FEET FOR A THREE-FOOT SECTION WHERE 15 FEET IS THE MINIMUM REQUIRED on 1.83 acres at the southwest corner of Tenaya Way and Sky Pointe Drive (APN 125-27-410-004), T-C (Town Center) Zone [SC-TC (Service Commercial- Town Center) Special Land Use Designation], Ward 6 (Ross). Staff recommends APPROVAL

123. EOT-34161 - EXTENSION OF TIME- SPECIAL USE PERMIT - APPLICANT/OWNER: FACCHINO LABARBERA SAHARA LLC - Request for an Extension of Time of an approved Special Use Permit (SUP-27506) FOR A PROPOSED BEER/WINE/COOLOR OFF-SALE ESTABLISHMENT WITHIN AN APPROVED 17,307 SQUARE-FOOT GROCERY STORE located at 4580 West Sahara Avenue (APN 162-06-411-004), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). Staff recommends APPROVAL

124. EOT-34415 - EXTENSION OF TIME- SPECIAL USE PERMIT - APPLICANT: DR. ANDREW STUTZ - OWNER: CALVARY COMMUNITY CHURCH - Request for an Extension of Time of a previously approved Special Use Permit (SUP-26569) FOR A SOCIAL SERVICE PROVIDER (DENTISTRY) located at 2900 North Torrey Pines Drive (APN 138-14-601-005), C-V (Civic) Zone, Ward 5 (Barlow). Staff recommends APPROVAL

125. EOT-34336 - EXTENSION OF TIME - SITE DEVELOPMENT PLAN REVIEW - APPLICANT: PICERNE PROVIDENCE III - OWNER: KB HOME NEVADA, INC - Request for an Extension of Time of a previously approved Site Development Plan Review (SDR-21091) FOR A PROPOSED THREE-STORY, 492-UNIT MULTI-FAMILY RESIDENTIAL DEVELOPMENT on 20.0 acres at the southeast corner of Egan Crest Drive and Grand Teton Drive (APN 126-13-501-022), PD (Planned Development) Zone, Ward 6 (Ross). Staff recommends APPROVAL

PLANNING & DEVELOPMENT - ONE MOTION/ONE VOTE

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

126. DIR-33831 - WATER FEATURE EXEMPTION - APPLICANT: MARY GROVER - OWNER: MEADOWBROOK MOUNTAIN SPA, LLC - Request TO ALLOW THE OPERATION OF TWO (2) WATER FEATURES WHICH TOTAL 353.25 SQUARE FEET AT AN EXISTING GOLF COURSE on 139.1 acres at 8600 Cupp Drive (APN 125-10-510-007), Ward 6 (Ross). Staff recommends APPROVAL

127. RQR-33580 - RESCIND - 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

128. RQR-33580 - RECONSIDER - 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

129. RQR-32709 - REQUIRED REVIEW - PUBLIC HEARING - APPLICANT: WILLIAM J. MC ALPINE - OWNER: GHASSAN MEHRI - Required Review of a previously approved Special Use Permit (SUP-4195) FOR AN EXISTING AUTO REPAIR GARAGE (MINOR) at 2027 North Decatur Boulevard (APN 138-24-611-062), C-1 (Limited Commercial) Zone, Ward 5 (Barlow). Staff recommends APPROVAL

130. RQR-33733 - REQUIRED REVIEW - PUBLIC HEARING - APPLICANT: CBS OUTDOOR - OWNER: ADDILAND, LLC - Required Review of a previously approved Special Use Permit (U-0160-96) FOR A 40-FOOT TALL, 14-FOOT BY 48-FOOT OFF-PREMISE SIGN at 1201 South Jones Boulevard (APN 163-01-101-009), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). Planning Commission (6-0 vote) and staff recommend APPROVAL

131. RQR-33734 - REQUIRED REVIEW - PUBLIC HEARING - APPLICANT: LAMAR CENTRAL OUTDOOR, LLC - OWNER: SZECHWAN CORP - Required Review of a previously approved Special Use Permit (U-0271-93) FOR A 50-FOOT TALL, 14-FOOT BY 48-FOOT OFF-PREMISE SIGN at 3101 West Sahara Avenue (APN 162-08-104-004), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). Planning Commission (5-0-1 vote) and staff recommend APPROVAL

132. RQR-33882 - REQUIRED REVIEW - PUBLIC HEARING - APPLICANT/OWNER: CHETAK DEVELOPMENT - Required Review of a previously approved Special Use Permit (SUP-1274) FOR A 55-FOOT TALL, 14-FOOT BY 48-FOOT OFF-PREMISE SIGN at 2236 Paradise Road (APN 162-03-411-011), C-1 (Limited Commercial) Zone, Ward 3 (Reese). Planning Commission (5-0-1 vote) and staff recommend APPROVAL

133. RQR-33955 - REQUIRED REVIEW - PUBLIC HEARING - APPLICANT: REAGAN NATIONAL ADVERTISING OF NEVADA, LP - OWNER: JG SAHARA, LLC - Required Review of a previously approved Special Use Permit (SUP-3973) FOR A 40-FOOT TALL, 14-FOOT BY 48-FOOT OFF-PREMISE SIGN at 1000 East Sahara Avenue (APN 162-03-801-116), C-1 (Limited Commercial) Zone, Ward 3 (Reese). Planning Commission (6-0 vote) and staff recommend APPROVAL

134. RQR-33992 - REQUIRED REVIEW - PUBLIC HEARING - APPLICANT: LAMAR CENTRAL OUTDOOR, LLC - OWNER: PK I RAINBOW PROMENADE, LLC - Required Review of a previously approved Variance (V-0164-95) WHICH ALLOWED A 55-FOOT TALL, 14-FOOT BY 48-FOOT OFF-PREMISE SIGN LOCATED WITHIN 200 FEET OF A RESIDENTIAL ZONE at 2021 North Rainbow Boulevard (APN 138-22-503-001), C-1 (Limited Commercial) Zone, Ward 5 (Barlow). Planning Commission (5-0-1 vote) and staff recommend APPROVAL

135. RQR-34320 - REQUIRED REVIEW - PUBLIC HEARING - APPLICANT: EZPAWN NEVADA, INC. - OWNER: BERKE FAMILY TRUST - Required Review of a previously approved Special Use Permit [U-15-99(2)] FOR A PAWN SHOP located at 1501 East Charleston Boulevard (APNs 139-35-402-001, 139-35-413-004 and 005), C-1 (Limited Commercial) and C-2 (General Commercial)Zone, Ward 3 (Reese). Staff recommends APPROVAL

136. RQR-34322 - REQUIRED REVIEW - PUBLIC HEARING - APPLICANT: TABERNACLE OF PRAISE CHURCH OF GOD IN CHRIST - OWNER: BUREAU OF LAND MANAGEMENT - Required Review of a previously approved Site Development Plan Review (SDR-3201) FOR EXISTING TEMPORARY MODULAR TRAILERS TO BECOME PERMANENT on 5.00 acres at 7550 Constantinople Avenue (APN 138-10-101-020), U (Undeveloped) Zone [R (Rural Density Residential) General Plan Designation], Ward 4 (Steinman). Staff recommends APPROVAL

137. VAC-33475 - VACATION - PUBLIC HEARING - APPLICANT: CITY OF LAS VEGAS - OWNER: WEINGARTEN NOSTAT, INC. - Petition to Vacate a 100-foot wide drainage easement generally located at the southeast corner of Decatur Boulevard and Charleston Boulevard, Ward 1 (Tarkanian). Planning Commission (6-0 vote) and staff recommend APPROVAL

138. VAC-33863 - VACATION - PUBLIC HEARING - APPLICANT/OWNER: CANYON RIDGE CHRISTIAN CHURCH - Request to Vacate the Bronco Street alignment south of La Madre Way generally located on the southwest corner of La Madre Way and Bronco Street, Ward 6 (Ross). Planning Commission (6-0 vote) and staff recommend APPROVAL

PLANNING & DEVELOPMENT - DISCUSSION

139. GPA-32424 - ABEYANCE ITEM - 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

140. SUP-30693 - ABEYANCE ITEM - 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

141. GPA-33542 - ABEYANCE ITEM - 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

142. ZON-33543 - ABEYANCE ITEM - 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

143. SUP-33544 - ABEYANCE ITEM - 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

144. SDR-33546 - ABEYANCE ITEM - 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

145. GPA-33746 - ABEYANCE ITEM - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: DANIEL SHANNON - Request to Amend a portion of the Centennial Hills Sector Plan FROM: RNP (RURAL NEIGHBORHOOD PRESERVATION) TO: L (LOW DENSITY RESIDENTIAL) on 1.08 acres at the southeast corner of Florine Avenue and Tomsik Street (APN 138-04-404-016), Ward 4 (Steinman). The Planning Commission (7-0 vote) and staff recommend DENIAL

146. ZON-33747 - ABEYANCE ITEM - REZONING RELATED TO GPA-33746 - PUBLIC HEARING - APPLICANT/OWNER: DANIEL SHANNON - Request for a Rezoning FROM: R-E (RESIDENCE ESTATES) TO: R-1 (SINGLE FAMILY RESIDENTIAL) on 1.08 acres at the southeast corner of Florine Avenue and Tomsik Street (APN 138-04-404-016), Ward 4 (Steinman). The Planning Commission (7-0 vote) and staff recommend DENIAL

147. ZON-29221 - ABEYANCE ITEM - 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

148. SDR-29281 - ABEYANCE ITEM - 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

149. VAR-32640 - ABEYANCE ITEM - VARIANCE - PUBLIC HEARING - APPLICANT: METROPOLITAN HOMES - OWNER: ISANI RAZIA AND SARIHAN GUNAY - Request for a Variance TO ALLOW 119 PARKING SPACES WHERE 146 ARE REQUIRED on 2.16 acres adjacent to the west side of Decatur Boulevard, approximately 1,000 feet south of Lake Mead Boulevard (APN 138-24-703-006), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial), Ward 5 (Barlow). Staff recommends DENIAL. The Planning Commission (5-1-1 vote) recommends APPROVAL

150. VAR-33015 - ABEYANCE ITEM - VARIANCE RELATED TO VAR-32640 - PUBLIC HEARING - APPLICANT: METROPOLITAN HOMES - OWNER: ISANI RAZIA AND SARIHAN GUNAY - Request for a Variance TO ALLOW A 10-FOOT SETBACK WHERE RESIDENTIAL ADJACENCY STANDARDS REQUIRE 132 FEET AND TO ALLOW A LOT COVERAGE OF 82% WHERE 50% IS THE MAXIMUM PERMITTED on 2.16 acres adjacent to the west side of Decatur Boulevard, approximately 1,000 feet south of Lake Mead Boulevard (APN 138-24-703-006), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial), Ward 5 (Barlow). Staff recommends DENIAL. The Planning Commission (5-1-1 vote) recommends APPROVAL

151. SUP-32639 - ABEYANCE ITEM - SPECIAL USE PERMIT RELATED TO VAR-32640 AND VAR-33015 - PUBLIC HEARING - APPLICANT: METROPOLITAN HOMES - OWNER: ISANI RAZIA AND SARIHAN GUNAY - Request for a Special Use Permit FOR A PROPOSED SENIOR CITIZEN APARTMENT COMPLEX WITH A WAIVER TO ALLOW APARTMENTS ON THE GROUND FLOOR WHERE NONE ARE PERMITTED adjacent to the west side of Decatur Boulevard, approximately 1,000 feet south of Lake Mead Boulevard (APN 138-24-703-006), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial), Ward 5 (Barlow). Staff recommends DENIAL. The Planning Commission (5-1-1 vote) recommends APPROVAL

152. SDR-32638 - ABEYANCE ITEM - SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-32640, VAR-33015, AND SUP-32639 - PUBLIC HEARING - APPLICANT: METROPOLITAN HOMES - OWNER: ISANI RAZIA AND SARIHAN GUNAY - Request for a Site Development Plan Review FOR A PROPOSED THREE-STORY, 44-FOOT TALL, 151-UNIT SENIOR CITIZEN APARTMENT COMPLEX WITH 5,460 SQUARE FEET OF COMMERCIAL SPACE on 2.16 acres adjacent to the west side of Decatur Boulevard, approximately 1,000 feet south of Lake Mead Boulevard (APN 138-24-703-006), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial), Ward 5 (Barlow). Staff recommends DENIAL. The Planning Commission (5-1-1 vote) recommends APPROVAL

153. VAR-32873 - ABEYANCE ITEM - 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

154. SUP-33755 - ABEYANCE ITEM - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER: DOUGLAS B KAYS, ET AL - Appeal filed from the denial by the Planning Commission of a request for a Special Use Permit FOR A PROPOSED RECREATIONAL VEHICLE STORAGE FACILITY WITH A WAIVER TO ALLOW A SIX-FOOT SCREENING DEVICE WHERE EIGHT FEET IS REQUIRED at 1717 South Decatur Boulevard (APN 162-06-301-002), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). The Planning Commission (7-0 vote) and staff recommend DENIAL

155. ZON-32804 - REZONING - PUBLIC HEARING - APPLICANT: CITY OF LAS VEGAS - OWNER: LAS VEGAS RESCUE MISSION, INC. - Request for a Rezoning FROM: C-2 (GENERAL COMMERCIAL) TO: M (INDUSTRIAL) on 2.16 acres at 480 West Bonanza Road (a portion of APN 139-27-301-003), Ward 5 (Barlow). The Planning Commission (5-1 vote) and staff recommend APPROVAL

156. VAR-32468 - VARIANCE RELATED TO ZON-33804 - PUBLIC HEARING - APPLICANT/OWNER: LAS VEGAS RESCUE MISSION, INC. - Request for a Variance TO ALLOW 51 PARKING SPACES WHERE 72 PARKING SPACES ARE REQUIRED FOR AN ADDITIONAL 65 BEDS WITHIN AN EXISTING RESCUE MISSION on 4.09 acres at 480 West Bonanza Road (APN 139-27-301-003), M (Industrial) and C-2 (General Commercial) Zones [PROPOSED: M (Industrial)], Ward 5 (Barlow). Staff recommends DENIAL. The Planning Commission (6-0 vote) recommends APPROVAL

157. SUP-34012 - SPECIAL USE PERMIT RELATED TO ZON-32804 AND VAR-32468 - PUBLIC HEARING - APPLICANT/OWNER: LAS VEGAS RESCUE MISSION, INC. - Request for a Major Modification to an approved Special Use Permit (SUP-19681) FOR THE EXPANSION OF AN EXISTING RESCUE MISSION at 480 West Bonanza Road (APN 139-27-301-003), M (Industrial) and C-2 (General Commercial) Zones [PROPOSED: M (Industrial)], Ward 5 (Barlow). Staff recommends DENIAL. The Planning Commission (5-1 vote) recommends APPROVAL

158. SDR-32467 - SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-32804, VAR-32468 AND SUP-34012 - PUBLIC HEARING - APPLICANT/OWNER: LAS VEGAS RESCUE MISSION, INC. - Request for a Major Amendment to an approved Site Development Plan Review (SDR-19679) FOR A PARKING LOT RECONFIGURATION AND THE CONVERSION OF AN EXISTING 9,584 SQUARE-FOOT DINING FACILITY INTO A SLEEPING FACILITY FOR A TOTAL OF 222 BEDS AT AN EXISTING RESCUE MISSION on 4.09 acres at 480 West Bonanza Road (APN 139-27-301-003), M (Industrial) and C-2 (General Commercial) Zones [PROPOSED: M (Industrial)], Ward 5 (Barlow). Staff recommends DENIAL. The Planning Commission (5-1 vote) recommends APPROVAL

159. VAR-33848 - VARIANCE - PUBLIC HEARING - APPLICANT: CLEARWIRE US, LLC - OWNER: NELLIS WFT, LLC - Request for a Variance TO ALLOW 26 PARKING SPACES WHERE 27 ARE REQUIRED on 0.38 acres at 1511 North Nellis Boulevard (APN 140-29-510-026), C-2 (General Commercial) Zone, Ward 3 (Reese). Staff recommends DENIAL. The Planning Commission (5-0-1 vote) recommends APPROVAL

160. SUP-33253 - SPECIAL USE PERMIT RELATED TO VAR-33848 - PUBLIC HEARING - APPLICANT: CLEARWIRE US, LLC - OWNER: NELLIS WFT, LLC - Request for a Special Use Permit FOR A PROPOSED 70-FOOT WIRELESS COMMUNICATION FACILITY, NON-STEALTH DESIGN (SLIMLINE MONOPOLE) at 1511 North Nellis Boulevard (APN 140-29-510-026), C-2 (General Commercial) Zone, Ward 3 (Reese). NOTE: APPROVAL IS FOR A MAXIMUM HEIGHT OF 60 FEET. Staff recommends DENIAL. The Planning Commission (5-0-1 vote) recommends APPROVAL

161. VAR-33989 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: SANARP TRUST - Appeal from the denial by the Planning Commission of a request for a Variance TO ALLOW AN EXISTING 3,783 SQUARE-FOOT ACCESSORY STRUCTURE (CLASS II) WHERE 2,029 SQUARE FEET IS THE MAXIMUM SIZE ALLOWED; TO BE 17 FEET IN HEIGHT WHERE A HEIGHT OF 13.25 FEET IS PERMITTED; NOT TO BE AESTHETICALLY COMPATIBLE (METAL) WITH THE PRINCIPLE DWELLING UNIT; AND TO ALLOW FOR TWO-FOOT SIDE YARD SETBACK WHERE THREE FEET IS REQUIRED on 0.94 acres at 3018 Ashby Avenue (APN 162-05-115-006), R-E (Residence Estates) Zone, Ward 1 (Tarkanian). The Planning Commission (6-0 vote) and staff recommend DENIAL

162. SUP-33973 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: LIBORIO MARKETS #13, INC. - OWNER: CHARLESTON VEGAS NO. 1, LLC - Request for a Special Use Permit FOR A PROPOSED GROCERY STORE WITH ACCESSORY PACKAGE LIQUOR OFF-SALE at 4440 East Charleston Boulevard (APN 140-32-401-013), C-1 (Limited Commercial) Zone, Ward 3 (Reese) NOTE: To be heard in conjunction with Morning Session Item 95. The Planning Commission (6-0 vote) and staff recommend APPROVAL

163. SUP-34014 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER: EZ PAWN NEVADA, INC. - Request for a Major Amendment to an approved Special Use Permit (SUP-8255) FOR A 1,656 SQUARE-FOOT EXPANSION OF AN EXISTING PAWN SHOP WITH A WAIVER TO ALLOW A ZERO-FOOT SEPARATION FROM A PARCEL ZONED FOR RESIDENTIAL USE WHERE 200 FEET IS REQUIRED at 2200 South Rainbow Boulevard (APN 163-02-415-001), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). The Planning Commission (6-0 vote) and staff recommend APPROVAL

164. SUP-34016 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: CLEAR WIRELESS, LLC - OWNER: LXT4, LLC – Appeal filed from the denial by the Planning Commission of a request for a Special Use Permit FOR A PROPOSED 80-FOOT TALL WIRELESS COMMUNICATION FACILITY, STEALTH DESIGN (MONOPALM) approximately 560 feet north of Meadows Lane and approximately 530 feet east of Decatur Boulevard (APN 139-31-110-001), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). The Planning Commission (6-0 vote) recommends DENIAL. Staff recommends APPROVAL

165. VAC-34001 - VACATION - PUBLIC HEARING - APPLICANT/OWNER: ASHJIAN DEVELOPMENT, LLC - Request to Vacate 10-feet of a 20-foot wide Public Alley generally located north of Red Coach Avenue and west of Rainbow Boulevard alignment, Ward 4 (Steinman). The Planning Commission (6-0 vote) recommends DENIAL. Staff recommends APPROVAL

SET DATE

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

COUNCIL MEMBER RECOGNITION

167. 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

168. 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

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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