Summary - a resolution authorizing reimbursement of prior expenditures from bond proceeds, authorizing medium-term obligations and the forwarding of materials to the State Department of Taxation.

RESOLUTION NO. R-61-2009

A RESOLUTION AUTHORIZING REIMBURSEMENT OF PRIOR EXPENDITURES FROM BOND PROCEEDS; AUTHORIZING MEDIUM-TERM OBLIGATIONS IN AN AMOUNT OF UP TO $15,000,000, FOR THE PURPOSES OF ACQUIRING, CONSTRUCTING, IMPROVING AND EQUIPPING A PARKING GARAGE ADJACENT TO SYMPHONY PARK TO BE USED FOR THE SMITH CENTER AND OTHER CITY PROPERTIES; DIRECTING THE OFFICERS OF THE CITY TO FORWARD MATERIALS TO THE DEPARTMENT OF TAXATION OF THE STATE OF NEVADA; PROVIDING CERTAIN DETAILS IN CONNECTION THEREWITH; AUTHORIZING THE SALE OF THE CITY OF LAS VEGAS, NEVADA, GENERAL OBLIGATION MEDIUM-TERM OBLIGATIONS IN THE MAXIMUM AGGREGATE PRINCIPAL AMOUNT OF $15,000,000; AND PROVIDING THE EFFECTIVE DATE HEREOF.

WHEREAS, the City Council of the City of Las Vegas, Nevada (the "Council," "City," and "State," respectively) proposes to incur medium-term obligations of the City in an amount up to $15,000,000 (the "Obligations") under Chapter 350 of Nevada Revised Statutes ("NRS"), in order to finance the costs of acquiring, constructing, improving and equipping a parking garage adjacent to Symphony Park to be used for the Smith Center and other City properties (the "Project"); the Obligations to bear interest at a rate or rates which do not exceed by more than 3% the "Index of Twenty Bonds" most recently published in The Bond Buyer before bids are received for the Obligations or negotiated offers are accepted, and to mature within 10 years of the date of issuance thereof, in order to pay the costs of the Project (the "Proposal"); and

WHEREAS, the Council has determined that legally available funds of the City will at least equal the amount required in each year for the payment of interest and principal on the Obligations; and

WHEREAS, NRS 350.087 requires that a notice of intention to authorize medium-term obligations be published not less than 10 days prior to the consideration of a resolution authorizing medium-term obligations; and

WHEREAS, a notice of intention to act upon the resolution authorizing the Obligations has been duly published in a newspaper of general circulation in the City not less than 10 days prior to the date of a public hearing thereon, and such public hearing was held prior to adoption of this resolution; and

WHEREAS, all comments made at the public hearing have been duly considered by the Council and the minutes of such public hearing are attached hereto as Exhibit "C"; and

WHEREAS, the Council expects to incur certain expenditures relating to the Project prior to issuance of the Obligations, and the City intends to reimburse itself for such prior expenditures with proceeds of the Obligations issued in the maximum principal amount of $15,000,000.

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

Section 1. This resolution is hereby designated by the short title the "2009 Medium-Term Parking Garage Authorization Resolution" (the "Resolution").

Section 2. The Council hereby finds and determines that the public interest requires medium-term obligations to finance the costs of the Project, in an amount not exceeding $15,000,000.

Section 3. The facts upon which the finding stated in Section 2 above are:

(a) There is a need to acquire, improve and equip the Project in the City for the safety and welfare of the City's employees, residents and visitors.

(b) It is in the best interests of the City and its inhabitants, and would best serve the safety and welfare thereof, if the Project is now accomplished, thereby assisting in alleviating the needs mentioned in (a) above;

(c) It is not feasible to finance the Project from other funds of the City, among other reasons, because of restraints on the City's budget for the current fiscal year and other demands on and needs for existing funds of the City.

Section 4. The City hereby declares its intent to reimburse the costs of the Project out of the Obligations. This is a declaration of official intent under ' 1.150-2 of the Regulations promulgated under the Internal Revenue Code of 1986, as amended.

Section 5. The Council hereby determines and declares that:

(a) The City intends to incur expenditures with respect to the Project prior to the incurrence of the Obligations and to reimburse those expenditures from the proceeds of the Obligations; and

(b) The payment of costs related to the Project and the reimbursement of such costs from the proceeds of the Obligations is consistent with the City's budgetary and financial circumstances as of the date of this Resolution. The City does not currently have moneys which are, nor does the City reasonably expect moneys to be, allocated on a long-term basis, reserved or otherwise available pursuant to the City's budget to pay the expenditures which the City intends to reimburse.

Section 6. The City proposes to borrow a sum not to exceed $15,000,000 at an annual interest rate estimated to be 6.00% to be repaid over a period of not more than 10 years. The Obligations shall be evidenced by the issuance by the City of medium-term negotiable notes or bonds which mature not later than 10 years after the date of issuance (which term does not exceed the useful life of the Project), and the interest rate shall not exceed by more than 3 percent the "Index of Twenty Bonds" which is most recently published in The Bond Buyer before bids are received or a negotiated offer is accepted.

Section 7. The Director of Finance and Business Services of the City or his designee (the "Finance Director") is hereby authorized to arrange for the issuance and sale of the Obligations in an amount not more than $15,000,000, and to carry out the Project, subject to ratification by Council through adoption of a bond ordinance authorizing the Obligations (the "Ordinance"). The medium-term notes or bonds issued to effect the Project shall be issued on such other terms and conditions as the Council determines, all as provided in NRS 350.087 to 350.095, inclusive (the "Note Act"), NRS 350.500 to 350.720, inclusive (the "Bond Act"), and as authorized by the Finance Director at the time of sale of such medium-term notes or bonds and thereafter ratified by the Council as set forth in this Resolution.

Section 8. The Obligations shall not be paid in whole or in part from a levy of a special tax exempt from the limitations on the levy of ad valorem tax, but shall be paid from other legally available funds of the City, including, without limitation, monies in the City's General Fund, estimated to range from $432,000 to $2,160,000 per year, for a period not to exceed 10 years.

Section 9. The officers of the City be and the same hereby are authorized and directed to take all action necessary to effectuate the provisions of this Resolution, including, without limitation, forwarding all necessary documents to the Executive Director, Department of Taxation, Carson City, Nevada, and, if necessary, amending the City's capital improvement plan to include the Project, if necessary.

Section 10. The Finance Director is authorized to offer for sale the Obligations in the maximum aggregate principal amount of $15,000,000 in such manner as he shall determine, and he is authorized to specify the terms and details of the Obligations, including, without limitation, the maturity date or dates, the interest rate or rates, the redemption features, if any, and the other terms and conditions thereof; all subject to ratification by the Council by adoption of the Ordinance.

Section 11. The officers of the City are hereby authorized to take all action necessary or appropriate to effectuate the provisions of this Resolution, including without limitation, assembling of financial and other information concerning the City, the Project and the Obligations, and preparing and circulating an official statement for the Obligations or negotiating the terms of sale of the Obligations, and, if deemed appropriate by the Finance Director, preparing and circulating a request for proposals or a preliminary official statement, a notice of sale for the Obligations, or both, in the forms specified by the Finance Director. The Finance Director is authorized to deem the official statement or preliminary official statement to be a "final" official statement on behalf of the City for the purposes of Rule 15(c)2-12 of the Securities and Exchange Commission.

Section 12. The Finance Director shall, after arranging for the sale of the Obligations and after approval of the Obligations by the Executive Director of the Department of Taxation of the State of Nevada, present the proposed terms of the Obligations to the Council for its approval by adoption of the Ordinance.

Section 13. The officers of the City be, and they hereby are, authorized and directed to take all action necessary or appropriate to effectuate the provisions of this Resolution.

Section 14. 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 15. 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 16. This Resolution shall become effective upon passage and approval, except for Sections 10 and 11 of this Resolution which shall become effective upon the approval hereof by the Executive Director of the Department of Taxation of the State of Nevada as provided in NRS 350.089, which approval shall be recorded in the minutes of the Council in conjunction with the adoption of the Ordinance.

PASSED AND ADOPTED AND APPROVED BY AN AFFIRMATIVE VOTE OF AT LEAST TWO-THIRDS OF THE MEMBERS OF THE CITY COUNCIL OF THE CITY OF LAS VEGAS, NEVADA, THIS JULY 15, 2009.

(SEAL)

____
Mayor

Attest:

____
City Clerk

Approved as to Form:

By: ______________________________
9/1/09

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

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

1. The foregoing pages constitute a true, correct, complete and compared copy of a resolution adopted by the City Council of the City (the "Council") at a meeting held on July 15, 2009.

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

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

3. The original of the resolution has been approved and authenticated by the signatures of the Mayor of the City and myself as City Clerk and has been recorded in the regular official record of the 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 Council were given due and proper notice of the meeting. Pursuant to NRS 241.020, 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 on the City's website; at the principal office of the Council, or if there is no principal office, at 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) By mailing a copy of the notice 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 July 15, 2009 is attached to this certificate as Exhibit "A." A copy of the affidavit of publication of the notice of public hearing is attached hereto as Exhibit "B," and a copy of the minutes of the public

hearing held on July 15, 2009, prior to adoption of the resolution is attached hereto as Exhibit "C."

IN WITNESS WHEREOF, I have hereunto set my hand on this July 15, 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), STAVROS S. ANTHONY (Ward 4)

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.

July 15, 2009

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

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

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

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

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

CEREMONIAL MATTERS

1. CALL TO ORDER
2. ANNOUNCEMENT RE: COMPLIANCE WITH OPEN MEETING LAW
3. INVOCATION - REVEREND BONNIE POLLEY, CHRIST EPISCOPAL CHURCH
4. PLEDGE OF ALLEGIANCE
5. RECOGNITION OF THE EMPLOYEE OF THE MONTH
6. RECOGNITION OF THE SENIOR OF THE QUARTER
7. RECOGNITION OF THE PUBLIC WORKS DEPARTMENT
8. RECOGNITION OF THE THREE SQUARE FOOD BANK CHARITABLE EFFORT
9. PRESENTATION OF GRANT FROM THE SOUTHERN NEVADA CHAPTER OF THE INTERNATIONAL CODE COUNCIL

BUSINESS ITEMS - MORNING

10. 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

11. Approval of the Final Minutes by reference of the Special City Council Meeting of June 8, 2009 and the regular City Council meeting of June 17, 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

12. Approval of the First Amendment to the Centennial Grant Agreement between the Commission for the Las Vegas Centennial and 300 Stewart Ave. Corporation for additional grant funds of $300,000 for the Las Vegas Museum of Organized Crime and Law Enforcement located at 300 Stewart Avenue - Ward 5 (Barlow)

13. Approval of an Interlocal Agreement by and between the Clark County School District (CCSD), a political subdivision of the State of Nevada (the District), and the City of Las Vegas (City), a municipal corporation of the State of Nevada, concerning a contribution of $5,000,000 for the construction of the Smith Center for the Performing Arts, located at the southwest corner of Symphony Park Avenue and City Parkway within the Symphony Park master planned development - Ward 5 (Barlow)

14. Approval to accept a grant award in the amount of $7,558,206 (JAG) Grant #2009-SB-B9-1637 from the U.S. Department of Justice to the City of Las Vegas as fiscal agent for the disparate jurisdiction consisting of the cities of Las Vegas, North Las Vegas, Henderson, and Mesquite, and Clark County - All Wards

FIELD OPERATIONS - CONSENT

15. Approval of a Grant of Easement from the City of Las Vegas to Nevada Power Company d/b/a NV Energy to cancel and supersede the Recorded Right of Entry previously on record and continue to allow NV Energy access to the site for electrical systems needs located in the vicinity of Alta Drive and Hualapai Way, known as Angel Park Golf Course and Detention Basin, APNs 138-31-101-002 and 138-31-501-003 - Ward 2 (Wolfson)

16. Approval of a Grant of Easement from the City of Las Vegas to Nevada Power Company d/b/a NV Energy to cancel and supersede the Recorded Right of Entry previously on record and continue to allow NV Energy access to the site for electrical systems needs located at 2824 East Charleston Boulevard, known as the Traffic Signal Repair Shop, APN 139-36-402-011 - Ward 3 (Reese)

FINANCE & BUSINESS SERVICES - ADMINISTRATION CONSENT

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

FINANCE & BUSINESS SERVICES - BUSINESS SERVICES CONSENT

18. Approval of a new Beer/Wine/Cooler Off-sale License subject to the provisions of the fire codes and Health Dept. regulations, Durtenial Ventures, Inc., dba 7-Eleven Store 39138A, 6446 North Durango Drive, Suite 105, Harpreet S. Brar, Pres, Dir, Treas, Secy, 100% - Ward 6 (Ross)

19. Approval of a Change of Corporate Name for a Beer/Wine/Cooler Off-sale License, From: Nakata Trading, Inc., To: Nakata Market of Japan, Inc., dba Nakata Market of Japan, 2350 South Rainbow Boulevard, Suite 7, Kumiko A. Nakata, Dir, Pres, Secy, Treas, 100% - Ward 1 (Tarkanian)

20. Approval of a new Locksmith License subject to the provisions of the planning and fire codes, Alarmco, Inc., dba Alarmco, Inc., 2007 South Las Vegas Boulevard, Thomas D. Wilson, CEO, Secy, Dir, Ira G. Greenblott, VP, Treas, and Ethel R. Wilson Trust - Ward 3 (Reese)

21. Approval of a Change of Location for a Martial Arts Instruction Business License subject to the provisions of the planning and fire codes, Striking Unlimited, LLC, dba Striking Unlimited, LLC, From: 7220 West Lake Mead Boulevard, To: 2230 North Rainbow Boulevard, Kenneth Hahn, Dir, Mgr, 100% jointly with spouse, and Yoriko Washiyama, 100% jointly with spouse - Ward 5 (Barlow)

22. Approval of a Change of Business Name for a Massage Establishment License, Hotspur Resorts Nevada, LTD, dba From: Aquae Sulis Salon, To: Aquae Sulis Spa, 221 North Rampart Boulevard, Thaddas L. Alston, Dir, Pres, Secy, Treas, 100% - Ward 2 (Wolfson)

FINANCE & BUSINESS SERVICES - PURCHASING & CONTRACTS CONSENT

23. Approval of Agreement No. 090234-DC, Construction Management for Oakey Meadows Storm Drain Phase I located at the intersection of Alta Drive and Valley View Boulevard - Department of Public Works - Award recommended to: G.C. WALLACE, INC. ($1,013,178.20 - Road and Flood Capital Projects Fund) - Ward 1 (Tarkanian)

24. Approval of award of Blanket Services Agreement No. 090238-LD, General Engineering Services, Grant Writing Support and Autocad Training - Department of Public Works - Award recommended to: JACOBS ENGINEERING GROUP, INC. (Not-to-Exceed $500,000 - Various Funds)

25. Approval of Use Agreement 090240-SK to use the Las Vegas Valley Water District Bid No. 2029-06, Annual Requirements Contract for Biodiesel Blend Fuel - Department of Field Operations - Award recommended to: HAYCOCK PETROLEUM CO. ($2,000,000 - Automotive Services Internal Service Fund)

26. Approval of award of Contract No. 090091-PL, Multi-Functional Device Rental Services - Department of Information Technologies - Award recommended to: ELAN MARKETING, INC. ($899,996 - Print Media Internal Service Fund)

27. Approval of award of Bid No. 07.15341.17-TF, Desert Nature Preserve Trail located at Alta Drive and Hualapai Way and the construction conflicts and contingency reserve set by Finance and Business Services - Award recommended to: WISER CONSTRUCTION, LLC ($2,247,429.72 - Parks and Leisure Activities Capital Projects Fund) - Ward 2 (Wolfson)

28. Approval of award of Agreement No. 090223-TF, Engineering Design Services Agreement for Material Testing Construction Inspection and Geotechnical Services - Department of Field Operations - Award recommended to: AZTECH INSPECTIONS AND TESTING, INC. ($95,000 - Street Maintenance Special Revenue Fund) - All Wards

29. Approval of award of the First Amendment to Agreement No. 090109-TF, Prime Design Services Agreement for Storm Drain Assessment Program: 5 Year Cycle - Department of Public Works - Award recommended to: PROJECT ENGINEERING CONSULTANTS, LTD. ($347,992.24 - Road and Flood Capital Projects Fund) - All Wards

30. Approval of award of Contract No. 090252-CW, Insurance Broker and Consulting Services - Department of Human Resources - Award recommended to: BEECHER CARLSON INSURANCE SERVICES, LLC ($100,000 - Employee Benefit Fund Internal Service Fund)

31. Approval of award of Contract No. 090257-TM, Annual Requirements Contract for Water Treatment Chemicals - Department of Public Works - Award recommended to: CIBA CORPORATION ($1,500,000 - Sanitation Enterprise Fund)

32. Approval of award of Contract No. 090256-TM, Annual Requirements Contract for Water Treatment Chemicals - Department of Public Works - Award recommended to: THATCHER COMPANY OF NEVADA ($2,500,000 - Sanitation Enterprise Fund)

HUMAN RESOURCES - CONSENT

33. Approval of the City's property damage fire insurance policy on buildings, contents, outside equipment, boiler and machinery for FY 2010 with AON Risk Services, Inc. ($261,142 - Self Insurance Liability Trust Fund)

34. Approval of Excess Workers' Compensation Insurance coverage for FY 2010 with Beecher Carlson Insurance Agency, LLC. ($530,988 - Workers' Compensation Self-Insured Fund)

35. Approval of the creation of a full-time regular Major Projects Development Manager position for the City Manager's Office to manage major projects to include but not limited to the new City Hall, the Smith Center for the Performing Arts and the Museum of Organized Crime and Law Enforcement ($100,000 + benefits - Redevelopment Special Revenue Fund)

NEIGHBORHOOD SERVICES - CONSENT

36. Approval to allocate $200,000 in Community Development Block Grant (CDBG) Construction funds for building repairs to the City-owned facility located at 1581 Main Street - Ward 5 (Barlow)

PLANNING & DEVELOPMENT - CONSENT

37. Approval of the Memorandum of Understanding with Commission for the Las Vegas Centennial for a grant of $200,000 of Centennial funds for the exhibits and marker project at Floyd Lamb Park Visitor's Center at Tule Springs – Ward 6 (Ross)

PUBLIC WORKS - CONSENT

38. Approval to file an Amendment to Right-of-Way Grant N-66120 with the Bureau of Land Management for additional roadway, sewer and drainage purposes lying within a portion of the West Half of the Northwest Quarter of the Northwest Quarter of Section 12, Township 20 South, Range 59 East, generally located on Alexander Road, APN 137-12-101-008 - Ward 4 (Anthony)

39. Approval to file an Amendment to Right-of-Way Grant N-78609 with the Bureau of Land Management for additional roadway and drainage purposes lying within a portion of Government Lot 22 of Section 3, Township 21 South, Range 60 East, generally located on Del Rey Avenue between Buffalo Drive and Tenaya Way, APN 163-03-101-001 - Ward 2 (Wolfson)

40. Approval of a Sewer Connection Agreement with Hamilton Civil Engineers on behalf of Guerdon and Dorothea Brocksom, owners and an Interlocal Contract with Clark County Water Reclamation District for sewer services located north of Racel Street, east of Coke Street and top of the cul-de-sac on Calista Way, APN 125-09-705-004 - County (near Ward 6 - Ross)

41. Approval of Interlocal Agreement 113295 between the City of Las Vegas and the Las Vegas Valley Water District for water services to provide irrigation for landscaping in the North and South Environmental Enhancement Areas within Floyd Lamb Park ($157,298 - Clark County Regional Flood Control District [CCRFCD]) - Ward 6 (Ross)

42. Approval of a Rule 9 Non-Refundable Construction Agreement with Nevada Power Company d/b/a as NV Energy for the extension of existing power facilities to provide power for improvements associated with the Desert Nature Preserve Trail project located at 10018 Alta Drive ($94 - Southern Nevada Public Land Management Act [SNPLMA]) - Ward 2 (Wolfson)

43. Approval of a Declaration of Intent to retain a Traffic Signal Easement for the Freedom Park improvement project for a portion of the Northeast Quarter of the Southeast Quarter of Section 25, Township 20 South, Range 61 East, Mount Diablo Meridian, located on the west side of Pecos Road, north of Harris Avenue, APN 139-25-701-002 - Ward 3 (Reese)

44. Approval of a Memorandum of Understanding between the City of Las Vegas and Look Out Kids About for the administration of a grant received from the Federal Highway Administration Office of Safety Funds for a Safe Routes to School Program for primary and middle school children ($185,868 - Federal Highway Administration Office of Safety Funds) - All Wards

45. Approval of a Distribution Encroachment Agreement on behalf of the Clean Water Coalition between the City of Las Vegas and Nevada Power Company d/b/a NV Energy to allow temporary improvements within NV Energy easements in the vicinity of Vegas Valley Drive and Tree Line Drive - APN 161-10-701-014 - County (near Ward 3 - Reese)

DISCUSSION/ACTION ITEMS

HEARINGS - DISCUSSION

46. Hearing to consider the appeal regarding the Notice and Declaration of Chronic Nuisance located at 2001 Fremont Street, Unit 118. PROPERTY OWNER: HAROLD G. SWEET JR. - Ward 3 (Reese)

47. ABEYANCE ITEM - Public Hearing to consider the report of expenses to recover costs for the vacant or abandoned buildings located at 901 West McWilliams Avenue, Units 101-104, 106, 201-202, 205-206, 301-306, 401-406, 501-505, 601-606, 701-702, 704-706, 801-803, 806, 808-810, 902-904, 906-907 and 1001 West McWilliams Avenue in the amount of $46,613.60 (General Fund). PROPERTY OWNER: MOULIN ROUGE PROPERTIES, LLC - Ward 5 (Barlow)

48. Public Hearing to consider the report of expenses to recover costs for the vacant or abandoned buildings located at 840 West Bonanza Road and 920 West Bonanza Road in the amount of $8,812.00 (General Fund). PROPERTY OWNER: LAS VEGAS APARTMENT LENDERS LLC - Ward 5 (Barlow)

49. Public hearing on a three-month review for the vacant or abandoned buildings located at 4152 Silver Dollar Avenue, Units 2, 4, 5, 7-8, 4168 Silver Dollar Avenue, Units 1-4, 6-8, 4186 Silver Dollar Avenue, Units 1-7. PROPERTY OWNERS: RFH LA PAZ LLC - Ward 1 (Tarkanian)

ADMINISTRATIVE - DISCUSSION

50. Public hearing and possible action to consent to and approve the issuance of private activity bonds by the Industrial Development Authority of the County of Pima, Metro Police Facility Lease Revenue Bonds Series 2009 and Subordinate Series 2009B, to finance the proposed Las Vegas Metropolitan Police Department headquarters to be located at the northwest corner of Martin Luther King Boulevard and Alta Drive - Ward 5 (Barlow)

51. Report and possible action on Newland Communities' Symphony Park Business Plan for fiscal year 2010 for Symphony Park located at 100 South Grand Central Parkway (APN's 139-34-110-002, 005 and 006) - Ward 5 (Barlow)

52. ABEYANCE ITEM - Report and possible action on relations between the City of Las Vegas and employee organizations and groups and related fiscal impacts

BUSINESS DEVELOPMENT - DISCUSSION

53. Report and possible action regarding an update on the City of Las Vegas inter-departmental ARRA Committee findings and activities on the American Recovery and Reinvestment Act of 2009 (ARRA) - All Wards

FINANCE & BUSINESS SERVICES - BUSINESS SERVICES DISCUSSION

54. Discussion and possible action regarding Temporary Approval of a new Hypnotherapy License, Roger A. Wolf, dba Roger A. Wolf, 800 North Rainbow Boulevard, Suite 170, Roger A. Wolf, Owner, 100% - Ward 1 (Tarkanian)

55. Discussion and possible action regarding Temporary Approval of a new Locksmith License, Green Valley Lock & Safe, Inc., dba Green Valley Lock & Safe, 80 North Pecos Road, Suite G, Leona K. Schonzeit, Pres, Treas, 51% and Jeffrey Schonzeit, Dir, VP, Pres, Secy, 49% - County

56. Discussion and possible action regarding Temporary Approval of a new Massage Establishment License subject to the provisions of the planning codes, LPGTrainingUSA.com, dba European Face & Body Renewal, 9440 West Sahara Avenue, Suite 215, Lindsey E. Culverson, Pres, 100% - Ward 2 (Wolfson) [NOTE: Item to be heard in the afternoon session in conjunction with Item 111 - SUP-34331]

57. Discussion and possible action regarding Temporary Approval of a new Massage Establishment License subject to the provisions of the planning and fire codes, MWT, Inc., dba Accelerated Chiropractic, 5900 West Charleston Boulevard, Suite 1, Marcia C. Tinberg, Owner, 100% - Ward 1 (Tarkanian) [NOTE: This is an ancillary license to an existing chiropractic business – Accelerated Chiropractic]

58. Discussion and possible action regarding Temporary Approval of a new Massage Establishment License subject to the provisions of the planning and fire codes, The Neck and Back Clinics, LLP, dba Northwest Neck and Back Clinic, 3430 North Buffalo Drive, Suite 110, Michael W. Barney, Managing Ptnr, 85% and Benjamin S. Lurie, Managing Ptnr, 15% - Ward 4 (Anthony) [NOTE: This is an ancillary license to an existing chiropractic business – Northwest Neck and Back Clinic]

59. ABEYANCE ITEM - Discussion and possible action regarding Temporary Approval of a new Massage Establishment License, Zeping Wang, dba Pearl of the Orient Massage, 3909 West Sahara Avenue, Suite 6, Zeping Wang, Owner, 100% - Ward 1 (Tarkanian)

60. ABEYANCE ITEM - Discussion and possible action regarding an Approval of a new Beer/Wine/Cooler On-sale License subject to the provisions of the planning and fire codes, V & H Pizza, Inc., dba Napoli Pizzeria, 4760 West Sahara Avenue, Suite 11, Hakob Alaverdyan, Pres, Dir, 50% and Vahan Balian, Secy, Treas, 50% - Ward 1 (Tarkanian)

61. Discussion and possible action regarding a Six Month Review of a Tavern License, Dominic L. Laino, dba Club 2100, 2100 Fremont Street, Dominic L. Laino, Owner, 100% - Ward 3 (Reese)

62. Discussion and possible action regarding a Six Month Review of an Appeal of a Work Card Denial for Laura Jones, Smith's Food & Drug Center 370, 3160 North Rainbow Boulevard - Ward 5 (Barlow)

63. Discussion and possible action regarding a Six Month Review of an Appeal of a Work Card Denial for Kevin Landino, March Bacchus, 2620 Regatta Drive, Suite 106 - Ward 4 (Anthony)

NEIGHBORHOOD SERVICES - DISCUSSION

64. Discussion and possible action on the City of Las Vegas Neighborhood Stabilization Plan 2 (NSP2) competitive application for $102,648,000 of NSP2 funds through the American Recovery and Reinvestment Act (ARRA) stimulus funds specifically targeted for the City of Las Vegas on foreclosure acquisition and/or redevelopment projects and an update on the initial Neighborhood Stabilization Plan (NSP) previously approved as part of the Housing and Economic Recovery Act (HERA) – All Wards

PLANNING & DEVELOPMENT - DISCUSSION

65. ABEYANCE ITEM - Report and possible action regarding the implementation of the Sustainable Energy Strategy - All Wards

PUBLIC WORKS - DISCUSSION

66. Report and possible action regarding an Interlocal Agreement between the City of Las Vegas and the Southern Nevada Water Authority to supply energy needs for the City's wastewater treatment facilities located at 6005 East Vegas Valley Drive and 3271 North Durango Drive (estimated fee of $18,000 - Sanitation Enterprise Fund) - County (near Ward 3 - Reese) and Ward 4 (Anthony)

67. Discussion and possible action regarding a Network Integration Transmission Service Agreement between the City of Las Vegas, the Colorado River Commission and Nevada Power Company d/b/a NV Energy to supply energy transmission service for the City's wastewater treatment facilities located at 6005 East Vegas Valley Drive and 3271 North Durango Drive - County (near Ward 3 - Reese) and Ward 4 (Anthony)

68. Discussion and possible action regarding a Distribution-Only Service Agreement between the City of Las Vegas, the Colorado River Commission and Nevada Power Company d/b/a NV Energy to supply energy transmission services for the City's wastewater treatment facilities located at 6005 East Vegas Valley Drive and 3271 North Durango Drive (Estimated fee of $2,390,000 - Sanitation Fund) - County (near Ward 3 - Reese) and Ward 4 (Anthony)

69. Discussion and possible action regarding a Letter of Agreement and Transmission Reduction Plan between the City of Las Vegas, the Colorado River Commission and Nevada Power Company d/b/a NV Energy to help preserve reliable power delivery for the City's wastewater treatment facilities located at 6005 East Vegas Valley Drive and 3271 North Durango Drive - County (near Ward 3 - Reese) and Ward 4 (Anthony)

70. Discussion and possible action on a request to install speed humps on Van Buren Avenue between Lamb Boulevard and Blushing Bride Street ($7,800 - Neighborhood Traffic Management Program) - Ward 3 (Reese)

RESOLUTIONS - DISCUSSION

71. R-61-2009 - Public hearing and possible action regarding a Resolution authorizing a medium-term obligation and the execution and delivery of documents relating thereto in an amount not to exceed $15,000,000 to finance the cost to acquire, construct, improve and equip a parking garage adjacent to Symphony Park - Ward 3 (Reese)

BOARDS & COMMISSIONS - DISCUSSION

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

73. ABEYANCE ITEM - PLANNING COMMISSION - Michael E. Buckley - Term Expiration 6-2009

74. ABEYANCE ITEM - CIVIL SERVICE BOARD OF TRUSTEES – Evelyn Beals - Term Expiration 7-6-2009

RECOMMENDING COMMITTEE REPORT - DISCUSSION

BILLS ELIGIBLE FOR ADOPTION AT THIS MEETING

75. Bill No. 2009-22 – ABEYANCE ITEM - 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

76. Bill No. 2009-23 – ABEYANCE ITEM - 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 - NOTE: The amended version of the bill no longer includes adjustments tied to the City's growth rate.

77. 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

78. 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

79. 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

80. Bill No. 2009-32 – Authorizes under certain circumstances the administrative extension of temporary licensing approval and the administrative reinstatement of alcoholic beverage licenses suspended or revoked for nonpayment of license fees. Proposed by: Bradford R. Jerbic, City Attorney

BILLS ELIGIBLE FOR ADOPTION AT A LATER MEETING

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

81. Bill No. 2009-29 – Adopts an updated version of the Las Vegas Downtown Centennial Plan, together with related development standards. (TXT-33888) Sponsored by: Mayor Oscar B. Goodman

82. Bill No. 2009-30 – Revises and relocates within the Municipal Code the provisions regulating the naming of streets and assignment of addresses, and adopts the "City of Las Vegas Street Naming and Address Assignment Regulations, 2009 Edition" as a replacement for the 1993 Edition of that document. (TXT-32866) Proposed by: M. Margo Wheeler, Director of Planning and Development

83. Bill No. 2009-31 – Allows boat and trailer sales in the C-1 Zoning District by means of special use permit. (TXT-34092) Sponsored by: Councilman Steven D. Ross

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.

84. Bill No. 2009-33 – Revises the zoning regulations governing small wind energy systems. (TXT-33703) Sponsored by: Councilman Steven D. Ross

CLOSED SESSION

85. 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

86. 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.

87. EOT-34757 - EXTENSION OF TIME - SPECIAL USE PERMIT - APPLICANT: JPL ENGINEERING INC. - OWNER: CAROLINE'S COURT LLC - Request for an Extension of Time of a previously approved Special Use Permit (SUP-20497) FOR A BUILDING AND LANDSCAPE MATERIAL/LUMBER YARD at the northwest corner of El Capitan Way and Durango Drive (APNs 125-17-601-012, 017 and 125-17-202-001), T-C (Town Center) Zone [SC-TC (Service Commercial - Town Center) Special Land Use Designation], Ward 6 (Ross). Staff recommends APPROVAL

88. EOT-34759 - EXTENSION OF TIME - SPECIAL USE PERMIT - APPLICANT: JPL ENGINEERING INC - OWNER: CAROLINE'S COURT LLC - Request for an Extension of Time of a previously approved Special Use Permit (SUP-20498) FOR OUTDOOR STORAGE, ACCESSORY at the northwest corner of El Capitan Way and Durango Drive (APNs 125-17-601-012, 017 and 125-17-202-001), T-C (Town Center) Zone [SC-TC (Service Commercial - Town Center) Special Land Use Designation], Ward 6 (Ross). Staff recommends APPROVAL

89. EOT-34761 - EXTENSION OF TIME - SPECIAL USE PERMIT - APPLICANT: JPL ENGINEERING INC - OWNER: CAROLINE'S COURT LLC - Request for an Extension of Time of a previously approved Special Use Permit (SUP-20499) FOR A RESTAURANT WITH DRIVE THROUGH at the northwest corner of El Capitan Way and Durango Drive (APNs 125-17-601-012, 017 and 125-17-202-001), T-C (Town Center) Zone [SC-TC (Service Commercial - Town Center) Special Land Use Designation], Ward 6 (Ross). Staff recommends APPROVAL

90. EOT-34762 - EXTENSION OF TIME - SITE DEVELOPMENT PLAN REVIEW - APPLICANT: JPL ENGINEERING INC - OWNER: CAROLINE'S COURT LLC - Request for an Extension of Time of a previously approved Site Development Plan Review (SDR-20496) FOR A PROPOSED 269,860 SQUARE FOOT COMMERCIAL CENTER AND WAIVERS TO DEVIATE FROM TOWN CENTER DESIGN STANDARDS TO ALLOW A SIX FOOT WIDE LANDSCAPE BUFFER ON THE SOUTH PROPERTY LINE WHERE EIGHT FEET IS REQUIRED; TO ALLOW ZERO FEET OF PERIMETER LANDSCAPE BUFFER ADJACENT TO THE MULTI-USE TRANSPORTATION TRAIL ALONG THE NORTH AND WEST PROPERTY LINES WHERE 15 FEET IS REQUIRED; TO ALLOW ZERO FEET OF PERIMETER LANDSCAPE BUFFER ADJACENT TO A DRIVE-THROUGH AISLE WHERE 10 ADDITIONAL FEET ARE REQUIRED; AND TO ALLOW A DRIVE-THROUGH AISLE ON THREE SIDES OF A FAST FOOD BUILDING WHERE ONLY TWO SIDES ARE ALLOWED on 23.62 acres at the northwest corner of El Capitan Way and Durango Drive (APNs 125-17-601-012, 017 and 125-17-202-001), T-C (Town Center) Zone [SC-TC (Service Commercial - Town Center) Special Land Use Designation], 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.

91. EOT-34338 – NON-PUBLIC HEARING - EXTENSION OF TIME - SITE DEVELOPMENT PLAN REVIEW - APPLICANT: C2 LOFTS - OWNER: TRINITY PEAK I, LLC - Request for an Extension of Time of a previously approved Major Modification to an approved Site Development Plan Review (SDR-21608) FOR A PROPOSED MIXED-USE DEVELOPMENT CONSISTING OF 436 RESIDENTIAL UNITS AND 57,772 SQUARE FEET OF COMMERCIAL SPACE on 21.2 acres at the northeast corner of Buffalo Drive and Trinity Peak Drive (APN 138-15-310-031, 034, AND 035), C-PB (Planned Business Park) Zone, Ward 4 (Anthony). Staff recommends APPROVAL

92. SUP-34339 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER: TRINITY PEAK I, LLC, ET AL - Request for a Special Use Permit FOR A PROPOSED MIXED-USE DEVELOPMENT WITH A WAIVER TO ALLOW A NON-RESIDENTIAL USE TO FRONT ALONG THE INTERIOR DRIVE INSTEAD OF THE PRIMARY PUBLIC RIGHT-OF-WAY at the northeast corner of Trinity Peak Drive and Buffalo Drive (APN 138-15-310-031, 034, and 035), C-PB (Planned Business Park) Zone, Ward 4 (Anthony). The Planning Commission (7-0 vote) and staff recommend APPROVAL

93. SUP-34267 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: WAYNE HIGDON - OWNER: LES AND STANLEY QUOCK - Request for a Special Use Permit FOR AN AUTO REPAIR GARAGE, MAJOR at 3425 North Rancho Drive, Suite #120 (APN 138-12-801-002), C-2 (General Commercial) Zone, Ward 6 (Ross). The Planning Commission (7-0 vote) and staff recommend APPROVAL

94. RQR-34324 - REQUIRED REVIEW - PUBLIC HEARING - APPLICANT: CBS OUTDOOR, INC - OWNER: CITY PARKWAY IV A, INC - Required Review of a previously approved Variance (V-0046-92) WHICH ALLOWED A 14-FOOT X 48-FOOT OFF-PREMISE ILLUMINATED SIGN 690 FEET FROM ANOTHER EXISTING OFF-PREMISE SIGN WHERE 750 FEET IS THE MINIMUM SEPARATION ALLOWED on 5.28 acres on the north side of U.S. 95, between Bonanza Road and Grand Central Parkway, 150 west of the centerline of the Union Pacific Railroad tracks (APN 139-27-401-031), M (Industrial) Zone, Ward 5 (Barlow). The Planning Commission (7-0 vote) and staff recommend APPROVAL

95. RQR-34321 - REQUIRED REVIEW - PUBLIC HEARING - APPLICANT: CLEAR CHANNEL OUTDOOR, INC - OWNER: BARTSAS MARY 13, LLC - Required Review of a previously approved Special Use Permit (U-0059-96) FOR A 14-FOOT X 48-FOOT OFF-PREMISE SIGN WHICH REPLACED A 12-FOOT X 24-FOOT SIGN on 5.06 acres at 3941 North Rancho Drive (APN 138-11-502-003), C-2 (General Commercial) Zone, Ward 6 (Ross). The Planning Commission (7-0 vote) and staff recommend APPROVAL

96. RQR-34327 - REQUIRED REVIEW - PUBLIC HEARING - APPLICANT: NEVADA POWER COMPANY - OWNER: US DEPARTMENT OF THE INTERIOR, BUREAU OF LAND MANAGEMENT- Required Review of a previously approved Review of Condition (ROC-2137) THAT ALLOWED THE DEFERMENT OF THE REQUIRED LANDSCAPING ALONG THE EAST, NORTH AND WEST SIDES OF THE SITE on property located adjacent to the northwest corner of Iron Mountain Road and Decatur Boulevard (125-01-701-001), C-V (Civic) Zone, Ward 6 (Ross). Staff recommends APPROVAL

97. VAC-34209 - VACATION - PUBLIC HEARING - APPLICANT/OWNER: COX COMMUNICATIONS LAS VEGAS INC. - Petition to Vacate a portion of an existing 20-foot wide drainage easement generally located on the west side of Stella Lake Street, 15 feet north of Wheeler Peak Drive, Ward 5 (Barlow). The Planning Commission (7-0 vote) and staff recommend APPROVAL

98. VAC-34307 - VACATION - PUBLIC HEARING - APPLICANT/OWNER: 2575 S HIGHLAND DRIVE, L.P. - Request to Vacate a 2,131 square-foot portion of Highland Drive located approximately 275 feet northeast of Sutter Avenue, Ward 1 (Tarkanian). The Planning Commission (7-0 vote) and staff recommend APPROVAL

PLANNING & DEVELOPMENT - DISCUSSION

99. 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

100. 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

101. 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

102. 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

103. SUP-34014 - ABEYANCE ITEM - 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

104. SUP-34016 - ABEYANCE ITEM - 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

105. VAR-34008 - VARIANCE - PUBLIC HEARING - APPLICANT: AMERICAN WEST PETROLEUM - OWNER: PHAM CAPITAL, LLC - Request for a Variance TO ALLOW A ZERO-FOOT SIDE YARD SETBACK WHERE 10 FEET IS THE MINIMUM REQUIRED AND TO ALLOW A RESIDENTIAL ADJACENCY SETBACK OF 20 FEET WHERE 57 FEET IS REQUIRED on 0.58 acres at the southwest corner of Sahara Avenue and Valley View Boulevard (APN 162-07-512-010), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). The Planning Commission (7-0 vote) and staff recommend DENIAL

106. SUP-34006 - SPECIAL USE PERMIT RELATED TO VAR-34008 - PUBLIC HEARING - APPLICANT: AMERICAN WEST PETROLEUM - OWNER: PHAM CAPITAL, LLC - Request for a Special Use Permit FOR A BEER/WINE/COOLER OFF-SALE ESTABLISHMENT at the southwest corner of Sahara Avenue and Valley View Boulevard (APN 162-07-512-010), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). The Planning Commission (7-0 vote) and staff recommend DENIAL

107. SDR-34010 - SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-34008 AND SUP-34006 - PUBLIC HEARING - APPLICANT: AMERICAN WEST PETROLEUM - OWNER: PHAM CAPITAL, LLC - Request for a Site Development Plan Review FOR A PROPOSED 3,018 SQUARE-FOOT CONVENIENCE STORE WITH FUEL PUMPS AND A WAIVER TO ALLOW A ZERO-FOOT LANDSCAPE BUFFER ON A PORTION OF THE SOUTH AND WEST PERIMETER WHERE EIGHT FEET IS THE MINIMUM REQUIRED AND TO ALLOW A WAIVER OF THE BUILDING PLACEMENT AND ORIENTATION STANDARDS on 0.58 acres at the southwest corner of Sahara Avenue and Valley View Boulevard (APN 162-07-512-010), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). The Planning Commission (7-0 vote) and staff recommend DENIAL

108. RQR-33738 - REQUIRED REVIEW - PUBLIC HEARING - APPLICANT: RANDY BLACK - OWNER: F M & NANCY L CORRIGAN TRUST - Required Review of a previously approved Variance (V-0043-96) WHICH ALLOWED A 55-FOOT TALL, 14-FOOT BY 48-FOOT OFF-PREMISE SIGN at 921 North Buffalo Drive (APN 138-28-620-005), C-1 (Limited Commercial) Zone, Ward 4 (Anthony) NOTE: THIS APPLICATION HAS BEEN AMENDED TO REFLECT APPLICANT: BLACK GAMING - OWNER: REBEL OIL CO. INC AND AN APN OF 138-28-620-003. The Planning Commission (3-2 vote) and staff recommend DENIAL

109. SUP-34255 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER: RIVER OF LIFE MINISTRIES, INC. - Request for a Special Use Permit FOR A CHURCH/HOUSE OF WORSHIP at 5300 North Rainbow Boulevard (APN 125-35-201-006), R-E (Residence Estates) Zone, Ward 6 (Ross). The Planning Commission (5-2 vote) and staff recommend APPROVAL

110. SDR-34254 - SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-34255 - PUBLIC HEARING - APPLICANT/OWNER: RIVER OF LIFE MINISTRIES, INC. - Request for a Site Development Plan Review FOR A PROPOSED CONVERSION OF AN EXISTING 5,313 SQUARE-FOOT SINGLE-FAMILY RESIDENCE TO A CHURCH/HOUSE OF WORSHIP WITH A WAIVER OF THE PERIMETER LANDSCAPE BUFFER STANDARDS TO ALLOW A ZERO-FOOT LANDSCAPE BUFFER ALONG A PORTION OF THE SOUTHERN PROPERTY LINE WHERE EIGHT FEET IS THE MINIMUM REQUIRED on 3.52 acres at 5300 North Rainbow Boulevard (APN 125-35-201-006), R-E (Residence Estates) Zone, Ward 6 (Ross). The Planning Commission (5-2 vote) and staff recommend APPROVAL

111. SUP-34331 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: L. ERIC CULVERSON - OWNER: VILLAGE SQUARE SHOPPING CENTER, LLC – Appeal filed from the denial by the Planning Commission of a request for a Special Use Permit FOR A MASSAGE ESTABLISHMENT WITH A WAIVER TO ALLOW A ZERO-FOOT DISTANCE SEPARATION FROM A RESIDENTIALLY ZONED PROPERTY WHERE 400 FEET IS THE MINIMUM REQUIRED AND TO ALLOW A ZERO-FOOT DISTANCE SEPARATION FROM TWO EXISTING MASSAGE ESTABLISHMENTS WHERE 1,000 FEET IS THE MINIMUM REQUIRED at 9440 West Sahara Avenue, Suite #215 (APN 163-06-816-027), C-1 (Limited Commercial) Zone, Ward 2 (Wolfson). Note: To be heard in conjunction with Morning Session Item 56 The Planning Commission (7-0 vote) and staff recommend DENIAL

112. SUP-34333 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: COLLEEN'S CLASSIC CONSIGNMENT - OWNER: ROBERT H. AND SURIVA FISHER TRUST - Request for a Special Use Permit FOR A 21,025 SQUARE-FOOT SECONDHAND DEALER USE (FURNITURE) at 1540 South Rainbow Boulevard (APN 163-02-201-005), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). The Planning Commission (7-0 vote) and staff recommend APPROVAL

SET DATE

113. 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 PARTICIPATION

114. 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

115. 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

EXHIBIT "B"

(Attach Affidavit of Publication and Notice of Public Hearing)

AFFP DISTRICT COURT
Clark County, Nevada

AFFIDAVIT OF PUBLICATION

STATE OF NEVADA)
COUNTY OF CLARK) SS:

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

LV CITY CLERK 2296311LV 5413378

was continuously published in said Las Vegas Review-Journal and / or Las Vegas Sun in 1 edition(s) of said newspaper issued from 07/03/2009 to 07/03/2009, on the following days:

07/03/2009

EMILY GONZALEZ
Notary Public State of Nevada
No. 09-8940-1
My appt. exp. Nov. 13, 2012

Signed: Stacey M. Lewis

SUBSCRIBED AND SWORN BEFORE ME THIS, THE

6th day of July, 2009.

Emily Gonzalez
Notary Public

2009 JUL 15 A

CITY CLERK

NOTICE OF HEARING AND OF INTENTION TO AUTHORIZE A MEDIUM TERM OBLIGATION BY THE CITY OF LAS VEGAS, NEVADA.

NOTICE is hereby given that the City Council of the City of Las Vegas, Nevada (the "Council" and "City," respectively) will hold a public hearing at a regular meeting to be held on Wednesday, July 15, 2009 at the hour of 9:00 a.m. in the Council Chambers, Las Vegas City Hall Complex, 400 Stewart Avenue, Las Vegas, Nevada to act upon a resolution authorizing medium-term obligations of the City in the maximum principal amount of $15,000,000 to finance the cost to acquire, construct, improve and equip a parking garage adjacent to Symphony Park to be used for the Smith Center and other City properties by the issuance of the City's medium-term obligations.

The medium-term obligations are not proposed to be repaid in whole or in part by the levy of a tax exempt from the limitations on taxes ad valorem, but are to be repaid from legally available funds of the City, including, without limitation, monies in the City's General Fund estimated to range from $432,000 to $2,160,000 per year for a period not to exceed 10 years.

The form of the resolution authorizing such medium-term obligations, to be considered by the Council after such hearing and other information concerning such medium-term obligations and the purpose for which they are proposed to be used, may be examined in the office of the City Clerk, City Hall Complex, 400 Stewart Avenue, Las Vegas, Nevada. All persons are invited to attend and to be heard regarding the proposed action. Prior to the hearing, written comments may be filed with the City Clerk at the aforementioned address.

Publication Date:
July 3, 2009.
/s/ BEVERLY K. BRIDGES
Beverly K. Bridges, CMC,
City Clerk
PUB: July 3, 2009
LV Review-Journal

EXHIBIT "C"

(Minutes of Public Hearing)

City of Las Vegas

Agenda Item No.: **71.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: JULY 15, 2009

DEPARTMENT: FINANCE AND BUSINESS SERVICES
DIRECTOR: MARK R. VINCENT

☐ Consent ☒ Discussion

SUBJECT:
RESOLUTIONS:

R-61-2009 - Public hearing and possible action regarding a Resolution authorizing a medium-term obligation and the execution and delivery of documents relating thereto in an amount not to exceed $15,000,000 to finance the cost to acquire, construct, improve and equip a parking garage adjacent to Symphony Park - Ward 3 (Reese)

Fiscal Impact

☒ **No Impact** ☐ **Augmentation Required**

☐ **Budget Funds Available**

Amount: $15,000,000
Funding Source: City Facilities Capital Project Fund
Dept./Division: Finance and Business Services

PURPOSE/BACKGROUND:
The parking garage will be used for the Smith Center and other City properties with the medium-term obligation being repaid from legally available funds of the City for a period not to exceed ten years.

RECOMMENDATION:
Staff Recommends approval.

BACKUP DOCUMENTATION:
Resolution No. R-61-2009

Motion made by GARY REESE to Approve

Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 1
RICKI Y. BARLOW, STEVE WOLFSON, OSCAR B. GOODMAN, GARY REESE, STEVEN D. ROSS, STAVROS S. ANTHONY; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-LOIS TARKANIAN)

Minutes:
MAYOR GOODMAN declared the Public Hearing open.

CANDACE FALDER, Deputy Director of Finance and Business Services, explained that this public hearing is required in order to move forward with this parking garage adjacent to Symphony Park. She pointed out that if the City Council chooses not to construct a new City Hall at some point in the future, this parking garage will still be needed to support Symphony Park. She noted that approval requires a super-majority of the Council.

COUNCILMAN ANTHONY suggested that issuing bonds for a parking garage to support a new City Hall is premature and recommended that this item not move forward until the Council has decided to build a new City Hall. MS. FALDER explained that parking would be needed in this area and that another hearing would be required to issue the bonds. BILL ARENT, Acting Director of the Office of Business Development, added that the City has a commitment to provide 1,200 parking spaces at no cost to the Smith Center for the Performing Arts for a five-year period. He also pointed out that this Resolution allows some flexibility in the parking garage's location.

MAYOR GOODMAN declared the Public Hearing closed.