

RESOLUTION NO. R-26-2010

A RESOLUTION CONCERNING THE CITY OF LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 1516 - FREMONT STREET MAINTENANCE DISTRICT (LAS VEGAS BOULEVARD TO 8TH STREET); OVERRULING COMPLAINTS, PROTESTS AND OBJECTIONS MADE TO THE ASSESSMENTS AT THE HEARING ON THE ASSESSMENT ROLL FOR THE DISTRICT; VALIDATING AND CONFIRMING THE ASSESSMENT ROLL; PRESCRIBING OTHER DETAILS IN CONNECTION THEREWITH; RATIFYING ALL ACTION TAKEN CONSISTENT WITH THE PROVISIONS HEREOF; AND PROVIDING THE EFFECTIVE DATE HEREOF.

Summary: Assessment Protest Resolution

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

WHEREAS, the City Council has heretofore determined that the cost and expense of the Project is to be paid by special assessments levied against the benefited lots, tracts and parcels of land in the District which the City Council has determined will receive special benefits (and corresponding market value increases) from the Project; and

WHEREAS, in accordance with NRS 271.360 and 271.377, the City Council heretofore determined and does hereby declare that the net cost of the Project (including all necessary incidentals which either have been or will be incurred in connection with the District) is \$252,402.00, of which \$0 is available from other sources and \$252,402.00 is to be assessed upon the benefited lots, tracts and parcels of land in the District, which the City Council has determined will receive special benefits (and corresponding market value increases) from the Project; and

WHEREAS, the City Council by resolution heretofore adopted and directed the City's Director of Public Works, together with the City Engineer Division of the City and certain consulting engineers (collectively, the "City Engineer"), to make out a final assessment roll for the District; and

WHEREAS, the City Council, together with the City Engineer, made out an assessment roll for the District which contains, among other things, the names and addresses of the last known owners of the property to be assessed, a description of each lot, tract, or parcel of land to be assessed, the amount of the proposed assessment to be levied thereon; and

WHEREAS, the City Engineer has reported the assessment roll to the City Council and the City Engineer has filed the assessment roll with the City Clerk of the City (the "City Clerk"); and

WHEREAS, the City Council, by resolution heretofore adopted, established a date, time and location at which the City Council would hear and consider any and all complaints, protests and objections to the assessment roll and to the assessments contained therein; and

WHEREAS, the City Engineer has, in accordance with the provisions of the law relating thereto, given the requisite legal notice by both mail and publication that complaints, protests and objections to assessments for the Project should be filed with the City Clerk, and that the City Council would hear and consider any and all complaints, protests, or objections on Wednesday, April 21, 2010, at 1:00 p.m., at the Las Vegas City Council Chambers, 400 Stewart Avenue, in Las Vegas, Nevada; and

WHEREAS, the City Council met at said place and time to hear and consider all complaints, protests and objections made or filed; and

WHEREAS, all complaints, protests and objections, both written and oral, were heard and considered by the City Council on April 21, 2010, and after extensive review and deliberation hereby are found to be without sufficient merit and hereby overruled. However, the City Council has, nevertheless, concluded that it is necessary and equitable that the assessment roll be corrected and revised as follows:

| <u>Parcel Number</u> | <u>Ownership</u> | <u>Revised Amount of Final<br/>Assessment</u> |
|----------------------|------------------|-----------------------------------------------|
| None                 |                  |                                               |

and

WHEREAS, pursuant to NRS 271.357 and NRS 271.360 the City Council has considered all applications for hardship determinations and the recommendations of the Department of Social Services and hereby approves the following applications for hardship determination:

| <u>Parcel Number</u> | <u>Ownership</u> | <u>Assessment</u> |
|----------------------|------------------|-------------------|
| None                 |                  |                   |

and

WHEREAS, the City Council has determined, and does hereby again determine, that all of the assessable property in the City, which is specially benefited by the Project, and only property which is so specially benefited, is included on the assessment roll heretofore filed with the City Clerk on March 17, 2010, and

WHEREAS, the City Council has determined, and does hereby determine, that the notice, both mailed and published, for the hearing held on April 21, 2010 on said assessment roll was reasonably calculated to inform each interested person of the proceedings concerning the District and the Project, which may directly and adversely affect his or her legally protected rights and interests.

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

Section 1. This Resolution shall be known as and may be cited by the short title "District No. 1516 Assessment Protest Resolution" (the "Resolution").

Section 2. All complaints, protests and objections, both written and oral, hereby are found to be without sufficient merit and hereby overruled.

Section 3. The City Council hereby validates and confirms the assessment roll for the District, as made out by the City Council, together with the City Engineer, and filed in the records of the office of the City Clerk on March 17, 2010, as hereinabove modified, revised, corrected and made de novo.

Section 4. All actions, proceedings, matters and things heretofore taken, had and done by the City and the officers thereof (not inconsistent with the provisions of this Resolution) concerning the District, including, but not limited to, the acquisition, improvement and maintenance of the Project, and the levy of assessments for that purpose, the determination that the tracts in the District will receive special benefits and market value increases, and the validation and confirmation of the assessment roll and the assessments therein, be and the same hereby are, ratified, approved and confirmed.

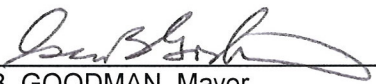
Section 5. The officers of the City are hereby authorized and directed to take all action necessary or appropriate to effectuate the provisions of this Resolution.

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

Section 7. If any section, paragraph, clause or 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 provision shall not affect any of the remaining provisions of this Resolution.

Section 8. The City Council has determined, and does hereby declare, that this Resolution shall be in effect immediately after its passage in accordance with law.

Passed and approved on May 5, 2010.

  
\_\_\_\_\_  
OSCAR B. GOODMAN, Mayor

Attest:

  
\_\_\_\_\_  
BEVERLY K. BRIDGES, MMC City Clerk

Approved as to form:

4/20/10   
Date Assistant City Attorney

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

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

1. The foregoing pages constitute a true, correct, complete and compared copy of a resolution adopted by the City Council of the City (the "City Council") at a regular meeting of the City Council held on May 5, 2010.

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

|                   |                                                                                                                              |
|-------------------|------------------------------------------------------------------------------------------------------------------------------|
| Those Voting Aye: | Oscar B. Goodman<br>Gary Reese<br>Steve Wolfson<br>Lois Tarkanian<br>Steven D. Ross<br>Ricki Y. Barlow<br>Stavros S. Anthony |
|-------------------|------------------------------------------------------------------------------------------------------------------------------|

|                   |      |
|-------------------|------|
| Those Voting Nay: | None |
|-------------------|------|

|               |      |
|---------------|------|
| Those Absent: | None |
|---------------|------|

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

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

(a) By posting a copy of the notice at least three working days before the meeting at the principal office of the City Council, or if there is no principal office, at the building in which the meeting is to be held, and at least three (3) other separate, prominent places within the jurisdiction of the City Council, to wit:

(i) City Clerk's Bulletin Board  
City Hall Plaza  
2<sup>nd</sup> Floor Skybridge  
Las Vegas, Nevada

- (ii) Bulletin Board  
City Hall Plaza (next door to Metro Records)  
Las Vegas, Nevada
- (iii) Las Vegas Library  
833 Las Vegas Boulevard North  
Las Vegas, Nevada
- (iv) Clark County Government Center  
500 South Grand Central Parkway  
Las Vegas, Nevada
- (v) Grant Sawyer Building  
555 E. Washington Avenue  
Las Vegas, Nevada
- (vi) The City of Las Vegas website

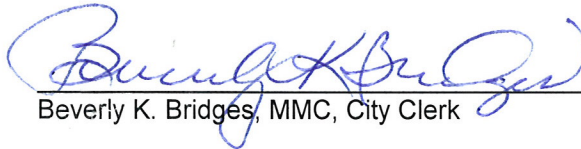
(b) By mailing a copy of the notice to each person, if any, who has requested notice of the meetings of the City Council in the same manner in which notice is required to be mailed to a member of the City Council. Such notice was delivered to the postal service no later than 9:00 a.m. on the third working day prior to the meeting.

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

6. A copy of such notice so given of the meeting of the City Council on May 5, 2010, is attached to this certificate as Exhibit "A".

**IN WITNESS WHEREOF**, I have hereunto set my hand on this May 5, 2010.

(SEAL)

  
Beverly K. Bridges, MMC, City Clerk

**Exhibit "A"**

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



## **CITY COUNCIL AGENDA**

**COUNCIL CHAMBERS • 400 STEWART AVENUE • PHONE 229-6011**

**CITY OF LAS VEGAS INTERNET ADDRESS: [www.lasvegasnevada.gov](http://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)**

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

**May 5, 2010**

**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](http://www.kclv.tv). THE PROCEEDINGS WILL BE REBROADCAST ON KCLV CHANNEL 2 AND THE WEB THE WEDNESDAY OF THE MEETING AT 8:00 PM, AND ALSO ON FRIDAY AT 4:00 AM, SATURDAY AT 7:00 PM, SUNDAY AT 7:00 AM AND THE FOLLOWING MONDAY AT 1:00 PM.

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

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

### **CEREMONIAL MATTERS**

1. CALL TO ORDER
2. ANNOUNCEMENT RE: COMPLIANCE WITH OPEN MEETING LAW
3. INVOCATION – CHAPLAIN STEVE SANSON, VETERANS IN POLITICS INTERNATIONAL
4. PLEDGE OF ALLEGIANCE
5. RECOGNITION OF THE CITIZEN OF THE MONTH
6. RECOGNITION OF MUNICIPAL CLERK'S WEEK
7. RECOGNITION OF THE NATIONAL ASSOCIATION OF LETTER CARRIERS FOOD DRIVE DAY
8. RECOGNITION OF THE KEEP AMERICA BEAUTIFUL PROGRAM
9. RECOGNITION OF THE STATE CHAMPION ARBOR VIEW HIGH SCHOOL GIRLS SOCCER TEAM
10. RECOGNITION OF THE STATE CHAMPION CENTENNIAL HIGH SCHOOL CHEERLEADERS

## **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 City Council meeting of April 7, 2010

## **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 the ratification of the Commission for the Las Vegas Centennial additional funding allocation of \$150,000 for the production of the 2010 Helldorado Rodeo located at the downtown rodeo grounds between Las Vegas Boulevard and 7th Street and Stewart Avenue to Mesquite Avenue - Ward 5 (Barlow)

### **ADMINISTRATIVE SERVICES - CONSENT**

14. Approval of a grant agreement with the State of Nevada, Division of Emergency Management, as the funding agency; and the City of Las Vegas, Office of Emergency Management, as grant subrecipient; for the receipt of funds from the FY10 United States Department of Homeland Security Emergency Management Performance Grant (EMPG) to support the City of Las Vegas Emergency Management Program in the amount of \$391,886 (Multi-purpose Special Revenue Fund) - All Wards
15. Approval of a subgrant agreement with the State of Nevada, State Health Department, for receipt of funds to assist in the upgrade of software and equipment for the Emergency Notification System in the amount of \$24,496 - All Wards

### **FIELD OPERATIONS - CONSENT**

16. Approval of a First Amendment to Property Conveyance and Construction Agreement between the City of Las Vegas and the Sun City Summerlin Community Association, Inc. for the construction of a fire station located at Del Webb Boulevard and Sundial Drive, APN 138-17-310-001 - Ward 4 (Anthony)

### **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 Special Event Alcoholic Beverage License for A Time in History Inc, Location: Helldorado, 713 Stewart Avenue, Dates: May 13 - 16, 2010, Type: Special Event Beer/Wine, Event: Helldorado Rodeo Event, Responsible Person in Charge: Lori Yerger - Ward 5 (Barlow)
19. Approval of a Special Event Alcoholic Beverage License for Gods Art Gallery, Location: 1302 South 3rd Street, Date: May 7, 2010, Type: Special Event General, Event: Gypsy Friday, Responsible Person in Charge: Hans Cewe - Ward 3 (Reese)
20. Approval of a Special Event Alcoholic Beverage License for Ricardo's Mexican Restaurant, Location: Richard Harris Law Firm, 801 South 4th Street, Date: May 7, 2010, Type: Special Event General, Event: Cinco de Mayo Event, Responsible Person in Charge: Carlos Gomez - Ward 3 (Reese)
21. Approval of a Special Event Alcoholic Beverage License for Southern Nevada Center for the Arts, Location: 1310 South 3rd Street, Date: May 7, 2010, Type: Special Event General, Event: Art and Music Exhibit, Responsible Person in Charge: Gaston Santos - Ward 3 (Reese)

22. Approval of a Special Event Alcoholic Beverage License for Southern Nevada Center for the Arts, Location: 1310 South 3rd Street, Date: May 21, 2010, Type: Special Event General, Event: Art and Music Exhibit, Responsible Person in Charge: Gaston Santos - Ward 3 (Reese)
23. Approval of a Special Event Alcoholic Beverage License for Southern Nevada Center for the Arts, Location: 1310 South 3rd Street, Date: May 31, 2010, Type: Special Event General, Event: Memorial Day Art & Music Exhibit, Responsible Person in Charge: Gaston Santos - Ward 3 (Reese)
24. Approval of a Special Event Alcoholic Beverage License for Southern Nevada Center for the Arts, Location: 1310 South 3rd Street, Dates: June 4 & 5, 2010, Type: Special Event General, Event: Art & Music Exhibit, Responsible Person in Charge: Gaston Santos - Ward 3 (Reese)
25. Approval of an extension of a Temporary Beer/Wine/Cooler On-sale License, Lil Vento's II, LLC, dba Carmine's Pizza Kitchen, 2211 South Maryland Parkway, Suite A, Carmine Vento and Ann M. Vento Revocable Family Trust, Mmbr, 100%, Carmine Vento, Trustee, Mgr and Ann M. Vento, Trustee - Ward 3 (Reese)
26. Approval of an extension of a Temporary Beer/Wine/Cooler On-sale License for a Change of Ownership, From: Food Express Inc., To: MA Food Express LLC, dba Food Express, 2003 South Decatur Boulevard, Suites B & C, Francis K. Leung, Mgr, 50% and Kon H. Ma, Mgr, 50% - Ward 1 (Tarkanian)
27. Approval of a Change of Ownership for a Package License subject to Health Dept. regulations, From: Lino and Antonette Croaro, To: Jones Feed and Tack, LLC, dba Jones Feed & Tack, 6515 West Lone Mountain Road, Lino Croaro, Mgr and Antonette Croaro, Mgr 100% jointly with spouse - Ward 6 (Ross)
28. Approval of a new Beer/Wine/Cooler On-sale License subject to the provisions of the fire code and Health Dept. regulations, Yeonmun, Inc., dba The Sushi, 8427 West Lake Mead Boulevard, Yeon Suk Mun, Pres, 100% - Ward 4 (Anthony)
29. Approval of an extension of a Temporary Package License and a Temporary Wine/Beer/Cordial/Liqueur Tasting License for a Change of Business Name, Change of Location, and Change of Ownership, From: The Vons Companies Inc., dba Vons 2195, 6000 West Cheyenne Avenue, To: Nevada Fine Wine & Spirits LLC, dba Total Wine & More, 730 South Rampart Boulevard, David Trone, Mgr, 5%, Robert Trone, 5%, SPT 2005 Trust, 45%, JET 2008 Receiving Trust, 11.25%, NRT 2008 Receiving Trust, 11.25%, NRT 208 Receiving Trust, 11.25%, and RJT 2008 Receiving Trust, 11.25% - Ward 2 (Wolfson)
30. Approval of an extension of a Temporary Locksmith License, A1 Fox Locksmith Inc, dba A1 Fox Locksmith Inc, 2222 West Bonanza Road, Suite C, Jackie Z. Baker, Pres, 100% - Ward 5 (Barlow)
31. Approval of an extension of a Temporary Class II Secondhand Dealer License, As They Grow, LLC, dba As They Grow, 3075 East Flamingo Road, Suite 110A, Lisa M. Deluca, Managing Mmbr, Lisa B. Renteria, Managing Mmbr, and Leslie Ann D. Stewart, Managing Mmbr - County
32. Approval of a new Wedding Chapel License, Ivy Grill, LLC, dba Lakeside Weddings, 2620 Regatta Drive, Suite 116, Erik R. Watts, Managing Mmbr, 100% - Ward 4 (Anthony)
33. Approval of an extension of a Temporary Wedding Chapel License, Las Vegas Wedding Palace LLC, dba Las Vegas Wedding Palace, 1431 South Las Vegas Boulevard, Sean West, Managing Mmbr, 100% - Ward 3 (Reese)
34. Approval of a new Wedding Chapel License, Rainbow Gardens Inc., dba Rainbow Gardens, 4125 West Charleston Boulevard, Kelly Husley, Pres, Treas, 100% and Iwona Husley, Dir, Secy - Ward 1 (Tarkanian)

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

35. Approval of award of Blanket Services Agreement No. 100210-LD, General Engineering Services - Department of Public Works - Award recommended to: G.C. WALLACE, INC. (not-to-exceed \$500,000 - Various Funds)
36. Approval of Purchase Order No. 280813, Annual Requirements Contract for Water Treatment Chemicals - Department of Public Works - Award recommended to: WATER ELEMENTS, LLC (\$2,500,000 - Sanitation Enterprise Fund)

37. Approval of award of Modification No. 5 to Contract No. 060266-DK, State Legislative Consulting Services - Office of Administrative Services - Award recommended to: OSTROVSKY AND ASSOCIATES (not-to-exceed \$228,600 - General Fund)
38. Approval of award of Contract No. 090056-CW, Banking Services (including indemnification provision) - Department of Finance and Business Services - Award recommended to: BANK OF AMERICA, N.A. (\$400,000 - General Fund)

#### **FIRE & RESCUE - CONSENT**

39. Approval of a Mutual Aid Agreement with Nellis Air Force Base for fire protection and hazardous materials incident response - All Wards

#### **NEIGHBORHOOD SERVICES - CONSENT**

40. Approval of agreement between the City of Las Vegas and the State of Nevada Department of Health and Human Services Division of Welfare and Supportive Services (DWSS) acting through Las Vegas, Clark County Urban League (LVCCUL), to oversee the performance of Before and After School Programs in the amount of \$95,000 for the Parents As Learning Support (PALS) Program - All Wards

#### **PUBLIC WORKS - CONSENT**

41. Approval of Amendment No 1 to Interlocal Agreement 113444 between the City of Las Vegas and the Las Vegas Valley Water District for the extension of water facilities for the Neon Boneyard Park project located east of Las Vegas Boulevard north and south of McWilliams Avenue (Southern Nevada Public Land Management Act [SNPLMA]) - Ward 5 (Barlow)
42. Approval of an encroachment request from Motivational Systems, Inc. on behalf of Providence Master Homeowners Association, owner (Grand Teton Drive at Hualapai Way, Shaumber Road at Centennial Parkway and Hualapai Way at Deer Springs Way) - Ward 6 (Ross)
43. Approval of Interlocal Agreement among the Clean Water Coalition, City of Las Vegas, City of Henderson, City of North Las Vegas, 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 Las Vegas Wash activities in fiscal year 2010/2011 (\$102,001 - Sanitation Enterprise Fund) - County
44. Approval of Interlocal Agreement No 113862 between the City of Las Vegas and the Las Vegas Valley Water District for water services for the Bonneville Clark One Way Couplet project located along Bonneville Avenue and Clark Avenue from Main Street to Las Vegas Boulevard (\$29,556 - Regional Transportation Commission of Southern Nevada [RTC]) - Ward 3 (Reese)
45. Approval of an Interlocal Contract Agreement with Clark County for evaluation services relating to the Special Improvement District (SID) Hardship Determination Program (not to exceed \$1,350 annually - Special Assessment Revolving Loan Fund) - All Wards

#### **RESOLUTIONS - CONSENT**

46. R-26-2010 - Approval of a Resolution overruling complaints, protests, and objections and confirming the Final Assessment Roll for Special Improvement District No. 1516 - Fremont Street Maintenance District (Las Vegas Boulevard to 8th Street) (\$252,402 - Capital Projects Fund/Special Assessments) - Ward 5 (Barlow)
47. R-27-2010 - Approval of a Resolution to refund surplus amounts of \$18,156.98 in Special Improvement District (SID) 1448 - Wards 1, 5 and 6 (Tarkanian, Barlow and Ross)

### **DISCUSSION/ACTION ITEMS**

#### **ADMINISTRATIVE - DISCUSSION**

48. Report from various local business sectors/organizations on the current state of the economy in Southern Nevada and its effect on their industry and business operations - All Wards

49. Discussion and possible action on a report from the Financial Oversight Committee regarding the revenue forecast

#### **BUSINESS DEVELOPMENT - DISCUSSION**

50. Discussion and possible action regarding an Interlocal Agreement between the City of Las Vegas Redevelopment Agency and the City of Las Vegas to provide funding for the operations and maintenance of the Reed Whipple Cultural Center located at 821 North Las Vegas Boulevard (APN 139-27-708-016) (\$372,695 - RDA Special Projects Fund) - Ward 5 (Barlow) [NOTE: This item is related to RDA Item 5]
51. Discussion and possible action regarding an Interlocal Agreement between the City of Las Vegas Redevelopment Agency and the City of Las Vegas to provide for the operations and maintenance of the Historic Fifth Street School located at 401 South 4th Street (APN 139-34-303-001) by the City of Las Vegas Office of Cultural Affairs (\$419,029 - RDA Special Projects Fund) - Ward 3 (Reese) [NOTE: This item is related to RDA Item 6]

#### **FINANCE & BUSINESS SERVICES - BUSINESS SERVICES DISCUSSION**

52. Discussion and possible action regarding a Review of a Temporary Supper Club License, Marysol Montano and Gume Montano, dba La Sirena Mexican Seafood Restaurant, 2327 South Eastern Avenue, Marysol Montano, Owner, 50% and Gume Montano, Owner, 50% - Ward 3 (Reese)
53. Discussion and possible action regarding a Temporary Class III-A Secondhand Dealer License, Jewelry Manufactures Exchange, Inc., dba Jewelry Manufactures Exchange, Inc., 8550 West Charleston Boulevard, Suite 108, Sharon Tigert, Pres, Secy, Treas, Dir, 100% - Ward 2 (Wolfson)

#### **LEISURE SERVICES - DISCUSSION**

54. Discussion and possible action regarding an agreement between the City of Las Vegas and the United States Tennis Association to provide program funding at the Stacy and Amanda Darling Tennis Center - Ward 4 (Anthony)
55. Discussion and possible action regarding a proposed program participation fee increase for sports fields, Safekey and seasonal camps for children (estimated \$1,132,000 revenue increase) - All Wards

#### **NEIGHBORHOOD SERVICES - DISCUSSION**

56. Discussion and possible action on the submittal of the City of Las Vegas 2010-2015 Consolidated Plan to the U.S. Department of Housing and Urban Development (HUD) - All Wards
57. Discussion and possible action regarding the submittal of the City of Las Vegas 2010-2011 Action Plan that secures \$9,735,739 in U.S. Department of Housing and Urban Development (HUD) and State of Nevada funds - All Wards

#### **PUBLIC WORKS - DISCUSSION**

58. Discussion and possible action on a request to install speed humps on Sweeney Avenue between 8th Street and 11th Street (\$7,800 - Neighborhood Traffic Management Program) - Ward 3 (Reese)

#### **RESOLUTIONS - DISCUSSION**

59. R-28-2010 - Discussion and possible action regarding a Resolution to seek approval from the Clark County Debt Management Commission to issue one or more installment-purchase agreements in the maximum principal amount of \$10,848,804 to finance energy conservation projects - All Wards
60. R-29-2010 - 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 Decar Enterprises, LLC, located at 1205 South Las Vegas Boulevard (APN 162-03-112-027) to be in compliance with and in furtherance of the goals and objectives of the RDA - Ward 3 (Reese) [NOTE: This item is related to RDA Item 4 (RA-6-2010)]
61. R-30-2010 - Approval of a Resolution to Reduce Scheduled Cost of Living Adjustment ("COLA") for Classified Employees in the Bargaining Unit Represented by the Las Vegas City Employees Association, Inc.

## **BOARDS & COMMISSIONS - DISCUSSION**

- 62. BUILDING AND SAFETY ENTERPRISE FUND ADVISORY COMMITTEE – Robert W. Potter, Term Expires 5/17/2010, Steve Quinn, Term Expires 5/17/2010 and Mark Vincent, Term Expires 5/17/2010
- 63. HISTORIC PRESERVATION COMMISSION – Claytee White, Term Expires 5/17/2010

## **RECOMMENDING COMMITTEE REPORT - DISCUSSION**

### **BILLS ELIGIBLE FOR ADOPTION AT THIS MEETING**

- 64. Bill No. 2010-15 – Reduces the minimum amount of meal-service seating that must be provided by establishments with beer/wine/cooler on-sale and beer/wine/cooler on-off-sale licenses. Sponsored by: Councilman Gary Reese
- 65. Bill No. 2010-16 – Requires certain contractors and employers of employees hired to staff gaming hospitality operations to be signatory to collective bargaining agreements where the City or the City's Redevelopment Agency has a specified financial or proprietary interest. 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.

- 66. Bill No. 2010-17 - Levies Assessment for Special Improvement District No. 1485 - Alta Drive (Rancho Drive to approximately 275 feet west of Lacy Lane) (Landscape Maintenance FY2011) Sponsored by: Step Requirement

## **NEW BILLS - DISCUSSION**

THERE IS NO PUBLIC COMMENT ON THESE ITEMS. NEW BILLS ARE READ INTO THE RECORD AND REFERRED TO RECOMMENDING COMMITTEE FOR A SEPARATE HEARING TO RECEIVE PUBLIC TESTIMONY BEFORE ACTION BY THE COUNCIL AT A LATER MEETING. EXCEPTION: EMERGENCY BILLS OR THOSE ITEMS TO BE STRICKEN OR TABLED.

- 67. Bill No. 2010-18 – Levies Assessment for Special Improvement District No. 1516 – Fremont Street Maintenance District (Las Vegas Boulevard to 8th Street) Sponsored by: Step Requirement
- 68. Bill No. 2010-19 – Corrects an error in the mandatory spay-neuter ordinance to set the required age for spay/neuter procedures at four months rather than six. Proposed by: Bradford R. Jerbic, City Attorney
- 69. Bill No. 2010-20 – Revises and updates zoning-related application and hearing procedures generally; provides that Planning Commission action on most special use permits is final, unless appealed or requested for review by a member of the City Council; and provides a procedure for Required Reviews of approved zoning applications. (TXT-37402) Proposed by: M. Margo Wheeler, Director of Planning and Development
- 70. Bill No. 2010-21 – Updates the hearing procedures of the Municipal Code relating to parking infractions. Proposed by: Bradford R. Jerbic, City Attorney

## **CLOSED SESSION**

- 71. Closed Session - Upon duly carried Motion, a closed meeting is called in accordance with NRS 288.220 to discuss labor issues

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

### **BUSINESS ITEMS - AFTERNOON**

- 72. 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

## **HEARINGS - DISCUSSION**

73. ABEYANCE ITEM - Public Hearing to consider the report of expenses to recover costs for abatement of nuisance located at 4312 Amethyst Avenue in the amount of \$3,466.50 (General Fund) and assess a maximum of \$41,550 in daily civil penalties. PROPERTY OWNER: JEANNE SENIUR - Ward 6 (Ross)
74. ABEYANCE ITEM - Public Hearing to consider the report of expenses to recover costs for abatement of nuisance regarding dangerous building located at 2200 Santa Paula Drive in the amount of \$5,091.35 (General Fund) and assess a maximum of \$36,550 in daily civil penalties. PROPERTY OWNER: GMAC MORTGAGE LLC - Ward 3 (Reese)
75. Public Hearing and possible action to consider the report of expenses to recover costs for abatement of nuisance located at 201 George Place in the amount of \$2,481 (General Fund) and assess a maximum of \$29,550 in daily civil penalties. PROPERTY OWNER: TRUSTEE CLARK COUNTY TREASURER C/O ELISEO C & EMILIO QUINTANA - Ward 5 (Barlow)
76. Public hearing and possible action to consider the report of expenses to recover costs for abatement of nuisance regarding dangerous building located at 1304 Purple Sage Avenue in the amount of \$1,898 (General Fund) and assess a maximum of \$38,550 in daily civil penalties. PROPERTY OWNER: FRANCIS M BOZARTH - Ward 5 (Barlow)
77. Public hearing and possible action to consider assessing a maximum of \$32,550 in daily civil penalties for nuisance abatement regarding dangerous building located at 1605 South 11th Street. PROPERTY OWNER: T F LIVING TRUST ETAL MCGEE MIMI TRS - Ward 3 (Reese)
78. ABEYANCE ITEM - Public Hearing to consider a request for a waiver and/or reduction of fees and/or daily civil penalties for the property located at 1389 Lawry Avenue in the amount up to \$180,796.17. PROPERTY OWNERS: NEW CENTURY HOME EQUITY LOAN TR - Ward 5 (Barlow)
79. Public hearing and possible action to consider a request for a waiver and/or reduction of fees and/or daily civil penalties for the property located at 222 West Van Buren Avenue in the amount up to \$37,767.88. PROPERTY OWNERS: DEUTSCHE NATIONAL BANK TR CO TRS - Ward 5 (Barlow)
80. Public hearing and possible action to consider a request for a waiver and/or reduction of fees and/or daily civil penalties for the property located at 2200 West Washington Avenue in the amount up to \$40,351.26. PROPERTY OWNERS: NEW YORK MELLON BANK TRS - Ward 5 (Barlow)
81. Public hearing and possible action to consider a request for a waiver and/or reduction of fees and/or daily civil penalties for the property located at 4701 Alpine Place in the amount up to \$27,647.29. PROPERTY OWNER: BANK DEUTSCHE NATIONAL TR CO TRS - Ward 1 (Tarkanian)
82. ABEYANCE ITEM - Hearing to consider the appeal regarding Ten (10) Day Vacate Nuisance Notice and Order to Comply located at 8149 Satin Carnation Lane. PROPERTY OWNER: JOHN S WATKINS - Ward 6 (Ross)
83. Hearing and possible action to consider the appeal regarding Thirty (30) Day Vacate Nuisance Notice and Order to Comply located at 615 East Carson Avenue. PROPERTY OWNER: LIG LAND DEVELOPMENT LLC - Ward 3 (Reese)

## **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 - DISCUSSION**

84. DIR-37786 - WATER FEATURE EXEMPTION – NON-PUBLIC HEARING - APPLICANT: VINEYARDS VICE PRESIDENT - OWNER: VINEYARDS COMMUNITY ASSOCIATION - Request for a Water Feature Exemption FOR THREE (3) 225 SQUARE-FOOT WATER FEATURES (TOTALING 675 SQUARE FEET) at 1214 Moselle Court (APN 137-25-118-032), P-C (Planned Community) Zone, Ward 2 (Wolfson). Staff recommends APPROVAL

85. VAR-37379 - ABEYANCE ITEM - VARIANCE - PUBLIC HEARING - APPLICANT: KEVIN KELLY - OWNER: DESERT FOREST, LLC - Request for a Variance TO ALLOW TWO EXISTING ACCESSORY STRUCTURES (CLASS II) TOTALING 5,516 SQUARE FEET AND A PROPOSED 1,360 SQUARE-FOOT ACCESSORY STRUCTURE (CLASS I) WHERE 1,598 SQUARE FEET IS THE MAXIMUM ALLOWED on 2.52 acres at 6832 Thom Boulevard (APN 125-24-602-011), R-E (Residence Estates) Zone, Ward 6 (Ross). The Planning Commission (7-0 vote) and Staff recommend APPROVAL.
86. SUP-37415 - ABEYANCE ITEM - SPECIAL USE PERMIT RELATED TO VAR-37379 - PUBLIC HEARING - APPLICANT: KEVIN KELLY - OWNER: DESERT FOREST, LLC - Request for a Special Use Permit FOR A PROPOSED 1,360 SQUARE-FOOT ACCESSORY STRUCTURE (CLASS I) at 6832 Thom Boulevard (APN 125-24-602-011), R-E (Residence Estates) Zone, Ward 6 (Ross). The Planning Commission (7-0 vote) and Staff recommend APPROVAL.
87. SDR-37363 - ABEYANCE ITEM - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT/OWNER: LIED FOUNDATION TRUST – Council Review of a request for a Major Amendment to an approved Site Development Plan Review TO ALLOW ZERO-FOOT LANDSCAPE BUFFERS AND NO PLANTING MATERIALS ALONG THE NORTH AND EAST PERIMETERS WHERE THREE AND FOUR FEET WERE PREVIOUSLY APPROVED, RESPECTIVELY on 2.81 acres at 3901 West Charleston Boulevard (APN 162-06-502-003), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). The Planning Commission (7-0 vote) and Staff recommend APPROVAL.
88. RQR-37530 - REQUIRED REVIEW - PUBLIC HEARING - APPLICANT/OWNER: MARIO PENA PENA - Required Review of a previously approved Special Use Permit (SUP-31367) FOR AN AUTO REPAIR GARAGE, MINOR WITH SERVICE BAY DOORS FACING THE RIGHT-OF-WAY at 1550 North Rancho Drive (APN 139-29-112-120), C-1 (Limited Commercial) Zone, Ward 5 (Barlow). Staff recommends DENIAL.

#### **SET DATE**

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

#### **CITIZENS PARTICIPATION**

90. 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

#### **COUNCIL MEMBER RECOGNITION**

91. 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

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THIS MEETING HAS BEEN PROPERLY NOTICED AND POSTED AT THE FOLLOWING LOCATIONS:

City Clerk's Bulletin Board, City Hall Plaza, 2<sup>nd</sup> 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