

RESOLUTION NO. R-39-2010

A RESOLUTION CONCERNING CITY OF LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 1513 – VIA OLIVERO AVENUE AND VALADEZ STREET (EAST OF CIMARRON ROAD); FIXING THE TIME AND PLACE WHEN COMPLAINTS, PROTESTS, AND OBJECTIONS TO THE FINAL ASSESSMENT ROLL FOR THE DISTRICT WILL BE HEARD; PROVIDING FOR THE MANNER OF GIVING NOTICE OF THE HEARING ON THE FINAL ASSESSMENT ROLL; PRESCRIBING OTHER DETAILS IN CONNECTION THEREWITH; RATIFYING ALL ACTION TAKEN CONSISTENT WITH THE PROVISIONS HEREOF; AND PROVIDING THE EFFECTIVE DATE HEREOF.

Summary: Public Hearing Notice

WHEREAS, the City Council of the City of Las Vegas in the County of Clark, State of Nevada, (hereinafter the "City Council" and the "City" respectively) pursuant to an ordinance heretofore adopted (hereinafter the "Creation Ordinance") created City of Las Vegas, Nevada, Special Improvement District No. 1513 – Via Olivero Avenue And Valadez Street (East Of Cimarron Road) (hereinafter the "District") and ordered the acquisition of certain public improvements within the District (hereinafter the "Project"); and

WHEREAS, the City Council, by resolution heretofore adopted, has authorized the proper officers of the City to execute a construction contract on behalf of the City in accordance with NRS 271.335, for the Project, all as provided by law; and

WHEREAS, the City Council has heretofore determined that a portion of 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 improvements in the Project; and

WHEREAS, NRS 271.360 provides that the City Council may determine the cost of the Project to be assessed after making the construction contract, or after determining the net cost to the City, but not necessarily after the completion of the Project; and

WHEREAS, in accordance with NRS 271.360, the City Council has determined and does hereby declare that the net cost to the City for the Project (including all necessary incidentals which either have been or will be incurred in connection with the District) is \$227,512.75, of which \$9,156.00 is available from other sources and \$218,356.75 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, directed the City Engineer (with the assistance of the City Engineer Division) to make out a final assessment roll; and

WHEREAS, the City Council, together with the City Engineer, made out a final 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, and the amount of the proposed assessment to be levied thereon. The City Engineer has reported the final assessment roll to the City Council and the City Engineer has prepared and filed the final assessment roll with the City Clerk; and

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

WHEREAS, the City Council has also determined, and does hereby determine, that the notice for a hearing on the final assessment roll, which is provided for herein, is reasonably calculated to inform each interested person of the proceedings concerning the District, 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, IN THE STATE OF NEVADA; THAT:

Section 1. 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, be, and the same hereby are, ratified, approved and confirmed.

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

Total Cost	Estimated Amount of Special Assessments	Amount Available from Other Sources
\$227,512.75	\$218,356.75	\$9,156.00

Section 3. The final assessment roll for the District has been examined by the City Council, is tentatively approved, and is ordered filed in the office of the City Clerk.

Section 4. Wednesday, July 7, 2010 at 1:00 P.M., at the City of Las Vegas Council Chambers, 400 Stewart Avenue, Las Vegas, Nevada, be, and the same hereby is, fixed as the date, time and place when the City Council will hear and consider complaints, protests and objections to the final assessment roll, to the amount of each of the assessments, and to the regularity of the proceedings in making such assessments (whether made verbally or in writing) by the owners of the assessable property specially benefited by the Project in "City of Las Vegas, Nevada, Improvement District No. 1513 Via Olivero Avenue And Valadez Street (East Of Cimarron Road)" and proposed to be assessed, or by any party or person interested, and by all parties or persons aggrieved by such assessments.

Section 5. The City Clerk shall give notice by publication in the Las Vegas Review-Journal, a newspaper of general circulation in the City and a newspaper of general circulation in the District. Such notice to be published at least once a week, for three consecutive publications, by three weekly insertions, the first such publication in said newspaper to be at least 15 days prior to the date of the protest hearing. It shall not be necessary that the notice be published on the same day of the week, but not less than 14 days shall intervene between the first publication in such newspaper and the last publication in the same newspaper. Service by publication shall be verified by the affidavit of the publishers and filed with the City Clerk. In accordance with NRS 271.380 (2), the City Clerk or Deputy City Clerk shall also give notice by registered or certified mail by depositing a copy of such notice in the United States mail, postage prepaid, as first-class mail, at least 20 days prior to such hearing, to the last known owner or owners of each tract being assessed at his or their last known address or addresses. Proof of mailing shall be made by the affidavit of the City Clerk or Deputy City Clerk and such proof shall be filed with the City Clerk, provided however, that failure to mail any such notice or notices shall not invalidate any assessment or any other proceedings concerning the District. Proof of the publication and proof of the mailing shall be maintained in the permanent records of the office of the City Clerk until all special assessments and special assessment bonds issued (if such special assessment bonds are hereafter issued) appertaining thereto, have been paid in full, both principal and interest, or any claim is barred by an appropriate statute of

limitations. The City Council of City of Las Vegas hereby determines that the manner of giving notice herein provided by publication and by registered or certified mail is reasonably calculated to inform the parties of the proceedings concerning the District and the levying of assessments, which may directly and adversely affect their legally protected interests. Such notice shall be provided in NRS 271.380 and shall be substantially in the following form:

(Start of Form)

NOTICE OF THE FILING OF FINAL ASSESSMENT ROLL, OF THE OPPORTUNITY TO FILE WRITTEN COMPLAINTS, PROTESTS, OR OBJECTIONS, AND OF THE ASSESSMENT HEARING, ALL CONCERNING THAT CERTAIN AREA TO BE ASSESSED FOR IMPROVEMENTS WITHIN THE CITY OF LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 1513 – VIA OLIVERO AVENUE AND VALADEZ STREET (EAST OF CIMARRON ROAD).

NOTICE IS HEREBY GIVEN, that the Final Assessment Roll No. 2010-04 for City of Las Vegas, Nevada, Special Improvement District No. 1513 – Via Olivero Avenue And Valadez Street (East Of Cimarron Road) (hereinafter the "District") in and for the City of Las Vegas in the County of Clark, State of Nevada, which has been made out by the City Council of City of Las Vegas, together with the City Engineer, has been filed on June 2, 2010, in the office of the City Clerk and since such date, the final assessment roll has been, and now is available for examination by any interested person during regular office hours, Monday through Friday 8:00 a.m. until 5:00 p.m. The boundaries of the District are described in the Special Improvement District No. 1513 Creation Ordinance heretofore adopted (hereinafter the "Creation Ordinance"). The boundaries of the District, which include the location of the Project and the lots, tracts and parcels of land to be assessed, shall be the exterior boundary of each parcel of property fronting a street to be improved by the improvements (as described below) or fronting a cul-de-sac which abuts or fronts a street to be improved by the improvements. The streets to be improved by the improvements are:

VALADEZ (WEST SIDE) - from the centerline of Via Olivero Avenue north along Valadez approximately 340 feet (60-foot right-of-way)

VIA OLIVERO (NORTH SIDE) – from the centerline of Valadez Street west along Via Olivero Avenue approximately 600 feet (60-foot right-of-way)

The amounts to be assessed for the improvements in the District will be levied upon all tracts in the District, i.e., upon all abutting tracts in proportion to the special benefits derived (as shown by the estimated benefits and corresponding market value increases) provided, however, that an equitable adjustment will be made for assessments to be levied against wedge or "V" or other irregularly-shaped lots or tracts of lands, if any, and for any lot, tract or parcel not specially benefited by the improvements so that assessments according to benefits are to be equal and uniform.

The assessments will be levied on a front foot basis, provided those tracts which front a cul-de-sac and which abut or front a street or streets being improved will be assessed on a "unit lot" basis, i.e., all lots abutting the cul-de-sac are to be assessed the same amount based upon the front footage of those lots abutting the streets or streets being improved which also abut the cul-de-sac. Each property owner will be assessed for the cost of a 23 foot wide pavement section, curb, gutter, sidewalks and residential driveway approaches, where not already existing. The owners of property who elect to have water or sewer installed will be assessed on a per service or unit lot method for the installation of sewer laterals or water laterals. THE CITY HAS NO OBLIGATION TO PROVIDE WATER OR SEWER SERVICE TO ANY PROPERTY WITHIN THE DISTRICT REGARDLESS OF WHETHER THE CITY COUNCIL PROCEEDS WITH ALL OR ANY PART OF THE PROJECT.

Such basis of assessments has been designated by the City Council in the Creation Ordinance heretofore adopted. The portion of the costs to be assessed against, and the maximum amount of benefits estimated to be conferred upon each lot, tract or parcel of land or property in the District is stated in the final assessment roll. The City Council has determined that each of these tracts will receive special benefits (and corresponding market value increases) from the improvements in the Project.

The City Council will meet to hear and consider all complaints, protests, and objections to said final assessment roll, to the amount of the assessments, and to the regularity of the proceedings in making such assessments, by the owners of the property specially benefited by, and proposed to be assessed for, the improvements in the District. Any person interested and any parties aggrieved by such assessments may be heard on Wednesday, July 7, 2010, at 1:00 p. m. at the City of Las Vegas Council Chambers, 400 Stewart Avenue, in Las Vegas, Nevada. Any complaint, protest, or objection to the regularity, validity, and correctness of the proceedings, of the final assessment roll, of each assessment contained therein, and of the amount thereof levied on each lot, tract or parcel of land, shall be deemed waived unless filed in writing with the City Clerk, on or before Thursday, July 1, 2010, i.e., at least three days prior to the date set for the assessment hearing.

At the time and place so designated for the hearing, the City Council shall hear and determine all complaints, protests, and objections to the regularity of the proceedings in making such assessments, the correctness of such assessments, the amount levied on any particular lot, tract or parcel of land to be

assessed, the amount of the benefits and corresponding market value increases, which have been so made in writing or verbally. The City Council shall further have the power to adjourn such hearing from time to time, and by resolution shall have power, in its discretion, to revise, correct, confirm, or set aside any assessment and to order that such assessment may be made de novo. The owners of the property to be assessed are advised that this is the final chance to present any evidence as to the amount of the assessments (or other matters to be considered at the hearing) to the City Council. If a person objects to the final assessment roll or to the proposed assessments:

- (1) He is entitled to be represented by counsel at the hearing;
- (2) Any evidence he desires to present on these issues must be presented at the hearing;
and
- (3) Evidence on these issues that is not presented at the hearing may not thereafter be presented in an action brought pursuant to NRS 271.395.

Assessments shall be due and payable at the office of the City Treasurer without interest and without demand within 30 days after the ordinance levying the assessments becomes effective. All or any part of such assessments may also, at the election of the owner, be paid thereafter in forty (40) substantially equal semi-annual installments of principal and interest until paid in full, with interest in all cases on the unpaid and deferred installments of principal from the effective date of the assessment ordinance. After the adoption of the assessment ordinance and before assessment bonds are issued (or if bonds are not issued) the City shall provide the maximum rate of interest on the unpaid and deferred installments of assessments. If assessment bonds are sold, such rate will not exceed by more than one percent (1%) the highest rate of interest on the assessment bonds for the District. The effective interest rate on the assessment bonds of the District will not exceed the statutory maximum rate, i.e., will not exceed by more than three percent (3%) the "Index of Twenty Bonds", which is most recently published before the time bids for such bonds are received, or at a time a negotiated offer for the sale of such bonds is accepted. Penalties, at the rate of two percent (2%) (or at any higher rate authorized by statute, or any lower rate, which may be zero percent, for such period as determined by the City Director of Finance and Business Services) per month (not prorated for any portion of the month) on the unpaid balance of the assessment and accrued interest, shall be due for delinquencies. The owner of any property not in default

as to any assessment installment or payment may, at any time, pay the whole or any installment of the unpaid principal with interest accruing thereon to the next interest payment date and the payment of a penalty for such prepayment of up to three percent (3%) of the installment or installments of principal so prepaid. The City Council, in the ordinance levying the assessments, will establish a prepayment penalty or premium of up to three percent (3%) of the principal of deferred installments so prepaid.

Pursuant to NRS 271.357, the City has established a procedure to allow any person whose principal residence will be included in the District to apply for a hardship determination. A person whose application for a hardship determination has been approved by the City Council is entitled to have the principal amount of the assessment postponed, but is required to pay the interest on the unpaid balance of the assessment at the same rate and upon the same terms as established by the City for the assessments. A person desiring to apply for a hardship determination shall file an application no later than July 1, 2010, with the Clark County Department of Social Services (CCSS), 1600 Pinto Lane, Las Vegas, Nevada 89106. Please contact CCSS at (702) 455-8687 for a pre-qualification screening.

Pursuant to NRS 271.395, within 15 days immediately succeeding the effective date of the assessment ordinance to be adopted following the hearing, any person who has filed a complaint, protest, or objection in writing shall have the right to commence an action or suit in any court of competent jurisdiction to correct or set aside such determination. Thereafter, all actions or suits attacking the regularity, validity, and correctness of the proceedings, of the final assessment roll, of each assessment contained therein, and of the amount of the assessment levied on each tract, including, without limiting the generality of the foregoing, the defense of confiscation, shall be perpetually barred.

Dated this ____ day of _____, 20__.

BEVERLY K. BRIDGES, MMC
City Clerk

(End of Form)

Section 6. The owner or owners of any lot, tract or parcel of land which is assessed in such final assessment roll, whether named or not in such roll, or any person interested, or any parties aggrieved, may, within three (3) days prior to the date set for the hearing, file with the office of the City Clerk his or her complaints, protests, or objections in writing to said assessment.

Section 7. Whenever any notice is mailed as herein provided, the fact that the person to whom it was addressed does not receive it shall not in any manner invalidate or affect the legality of the notice thereby given.

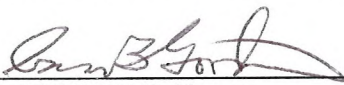
Section 8. The officers of the City be, and they hereby are, authorized and directed to take all action necessary or appropriate to effectuate the provisions of this Resolution.

Section 9. 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 10. 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 in no way affect any remaining provisions of this Resolution.

Section 11. 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 June 2, 2010.



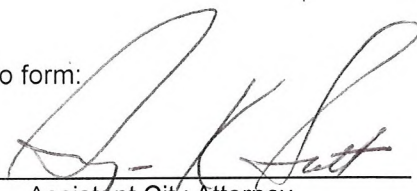
OSCAR B. GOODMAN, Mayor

Attest:



BEVERLY K. BRIDGES, MMC
City Clerk

Approved as to form:

5/19/10 

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 (hereinafter the "City"), in the State of Nevada, do hereby certify:

1. The foregoing pages constitute a true, correct, complete and compared copy of a resolution adopted by the City Council of the City (hereinafter the "City Council") at a meeting held on June 2, 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 Gary Reese Steve Wolfson Steven D. Ross Ricki Y. Barlow Stavros S. Anthony
-------------------	--

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

Those Absent:	Lois Tarkanian
---------------	----------------

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

4. All members of the City Council were given due and proper notice of the meeting. Pursuant to § 241.020, Nevada Revised 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
2nd Floor Skybridge
Las Vegas, Nevada
- (ii) Bulletin Board
City Hall Plaza (next door to Metro Records)
Las Vegas, Nevada
- (iii) Las Vegas Library
833 Las Vegas Boulevard North
Las Vegas, Nevada
- (iv) Clark County Government Center
500 South Grand Central Parkway
Las Vegas, Nevada
- (v) Grant Sawyer Building
555 E. Washington Avenue
Las Vegas, Nevada
- (vi) The City of Las Vegas website

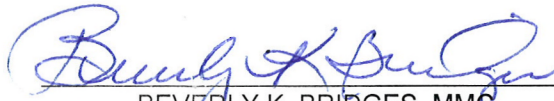
(b) By mailing a copy of the notice to each person, if any, who has requested notice of the meetings of the City Council in the same manner in which notice is required to be mailed to a member of the City Council. Such notice was delivered to the postal service no later than 9:00 a.m. on the third working 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 June 2, 2010 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 7, 2010, is attached hereto as Exhibit "C".

IN WITNESS WHEREOF, I have hereunto set my hand on this 2nd day of June, 20 .

(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

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.

June 2, 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. 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 – PASTOR AARON HANSEL, DREAM CENTER OF LAS VEGAS
4. PLEDGE OF ALLEGIANCE
5. RECOGNITION OF THE CITIZEN OF THE MONTH
6. RECOGNITION OF THE TEAM OF THE QUARTER
7. RECOGNITION OF THE GREAT AMERICAN PRIDE AWARD RECIPIENTS
8. CELEBRATION OF THE 100th ANNIVERSARY OF THE BOY SCOUTS OF AMERICA

BUSINESS ITEMS - MORNING

9. Any items from the morning session that the Council, staff and/or the applicant wish to be stricken or held in abeyance to a future meeting may be brought forward and acted upon at this time
10. Approval of the Final Minutes by reference of the City Council meeting of May 5, 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.

FINANCE & BUSINESS SERVICES - ADMINISTRATION CONSENT

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

FINANCE & BUSINESS SERVICES - BUSINESS SERVICES CONSENT

12. Approval of a Special Event Alcoholic Beverage License for Springs Preserve, Location: 333 South Valley View Boulevard, Date: June 5, 2010, Type: Special Event Beer/Wine, Event: Beer and Music Festival, Responsible Person in Charge: Michael Pfohl - Ward 1 (Tarkanian)
13. Approval of a Special Event Alcoholic Beverage License for Decatur Liquor, Location: 546 South Decatur Boulevard, Date: June 5, 2010, Type: Special Event General, Event: World Bon Bike Event, Responsible Person in Charge: Paul Halverson - Ward 1 (Tarkanian)
14. Approval of an extension of a Temporary Beer/Wine/Cooler On-sale License, East Coast Pizza, Inc., dba North End Pizza, 6440 North Durango Drive, Suite 105, Claudia Vaccari, Pres, Secy, Treas, 50% and Dina Buceta, Dir, 50% - Ward 6 (Ross)
15. Approval of a Change of Business Name and Change of Ownership for a Package Liquor License subject to Health Dept. regulations, From: Schiff Enterprises, dba Tiffany's Souvenirs & Gifts, To: ARELNI, LLC, dba Viva Vegas Fremont II, 317, 319 Fremont Street, Guido H. Akerman, Managing Mmbr, 90% and Ariel A. Akerman, Managing Mmbr, 10% - Ward 3 (Reese)
16. Approval of a Change of Location for a Slot Operator License, Cantor G&W (Nevada), L.P., dba Cantor Gaming, From: 6280 South Valley Boulevard, Suite 318, To: 2575 Highland Drive, Cantor G&W (Nevada) Holdings, L.P., Limited Ptnr, 99.75%, Howard W. Lutnick, Chairman, CEO, Lee M. Amaitis, Pres, Douglas R. Barnard, CFO, and Stephen M. Merkel, Exec Managing Dir, General Counsel, Secy and Cantor G&W (Nevada), LLC, General Ptnr, .25% - Ward 1 (Tarkanian)
17. Approval of a Non-restricted Gaming License subject to the provisions of the planning and fire codes and confirmation of approval by the Nevada Gaming Commission, United Coin Machine Company, db at Skinny Dugan's, 4127 West Charleston Boulevard - Ward 1 (Tarkanian)
18. Approval of a Change of Business Name, Change of Location, and Change of Ownership for a Martial Arts Instruction License subject to the provisions of the planning and fire codes, From: Desert Wind Martial Arts, dba Desert Wind Martial Arts, 4343 North Rancho Drive, To: James Sterling, dba Shidokan, 4450 North Tenaya Way, Suite 135, James Sterling, Owner, 100% - Ward 4 (Anthony)

FINANCE & BUSINESS SERVICES - PURCHASING & CONTRACTS CONSENT

19. Approval of award of Agreement No. 100196-DC, Blanket Services Agreement for Material Testing and Special Inspections - Department of Public Works - Award recommended to: NINYO & MOORE (\$250,000 - Road and Flood Capital Projects Fund) - All Wards

20. Approval of award of Agreement No. 100206-TF, Prime Design Services Agreement for Sewer Rehabilitation Group D located on Decatur Boulevard between Gowan Road and Cheyenne Avenue and in the Los Prados Development from Ann Road to Lone Mountain Road - Department of Public Works - Award recommended to: HDR, INC. (\$500,571 - Sanitation Enterprise Fund) - Ward 6 (Ross)
21. Approval of award of Agreement No. 100208-TF, Prime Design Services Agreement for Downtown Interceptor Sewer Rehabilitation located in Oakey Boulevard to St. Louis Avenue, Westwood Drive to Fremont Drive, Fremont Drive to East Glen Avenue, and East Glen Avenue to Dalhart Avenue - Department of Public Works - Award recommended to: CAROLLO ENGINEERS (\$705,826 - Sanitation Enterprise Fund) - Wards 1 and 3 (Tarkanian and Reese)
22. Approval of award of Modification No. 2 to Agreement No. 070103-LD, Engineering Design Services Agreement for Traffic Package No. 6 located at the intersections of Charleston Boulevard and Durango Drive, and Charleston Boulevard and Rancho Drive - Department of Public Works - Award recommended to: ORTH-RODGERS & ASSOCIATES, INC. (\$103,585.38 - Road and Flood Capital Projects Fund) - Ward 1, 2 and 5 (Tarkanian, Wolfson and Barlow)
23. Approval of award of Bid No. 10.1730.20-DC, Cliff Shadows Parkway Improvements I-215 to Lone Mountain Road, located at Cliff Shadows Parkway from north of I-215 to Lone Mountain Road and the construction conflicts and contingency reserve set by Finance and Business Services - Department of Public Works - Award recommended to: LAS VEGAS PAVING CORPORATION (\$964,700 - Road and Flood Capital Projects Fund) - Ward 4 (Anthony)
24. Approval of award of Bid No. 10.1730.14-LED, Federal Project No. ARRA-0003(116) Traffic Package 7 located on Durango Drive between I-215 and Elkhorn Road, Washington Avenue and Comstock Drive, Rampart Boulevard and Hillpointe Road, Rancho Drive and Palomino Lane and Vegas Drive and Pueblo Vista Drive and the construction conflicts and contingency reserve set by Finance and Business Services - Department of Public Works - Award recommended to: SOUTHERN NEVADA PAVING, INC. (\$921,454.80 - Road and Flood Capital Projects Fund) - Wards 1, 4, 5 and 6 (Tarkanian, Anthony, Barlow and Ross)
25. Approval of award of Second Amendment to Agreement No. 080319-DC, Blanket Services Agreement for Professional Engineering Services located at the Water Pollution Control Facility (WPCF), 6005 Vegas Valley Drive - Department of Public Works - Award recommended to: BLACK AND VEATCH CORPORATION (\$200,000 - Sanitation Enterprise Fund) - County
26. Approval of award of Purchase Agreement No. 100224-SK, TYMCO Sweepers - Department of Field Operations - Award recommended to: H & E EQUIPMENT (\$784,500 - Automotive Operations Internal Service Fund)
27. Approval of award of Contract No. 100051-CW, Interactive Voice Response and Interactive Web Response Software Licensing and Associated Services - Department of Information Technologies - Award recommended to: SELECTRON TECHNOLOGIES, INC. (\$459,040 - Information Technologies Internal Service Fund)
28. Approval of award of Contract No. 09.15341.25-DC, Design-Build of the Solar Covered Parking - Bid Lot B, Stupak Community Center and Natural History Museum and Fire Station #10 located at 300 West Boston Avenue, 900 Las Vegas Boulevard North, and 1501 South Martin Luther King Boulevard and the construction conflicts and contingency reserve set by Finance and Business Services - Department of Public Works - Award recommended to: CORE CONSTRUCTION SERVICES OF NEVADA, INC. (\$1,299,000 - General Capital Projects Fund) - Wards 1, 3 and 5 (Tarkanian, Reese and Barlow)

PLANNING & DEVELOPMENT - CONSENT

29. Approval of a Memorandum of Understanding (MOU) by and between the Las Vegas Convention and Visitors Authority (LVCVA) and the City of Las Vegas to fund the City of Las Vegas Historic Preservation Commission's presence on an informational website

PUBLIC WORKS - CONSENT

30. Approval of Amendment No. 1 to Highway Agreement No. PR066-09-063 with the State of Nevada Department of Transportation (NDOT) to extend the project completion date to September 30, 2011 and reduce projected expenditures to fund the National Environmental Policy Act (NEPA) requirements for the proposed Sheep Mountain Parkway between CC-215 and I-15 (\$735,000 - Federal FY 2008 Appropriation Funds and Regional Transportation Commission Q10 Funds) - Ward 6 (Ross)

RESOLUTIONS - CONSENT

31. R-38-2010 - Approval of a Resolution Determining the Cost and Directing the City Engineer to prepare the Final Assessment Roll for Special Improvement District No. 1513 - Via Olivero Avenue and Valadez Street (East of Cimarron Road) (\$218,356.75 - Capital Projects Fund - Special Assessments) - Ward 2 (Wolfson)
32. R-39-2010 - Approval of a Resolution fixing the time and place when complaints, protests, and objections to the final assessment roll will be heard for Special Improvement District No. 1513 - Via Olivero Avenue and Valadez Street (East of Cimarron Road) (\$218,356.75 - Capital Projects Fund - Special Assessments) - Ward 2 (Wolfson)
33. R-40-2010 - Approval of Second Resolution Supporting the Designation of an Area Known as The Upper Las Vegas Wash as an Urban National Park Unit Managed by The National Park Service - Ward 6 (Ross)

DISCUSSION/ACTION ITEMS

ADMINISTRATIVE - DISCUSSION

34. Discussion and possible action to accept tentative concession offer made by the Las Vegas Police Protective Association (LVPPA) regarding a new, extended or modified Collective Bargaining Agreement or similar agreement between the City of Las Vegas as local government employer and the LVPPA as employee organization (\$909,000 reduction in General Fund costs)

CITY ATTORNEY - DISCUSSION

35. Discussion and possible action regarding complaint seeking disciplinary action against Ran Oriental Therapy's LLC, d/b/a Oriental Angels Massage, and Jinli Ran, 2600 West Sahara Avenue, #115, Las Vegas, Clark County, Nevada, for violations of the Las Vegas Municipal Code - Ward 1 (Tarkanian)

FINANCE & BUSINESS SERVICES - BUSINESS SERVICES DISCUSSION

36. Discussion and possible action regarding a Change of Business Name and Change of Ownership for a Package Liquor License subject to Health Dept. regulations, From: Peanut World Company, dba Pioneer Gifts & Souvenirs, To: G & G Fremont, LLC, dba Famous Pioneer, 25 Fremont Street, Haim Gabay, Owner, 100% - Ward 3 (Reese)
37. Discussion and possible action regarding a Temporary Beer/Wine/Cooler On-sale License, Mieko Enterprise, dba Sushi Bar Sage, 4408 North Rancho Drive, Mieko Yaguchi, Pres, Secy, Treas, Dir, 100% - Ward 6 (Ross)
38. Discussion and possible action regarding an Appeal of Work Card Denial for Rene Kingsbury, db at 7 Eleven Food Store 13681, 4950 West Charleston Boulevard - Ward 1 (Tarkanian)
39. Discussion and possible action regarding a Six Month Review of Work Card Denial for Ivana Vela, db at Vinny Boy's Italian Market Place, 3620 West Sahara Avenue, Suite W02 - Ward 1 (Tarkanian)

RESOLUTIONS - DISCUSSION

40. R-41-2010 - Discussion and possible action regarding a Resolution consenting to the undertakings of the City of Las Vegas Redevelopment Agency (RDA) in connection with the Entertainment Visual Improvement Program Agreement (EVIP) between the RDA and Artemus W. Ham III (Owner) and Hookah Cafe, LLC, dba Maharaja Hookah Cafe (Tenant and EVIP Participant) located at 500 and 506 Fremont Street (APNs 139-34-611-004 and 005) to be in compliance with and in furtherance of the goals and objectives of the RDA - Ward 5 (Barlow) [NOTE: This item is related to RDA Item 6 (RA-9-2010)]

RECOMMENDING COMMITTEE REPORT - DISCUSSION

BILLS ELIGIBLE FOR ADOPTION AT THIS MEETING

41. 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
42. Bill No. 2010-21 - Updates the hearing procedures of the Municipal Code relating to parking infractions. 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.

43. Bill No. 2010-22 – Updates the City's zoning and licensing regulations that apply to community residences (commonly referred to as group homes) and similar uses. Proposed by: Bradford R. Jerbic, City Attorney

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.

44. Bill No. 2010-23 – Clarifies that the license fees imposed on a public utility pursuant to LVMC Chapter 6.67 may be collected from a governmental entity that is a customer of the public utility. Proposed by: Bradford R. Jerbic, City Attorney

CLOSED SESSION

45. 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

46. 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

47. ABEYANCE ITEM - Public Hearing to consider the report of expenses to recover costs for abatement of nuisance located at 1368 Pyramid Drive in the amount of \$6,200.02 (General Fund) and assess a maximum of \$207,050 in daily civil penalties. PROPERTY OWNER: WILLIE B JAQUESS - Ward 5 (Barlow) [NOTE: Municipal Court Judgment amends the abatement amount to \$6,187.57.]
48. ABEYANCE ITEM - Public Hearing to consider the report of expenses to recover costs for abatement of nuisance located at 1400 Pyramid Drive in the amount of \$9,144.19 (General Fund) and assess a maximum of \$211,050 in daily civil penalties. PROPERTY OWNERS: WILLIE B JAQUESS AND SHIRLEY J AYO - Ward 5 (Barlow) [NOTE: Municipal Court Judgment amends abatement amount to \$9,072.19.]

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.

49. EOT-37926 - EXTENSION OF TIME - SITE DEVELOPMENT PLAN REVIEW - APPLICANT: KR LAND COMPANY, LLC - OWNER: NEVADA COMMERCE BANK, ETAL - Request for an Extension of Time of a previously approved Site Development Plan Review (SDR-25760) FOR A PROPOSED 205,000 SQUARE-FOOT RETAIL DEVELOPMENT on 23.62 acres at the southeast corner of Hualapai Way and Deer Springs Way (APNs 125-19-301-001 through 005 and 013), PD (Planned Development) Zone, Ward 6 (Ross). Staff recommends APPROVAL.
50. EOT-37928 - EXTENSION OF TIME - SITE DEVELOPMENT PLAN REVIEW - APPLICANT: RITTER CHARITABLE TRUST - OWNER: COUNTY OF CLARK - Request for an Extension of Time of a previously approved Site Development Plan Review (SDR-12344) FOR AN ADDITIONAL PROPOSED 5,000 SQUARE-FOOT BUILDING TO AN EXISTING HALFWAY HOUSE FACILITY on 1.1 acres at 521 North Mojave Road (APN 139-36-501-005), C-V (Civic) Zone, Ward 3 (Reese). Staff recommends APPROVAL.
51. EOT-37953 - EXTENSION OF TIME - SITE DEVELOPMENT PLAN REVIEW - APPLICANT/OWNER: LAS VEGAS VALLEY WATER DISTRICT - Request for an Extension of Time of a previously approved Site Development Plan Review (SDR-27508) FOR A PROPOSED 10,719 SQUARE-FOOT UTILITY INSTALLATION on 14.0 acres at the northwest corner of Fort Apache Road and Centennial Parkway (APNs 125-19-802-006 and 013), C-V (Civic) Zone, Ward 6 (Ross). Staff recommends APPROVAL.
52. EOT-38017 - SITE DEVELOPMENT PLAN REVIEW - APPLICANT: INTERURBAN CONSTRUCTION, LLC - OWNER: URBAN LOFTS XIV, LTD - Request for an Extension of Time of a previously approved Site Development Plan Review (SDR-11728) FOR A PROPOSED 85-LOT SINGLE FAMILY DEVELOPMENT on 6.07 acres at the northwest corner of 25th Street and Charleston Boulevard (APN 139-35-815-002), R-PD13 (Residential Planned Development - 13 Units Per Acre) Zone, Ward 3 (Reese). Staff recommends APPROVAL.
53. EOT-38018 - EXTENSION OF TIME - VARIANCE - APPLICANT: INTERURBAN CONSTRUCTION, LLC - OWNER: URBAN LOFTS XIV, LTD - Request for an Extension of Time of a previously approved Variance (VAR-11723) TO ALLOW 11,627 SQUARE FEET OF OPEN SPACE WHERE 61,079 SQUARE FEET IS THE MINIMUM AMOUNT OF OPEN SPACE REQUIRED on 6.07 acres at the northwest corner of 25th Street and Charleston Boulevard (APN 139-35-815-002), R-PD13 (Residential Planned Development - 13 Units Per Acre) Zone, Ward 3 (Reese). Staff recommends APPROVAL.

PLANNING & DEVELOPMENT - DISCUSSION

54. SUP-37576 - ABEYANCE ITEM - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: CASH AMERICA/SUPER PAWN - OWNER: FREMONT WEST, LLC - Request for a Special Use Permit FOR A PAWN SHOP WITH WAIVERS TO ALLOW A 154-FOOT DISTANCE SEPARATION FROM A RESIDENTIALLY ZONED PROPERTY AND A 250-FOOT DISTANCE SEPARATION FROM A FINANCIAL INSTITUTION, SPECIFIED WHERE 200 FEET AND 1000 FEET, RESPECTIVELY, ARE REQUIRED at 307 South Decatur Boulevard (APN 139-31-201-003), C-2 (General Commercial) Zone, Ward 1 (Tarkanian). Staff recommends DENIAL. The Planning Commission (5-0 vote) recommends APPROVAL.

55. SUP-37625 - ABEYANCE ITEM - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: CHECK CITY - OWNER: CONSTRUCTION GROUP, INC. - Request for a Special Use Permit TO ADD A JEWELRY STORE, CLASS III USE TO AN EXISTING 2,010 SQUARE-FOOT AUTO TITLE LOAN ESTABLISHMENT at 5861 West Craig Road, Suite #104 (APN 138-01-312-004), C-1 (Limited Commercial) Zone, Ward 6 (Ross). The Planning Commission (5-0 vote) and Staff recommend APPROVAL.
56. RQR-37641 - REQUIRED REVIEW - PUBLIC HEARING - APPLICANT/OWNER: MRA, LLC - Required Review of a previously approved Special Use Permit (SUP-27870) FOR AN EXISTING 4,344 SQUARE FOOT SUPPER CLUB WITH A WAIVER TO ALLOW A 60-FOOT DISTANCE SEPARATION FROM A CHILD CARE FACILITY WHERE 400 FEET IS REQUIRED at 8991 West Sahara Avenue (APN 163-08-120-032), C-1 (Limited Commercial) Zone, Ward 2 (Wolfson). Staff recommends APPROVAL.
57. RQR-37772 - REQUIRED THREE YEAR REVIEW - PUBLIC HEARING - APPLICANT: LAMAR ADVERTISING - OWNER: AMBER INVESTMENT COMPANY - Required Three-Year Review of an approved Special Use Permit (U-0052-95) WHICH ALLOWED A 40-FOOT TALL, 14-FOOT X 48-FOOT OFF-PREMISE ADVERTISING SIGN at 336 West Sahara Avenue (APN 162-04-807-002), C-1 (Limited Commercial) Zone, Ward 3 (Reese). Staff recommends APPROVAL.
58. ROC-37581 - REVIEW OF CONDITION - PUBLIC HEARING - APPLICANT/OWNER: CHABAD OF SOUTHERN NEVADA - Request for a Review of Condition 'D' OF A PREVIOUSLY APPROVED SITE DEVELOPMENT PLAN REVIEW (SDR-18342) TO DELETE THE REQUIREMENT TO INSTALL DIVERTERS IN THE STREET IN FRONT OF THE SCHOOL at 1312 Vista Drive (APN 162-06-501-004), R-E (Residence Estates) Zone, Ward 1 (Tarkanian). Staff recommends DENIAL.
59. VAR-37276 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: CHABAD OF SOUTHERN NEVADA, INC. - Request for a Variance to ALLOW A TEN-FOOT REAR YARD SETBACK WHERE 35 FEET IS REQUIRED on 4.04 acres at 1312 Vista Drive and 1261 Arville Street (APNs 162-06-501-004 and 162-06-510-017), P-R (Professional Office and Parking) and R-E (Residential Estates) Zones, Ward 1 (Tarkanian). Staff recommends DENIAL. The Planning Commission (5-0 vote) recommends APPROVAL.
60. VAR-37277 - VARIANCE RELATED TO VAR-37276 - PUBLIC HEARING - APPLICANT/OWNER: CHABAD OF SOUTHERN NEVADA, INC. - Request for a Variance to ALLOW 21 PARKING SPACES WHERE 25 SPACES ARE REQUIRED on 4.04 acres at 1312 Vista Drive and 1261 Arville Street (APNs 162-06-501-004 and 162-06-510-017), P-R (Professional Office and Parking) and R-E (Residential Estates) Zones, Ward 1 (Tarkanian). Staff recommends DENIAL. The Planning Commission (5-0 vote) recommends APPROVAL.
61. SDR-36050 - SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-37276 AND VAR-37277 - PUBLIC HEARING - APPLICANT/OWNER: CHABAD OF SOUTHERN NEVADA, INC. - Request for a Site Development Plan Review FOR A PROPOSED 1,440 SQUARE-FOOT TEMPORARY CLASSROOM WITH A WAIVER OF THE PERIMETER LANDSCAPE BUFFER REQUIREMENTS TO ALLOW A ZERO-FOOT LANDSCAPE BUFFER ALONG A PORTION OF THE WEST PERIMETER on 4.04 acres at 1312 Vista Drive and 1261 Arville Street (APNs 162-06-501-004 and 162-06-510-017, P-R (Professional Office and Parking) and R-E (Residential Estates) Zones, Ward 1 (Tarkanian). Staff recommends DENIAL. The Planning Commission (5-0 vote) recommends APPROVAL.
62. VAR-37627 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: CHABAD OF SOUTHERN NEVADA, INC. - Request for a Variance TO ALLOW TWO ATTACHED INSTITUTIONAL SIGNS WHERE ONE SIGN IS ALLOWED on 3.03 acres at 1312 Vista Drive (APN 162-06-501-004), R-E (Residence Estates) Zone, Ward 1 (Tarkanian). Staff recommends DENIAL. The Planning Commission (5-0 vote) recommends APPROVAL.
63. SDR-37579 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT/OWNER: CHABAD OF SOUTHERN NEVADA, INC. - Request for a Major Amendment to a previously approved Site Development Plan Review (SDR-18342) FOR A PRIVATE SCHOOL TO REMOVE 15 REQUIRED TREES FROM THE LANDSCAPE BUFFER ALONG A PORTION OF THE WEST PERIMETER on 4.04 acres at 1312 Vista Drive and 1261 Arville Street (APNs 162-06-501-004 and 162-06-510-017), P-R (Professional Office and Parking) and R-E (Residential Estates) Zones, Ward 1 (Tarkanian). Staff recommends DENIAL. The Planning Commission (5-0 vote) recommends APPROVAL.

SET DATE

64. 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

65. 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

66. 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

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 of Notice of Public Hearing)

AFFP DISTRICT COURT
Clark County, Nevada

RECEIVED
CITY CLERK

AFFIDAVIT OF PUBLICATION

2010 JUL 14 AM 11:27

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

6411576

was continuously published in said Las Vegas Review-Journal and / or Las Vegas Sun in 3 edition(s) of said newspaper issued from 06/17/2010 to 07/02/2010, on the following days:

06/17/2010

06/24/2010

07/02/2010

Signed: _____

SUBSCRIBED AND SWORN BEFORE ME THIS, THE

____ day of _____

2010.

Notary Public

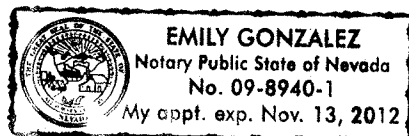


Exhibit "C"

(Attach minutes of public hearing on July 7, 2010)

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JULY 7, 2010

DEPARTMENT: PUBLIC WORKS

DIRECTOR: JORGE CERVANTES

☐ Consent ☒ Discussion

SUBJECT:

Public hearing on local improvement district for Special Improvement District No. 1513 - Via Olivero Avenue and Valadez Street (East of Cimarron Road) (\$218,356.75 - Capital Projects Fund - Special Assessments) - Ward 2 (Wolfson)

Fiscal Impact

☐

No Impact

☐

Augmentation Required

☒

Budget Funds Available

Amount: \$218,356.75

Funding Source: Capital Projects Fund - Special Assessments

Dept./Division: Public Works/SID

PURPOSE/BACKGROUND:

Public hearing on the Final Assessment Roll for the installation of pavement, curb and gutter, sidewalks and driveway approaches.

RECOMMENDATION:

Public hearing only; no action required.

BACKUP DOCUMENTATION:

1. Public hearing notice
2. Submitted at Meeting - Plat Map Exhibit and Photos by Staff

Minutes:

No motion required. The Public Hearing was held.

LORRAINE DUNFORD, Public Works, indicated that the Special Improvement District (SID) was created about 18 months ago and construction was completed. The total improvement amount is \$218,356.75 and a total of three properties are involved. The SID will be assessed over a 20-year period. Improvements included a 23-foot half street pavement section, curb and gutter, four and five-foot wide sidewalks, a retaining wall and residential driveways.

BILL KELLY appeared on behalf of the owner of 8101 O'Bannon Drive and stated the property owner did not receive the public hearing notice and the assessment is too high.

MS. DUNFORD clarified for MAYOR GOODMAN that the only people notified by certified mail were the three property owners being assessed. The notices were sent by the City Clerk's Office using the addresses on file with the Clark County Assessors' Office. MR. KELLY informed the Mayor that his client did not receive the notice. MAYOR GOODMAN trailed the

CITY COUNCIL MEETING OF: JULY 7, 2010

item until the return receipts could be reviewed. MS. DUNFORD informed the Mayor that the SID notice was also published three times in the Review Journal.

When the item was recalled, MS. DUNFORD explained that the certified mail signed for by ALICIA STAFFE on June 10, 2010. MR. KELLY verified that MS. STAFFE works for his office.

MS. DUNFORD showed photos and described the improvements. The actual cost of the SID was lower than the initial bid, saving the property owners approximately \$100,000. COUNCILMAN WOLFSON noted that due to the recession, the City received a lower bid reflecting savings for MR. KELLY'S client.

STATE OF NEVADA)
) ss.
CITY OF LAS VEGAS)

AFFIDAVIT OF MAILING
NOTICE OF HEARING

Beverly K. Bridges does hereby swear, upon oath according to law:

1. I am and at all times hereinafter mentioned was the duly qualified and sworn City Clerk of the City of Las Vegas, Nevada.

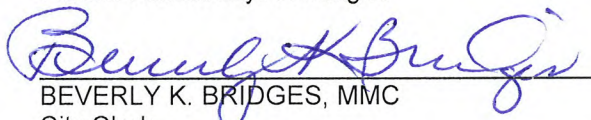
2. I mailed or caused to be mailed a notice entitled "NOTICE OF THE FILING OF FINAL ASSESSMENT ROLL, OF THE OPPORTUNITY TO FILE WRITTEN COMPLAINTS, PROTESTS, OR OBJECTIONS, AND OF THE ASSESSMENT HEARING, ALL CONCERNING THAT CERTAIN AREA TO BE ASSESSED FOR IMPROVEMENTS WITHIN THE CITY OF LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 1513 VIA OLIVERO AVENUE AND VALADEZ STREET (EAST OF CIMARRON ROAD)" by deposit in the United States mail, postage prepaid, as first-class mail, at the post office in the City of Las Vegas, Nevada, on June 9, 2010, being at least twenty (20) days prior to the hearing, on July 7, 2010 to the last known address of each last known owner of land within the District whose property will be assessed for the cost of the improvements, such addresses and owners being those appearing on the records of the County Assessor of Clark County, Nevada, and from such other sources as I, the City of Las Vegas and Public Works Department, deemed to be reliable.

3. A list of said owners and their addresses is hereto attached, marked Exhibit A and made a part hereof, all addresses therein being situate within the City of Las Vegas, Nevada, unless otherwise indicated, such names and addresses being the same as those shown on the "Tabulation of Parcels" or "Final Assessment Roll".

4. There is attached hereto, marked Exhibit B and made a part hereof, a full, true and correct copy of the notice as mailed as herein described.

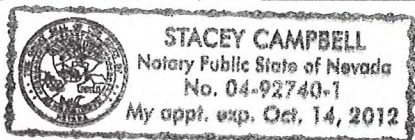
5. Copies of the affidavit of publication of said notice, verified by the affidavit of the publisher, and a copy of this affidavit are on file in the office of the City Clerk.

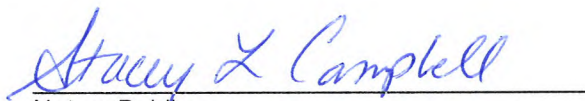
Further Affiant sayeth naught.


BEVERLY K. BRIDGES, MMC
City Clerk

SUBSCRIBED and SWORN to before me in the City of Las Vegas, Nevada, this 19TH day of July, 2010.

My commission expires 10/14/2012.




Notary Public

(NOTARIAL STAMP)

EXHIBIT "A"

(Attach List of Property Owners with Their Addresses)

APN: 163-04-801-005
163-04-801-007
163-04-801-011

WHEN RECORDED, RETURN TO:

CITY OF LAS VEGAS
SPECIAL IMPROVEMENT DISTRICT
400 STEWART AVENUE, 4TH FLOOR
LAS VEGAS, NV 89101

CITY OF LAS VEGAS

FINAL ASSESSMENT ROLL 2010-4

SPECIAL IMPROVEMENT DISTRICT NO. 1513

VIA OLIVERO AVENUE AND VALADEZ STREET
(EAST OF CIMARRON ROAD)

CITY OF LAS VEGAS
 ** FINAL ASSESSMENT ROLL **
 Special Improvement District No. 1513
 VIA OLIVERO AVENUE AND VALADEZ STREET (East of Cimarron Road)

PARCEL NUMBER	DESCRIPTION	PRIMARY PROPERTY OWNER	MARKET VALUE	ESTIMATED MAX BENEFIT	ASSESSMENT TOTAL
163-04-801-005	DOC: 20081125:04847 DATE:11/25/08 PARCEL MAP FILE 8 PAGE 39 LOT 3	MUNICH PROPERTIES L L 1040 E SAHARA AVE #201 LAS VEGAS NV 89104-3232	\$329,220.00	\$96,000.00	\$38,629.32
163-04-801-007	DOC: 20081022:05118 DATE:10/22/08 LAND DIVISION 124-83 LOT 2	RHINE INVESTMENTS L L C 1040 E SAHARA AVE #201 LAS VEGAS NV 89104-3232	\$523,200.00	\$309,000.00	\$146,991.73
163-04-801-011	DOC: 20060627:06067 DATE:06/27/06 PT SW4 SE4 SEC 4 21 60	RHINE INVESTMENTS L L C 1040 E SAHARA AVE #201 AS VEGAS NV 89104-3232	\$728,734.00	\$52,000.00	\$32,735.70
				Total:	\$218,356.75

EXHIBIT "B"

(Attach Notice of Hearing as Mailed)

NOTICE OF THE FILING OF FINAL ASSESSMENT ROLL, OF THE OPPORTUNITY TO FILE WRITTEN COMPLAINTS, PROTESTS, OR OBJECTIONS, AND OF THE ASSESSMENT HEARING, ALL CONCERNING THAT CERTAIN AREA TO BE ASSESSED FOR IMPROVEMENTS WITHIN THE CITY OF LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 1513 – VIA OLIVERO AVENUE AND VALADEZ STREET (EAST OF CIMARRON ROAD).

NOTICE IS HEREBY GIVEN, that the Final Assessment Roll No. 2010-04 for City of Las Vegas, Nevada, Special Improvement District No. 1513 – Via Olivero Avenue And Valadez Street (East Of Cimarron Road) (hereinafter the "District") in and for the City of Las Vegas in the County of Clark, State of Nevada, which has been made out by the City Council of City of Las Vegas, together with the City Engineer, has been filed on June 2, 2010, in the office of the City Clerk and since such date, the final assessment roll has been, and now is available for examination by any interested person during regular office hours, Monday through Friday 8:00 a.m. until 5:00 p.m. The boundaries of the District are described in the Special Improvement District No. 1513 Creation Ordinance heretofore adopted (hereinafter the "Creation Ordinance"). The boundaries of the District, which include the location of the Project and the lots, tracts and parcels of land to be assessed, shall be the exterior boundary of each parcel of property fronting a street to be improved by the improvements (as described below) or fronting a cul-de-sac which abuts or fronts a street to be improved by the improvements. The streets to be improved by the improvements are:

VALADEZ (WEST SIDE) - from the centerline of Via Olivero Avenue north along Valadez approximately 340 feet (60-foot right-of-way)

VIA OLIVERO (NORTH SIDE) – from the centerline of Valadez Street west along Via Olivero Avenue approximately 600 feet (60-foot right-of-way)

The amounts to be assessed for the improvements in the District will be levied upon all tracts in the District, i.e., upon all abutting tracts in proportion to the special benefits derived (as shown by the estimated benefits and corresponding market value increases) provided, however, that an equitable adjustment will be made for assessments to be levied against wedge or "V" or other irregularly-shaped lots or tracts of lands, if any, and for any lot, tract or parcel not specially benefited by the improvements so that assessments according to benefits are to be equal and uniform.

The assessments will be levied on a front foot basis, provided those tracts which front a cul-de-sac and which abut or front a street or streets being improved will be assessed on a "unit lot" basis, i.e., all lots abutting the cul-de-sac are to be assessed the same amount based upon the front footage of those lots abutting the streets or streets being improved which also abut the cul-de-sac. Each property owner will be assessed for the cost of a 23 foot wide pavement section, curb, gutter, sidewalks and residential driveway approaches and streetlights, where not already existing. The owners of property who elect to have water or sewer installed will be assessed on a per service or unit lot method for the installation of sewer laterals or water laterals. THE CITY HAS NO OBLIGATION TO PROVIDE WATER OR SEWER SERVICE TO ANY PROPERTY WITHIN THE DISTRICT REGARDLESS OF WHETHER THE CITY COUNCIL PROCEEDS WITH ALL OR ANY PART OF THE PROJECT.

Such basis of assessments has been designated by the City Council in the Creation Ordinance heretofore adopted. The portion of the costs to be assessed against, and the maximum amount of benefits estimated to be conferred upon each lot, tract or parcel of land or property in the District is stated in the final assessment roll. The City Council has determined that each of these tracts will receive special benefits (and corresponding market value increases) from the improvements in the Project.

The City Council will meet to hear and consider all complaints, protests, and objections to said final assessment roll, to the amount of the assessments, and to the regularity of the proceedings in making such assessments, by the owners of the property specially benefited by, and proposed to be assessed for, the improvements in the District. Any person interested and any parties aggrieved by such assessments may be heard on Wednesday, July 7, 2010, at 1:00 p. m. at the City of Las Vegas Council Chambers, 400 Stewart Avenue, in Las Vegas, Nevada. Any complaint, protest, or objection to the regularity, validity, and correctness of the proceedings, of the final assessment roll, of each assessment contained therein, and of the amount thereof levied on each lot, tract or parcel of land, shall be deemed waived unless filed in writing with the City Clerk, on or before Thursday, July 1, 2010, i.e., at least three days prior to the date set for the assessment hearing.

At the time and place so designated for the hearing, the City Council shall hear and determine all complaints, protests, and objections to the regularity of the proceedings in making such assessments, the correctness of such assessments, the amount levied on any particular lot, tract or parcel of land to be

assessed, the amount of the benefits and corresponding market value increases, which have been so made in writing or verbally. The City Council shall further have the power to adjourn such hearing from time to time, and by resolution shall have power, in its discretion, to revise, correct, confirm, or set aside any assessment and to order that such assessment may be made de novo. The owners of the property to be assessed are advised that this is the final chance to present any evidence as to the amount of the assessments (or other matters to be considered at the hearing) to the City Council. If a person objects to the final assessment roll or to the proposed assessments:

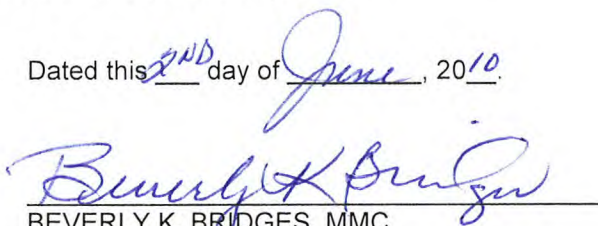
- (1) He is entitled to be represented by counsel at the hearing;
- (2) Any evidence he desires to present on these issues must be presented at the hearing; and
- (3) Evidence on these issues that is not presented at the hearing may not thereafter be presented in an action brought pursuant to NRS 271.395.

Assessments shall be due and payable at the office of the City Treasurer without interest and without demand within 30 days after the ordinance levying the assessments becomes effective. All or any part of such assessments may also, at the election of the owner, be paid thereafter in forty (40) substantially equal semi-annual installments of principal and interest until paid in full, with interest in all cases on the unpaid and deferred installments of principal from the effective date of the assessment ordinance. After the adoption of the assessment ordinance and before assessment bonds are issued (or if bonds are not issued) the City shall provide the maximum rate of interest on the unpaid and deferred installments of assessments. If assessment bonds are sold, such rate will not exceed by more than one percent (1%) the highest rate of interest on the assessment bonds for the District. The effective interest rate on the assessment bonds of the District will not exceed the statutory maximum rate, i.e., will not exceed by more than three percent (3%) the "Index of Twenty Bonds", which is most recently published before the time bids for such bonds are received, or at a time a negotiated offer for the sale of such bonds is accepted. Penalties, at the rate of two percent (2%) (or at any higher rate authorized by statute, or any lower rate, which may be zero percent, for such period as determined by the City Director of Finance and Business Services) per month (not prorated for any portion of the month) on the unpaid balance of the assessment and accrued interest, shall be due for delinquencies. The owner of any property not in default as to any assessment installment or payment may, at any time, pay the whole or any installment of the unpaid principal with interest accruing thereon to the next interest payment date and the payment of a penalty for such prepayment of up to three percent (3%) of the installment or installments of principal so prepaid. The City Council, in the ordinance levying the assessments, will establish a prepayment penalty or premium of up to three percent (3%) of the principal of deferred installments so prepaid.

Pursuant to NRS 271.357, the City has established a procedure to allow any person whose principal residence will be included in the District to apply for a hardship determination. A person whose application for a hardship determination has been approved by the City Council is entitled to have the principal amount of the assessment postponed, but is required to pay the interest on the unpaid balance of the assessment at the same rate and upon the same terms as established by the City for the assessments. A person desiring to apply for a hardship determination shall file an application no later than July 1, 2010, with the Clark County Department of Social Services (CCSS), 1600 Pinto Lane, Las Vegas, Nevada 89106. Please contact CCSS at (702) 455-8687 for a pre-qualification screening.

Pursuant to NRS 271.395, within 15 days immediately succeeding the effective date of the assessment ordinance to be adopted following the hearing, any person who has filed a complaint, protest, or objection in writing shall have the right to commence an action or suit in any court of competent jurisdiction to correct or set aside such determination. Thereafter, all actions or suits attacking the regularity, validity, and correctness of the proceedings, of the final assessment roll, of each assessment contained therein, and of the amount of the assessment levied on each tract, including, without limiting the generality of the foregoing, the defense of confiscation, shall be perpetually barred.

Dated this 2ND day of June, 2010.


BEVERLY K. BRIDGES, MMC
City Clerk