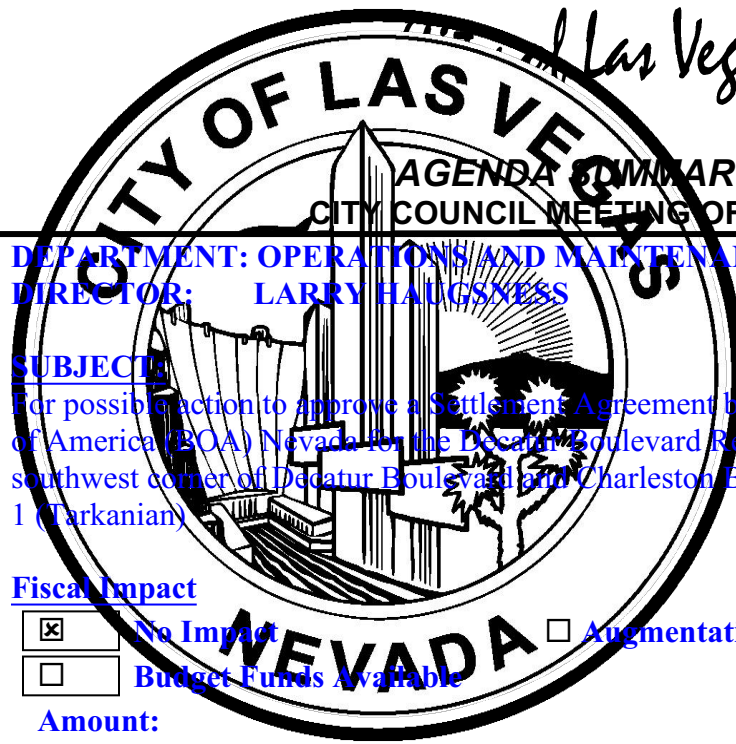




Las Vegas

Agenda Item No.: 28.

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JULY 6, 2011

DEPARTMENT: OPERATIONS AND MAINTENANCE

DIRECTOR: LARRY HAUGSNESS

☒ **Consent** ☐ **Discussion**

SUBJECT:

For possible action to approve a Settlement Agreement between the City of Las Vegas and Bank of America (BOA) Nevada for the Decatur Boulevard Rehabilitation Project located at the southwest corner of Decatur Boulevard and Charleston Boulevard, APN 162-06-111-002 - Ward 1 (Tarkanian)

Fiscal Impact

☒
☐

No Impact

Budget Funds Available

☐ **Augmentation Required**

Amount:

Funding Source:

Dept./Division: Operations & Maintenance/Right-Of-Way

PURPOSE/BACKGROUND:

Additional public right of way is required for the construction of traffic related improvements for the Decatur Boulevard Rehabilitation Project. The City filed a Condemnation Action in March 2009 and was granted an Order Permitting Occupancy Pending Entry of Judgment. The City and BOA negotiated this Settlement Agreement to settle all disputes and claims related to the Condemnation Action. In the Settlement Agreement, the City agreed to several issues related to the Banks use of the parcel, parking requirements and driveway/drive thru operations. The City agreed to construct on-site improvements. Upon approval, a Stipulation and Judgment of Condemnation will be filed with the Court and both parties agree to refrain from pursuing any litigation related to the Condemnation Action. A Memorandum referencing the Settlement Agreement will also be executed and recorded. Legal Description: Being a portion of the Northwest Quarter (NW ¼) of the Northwest Quarter (NW ¼) of Section 6, Township 21 South, Range 61 East, Mount Diablo Meridian, City of Las Vegas, Clark County, Nevada.

RECOMMENDATION:

Approval

BACKUP DOCUMENTATION:

Settlement Agreement For The Decatur And Charleston Intersection Widening Project

Motion made by STEVE WOLFSON to Approve the Consent Agenda except item(s) 11, 12, 13, 14, 15

Passed For: 5; Against: 0; Abstain: 1; Did Not Vote: 1; Excused: 0

RICKI Y. BARLOW, LOIS TARKANIAN, STEVE WOLFSON, STEVEN D. ROSS, STAVROS S. ANTHONY; (Against-None); (Abstain-CAROLYN G. GOODMAN); (Did Not Vote-BOB COFFIN); (Excused-None)

CITY COUNCIL MEETING OF: JULY 6, 2011

NOTE: MAYOR GOODMAN disclosed that Item 19 involves transfer of Redevelopment Tax Increment to the County for the Metroplex which is owned by Mark Fine, a co-owner with her husband of real property located at 1707 Charleston Boulevard. As her husbands business partner will benefit directly from this item, she will abstain. Her recorded abstention was for Item 19 only.

NOTE: COUNCILMAN COFFIN directed that his vote be reflected in the affirmative for the Consent Agenda.

Minutes:

See Item 8 for additional related backup.

