

RESOLUTION NO. R-16-2023

A RESOLUTION CONCERNING THE CITY OF LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 1516 - FREMONT STREET MAINTENANCE DISTRICT FY2024 (LAS VEGAS BOULEVARD TO 8TH STREET); OVERRULING COMPLAINTS, PROTESTS AND OBJECTIONS MADE TO THE ASSESSMENTS AT THE HEARING OF SAID ASSESSMENT ROLL; 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 Neighborhood Improvement Project (the "Project"), as defined in Chapter 271 of the Nevada Revised Statutes ("NRS"), within the District; 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 for FY2024 (including all necessary incidentals which either have been or will be incurred in connection with the District) is \$15,500.00, of which \$15,500.00 is available from other sources and \$-0- 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 Engineer with the assistance of the City Engineer Division (the "Engineer") to make out a final assessment roll; and

WHEREAS, the City Council, together with the 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; the Engineer has reported the assessment roll to the City Council and the Engineer has filed the assessment roll with 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 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 5, 2023, at 9:00 a.m., at the Las Vegas City Council Chambers, 495 South Main Street, 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 5, 2023, 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>Assessment</u>	<u>Reason For Revision</u>
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None			
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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>
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None		
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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 1, 2023, and

WHEREAS, the City Council has determined, and does hereby determine, that the notice, both mailed and published, for the hearing held on April 5, 2023 on said assessment roll was 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 LAS VEGAS CITY COUNCIL, 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 (FY2024) 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 Engineer, and filed in the records of the office of the City Clerk on March 1, 2023, 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 be, and they hereby are, 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.

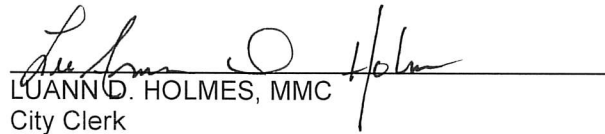
Section 8. The City Council has determined, and does hereby declare, that this Resolution shall be in effect immediately after its passage in accordance with law.

Passed and approved on April 19, 2023.



CAROLYN G. GOODMAN
Mayor

Attest:



LUANN D. HOLMES, MMC
City Clerk

Approved as to form:



James B. Lewis
Deputy City Attorney

3/22/23

Date

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

I, LuAnn D. Holmes, 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 April 19, 2023.

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:	Carolyn G. Goodman Brian Knudsen Cedric Crear Victoria Seaman Olivia Diaz Francis Allen-Palenske Nancy E. Brune
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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 by 9:00 a.m. at least three working days before the meeting in accordance with the noticing standards as outlined in NRS 241.020:

- (i) The City of Las Vegas website - www.lasvegasnevada.gov
- (ii) The Nevada Public Notice Website – notice.nv.gov
- (iii) City Hall
495 South Main Street
Las Vegas, Nevada

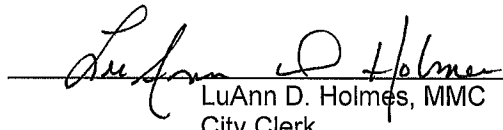
(b) By mailing a copy of the notice to each person, if any, who has requested notice of the meetings of the City Council in the same manner in which notice is required to be mailed to a member of the City Council. Such notice was delivered to the postal service no later than 9:00 a.m. on the third working 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 April 19, 2023, is attached to this certificate as Exhibit A.

IN WITNESS WHEREOF, I have hereunto set my hand on this April 19, 2023.

(SEAL)



LuAnn D. Holmes, MMC
City Clerk

Exhibit A

(Attach Notice of Meeting and Agenda)

Carolyn G. Goodman, Mayor (At-Large)
Brian Knudsen, Mayor Pro Tem (Ward 1)
Victoria Seaman (Ward 2)
Olivia Díaz (Ward 3)
Francis Allen-Palenske (Ward 4)
Cedric Crear (Ward 5)
Nancy E. Brune (Ward 6)



City Manager Jorge Cervantes
City Attorney Bryan K. Scott
City Clerk LuAnn D. Holmes

City Council Agenda

Council Chambers · 495 South Main Street · Phone 702-229-6011
City of Las Vegas Internet Address: www.lasvegasnevada.gov

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. Reasonable efforts will be made to assist and accommodate persons with disabilities or impairments. If you need an accommodation to attend and participate in this meeting, please call the City Clerk's office at 702-229-6311 and advise of your need at least 48 hours in advance of the meeting. Dial 7-1-1 for Relay Nevada.

April 19, 2023

9:00 AM

A lunch break may be taken at the discretion of the Mayor.

Items listed on the agenda may be taken out of the order presented; two or more agenda items for consideration may be combined; and any item on the agenda may be removed or related discussion may be delayed at any time. Backup material for this agenda may be obtained from LuAnn D. Holmes, City Clerk, at the City Clerk's Office at 495 South Main Street, 2nd Floor or on the City's webpage at www.lasvegasnevada.gov.

Online comments can also be submitted via the City's website at www.lasvegasnevada.gov/councilcomment prior to the City Council meeting. The schedule for the Comments Period can be found on the above website.

The Mayor and City Council welcome your attendance, public comment related to the items on the agenda and citizen participation on items under the jurisdiction of the City Council at this meeting. If you wish to speak, we respectfully ask you to complete and submit a speaker card to the City Clerk. Cards are available online, in the Clerk's Office or at the front of the Chambers as you enter.

These proceedings are being video recorded as well as presented live on KCLV, Cable Channel 2. You can also watch this meeting live on Apple TV, Roku and Amazon Fire TV on the Go-Vegas app. The City Council Meeting, as well as all other KCLV programming, can be viewed on the internet at www.kclv.tv/live. 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 5:00 PM.

Note: Cellular phones are to be turned off during the City Council Meeting.

CEREMONIAL MATTERS

1. Call to Order
2. Announcement Regarding: Compliance with Open Meeting Law
3. Invocation - Rabbi Avi Anderson, Young Israel Aish of Las Vegas

4. Pledge of Allegiance
5. Recognition of the Employee of the Month
6. Recognition of the Nevada Consular Corp

BUSINESS ITEMS - 9:30 A.M. SESSION

PUBLIC COMMENT

7. Public comment during this portion of the Agenda must be limited to matters on the Agenda for action. If you wish to be heard, come to the podium and give your name for the record. The amount of discussion, as well as the amount of time any single speaker is allowed, may be limited.

BUSINESS ITEMS - 9:30 A.M. Session

8. For Possible Action - Any items from the 9:30 a.m. session that the Council, staff and/or the applicant wish to be stricken, tabled, withdrawn or held in abeyance to a future meeting may be brought forward and acted upon at this time.
9. For possible action to approve the Final Minutes by reference of the March 15, 2023 Regular City Council Meeting and the March 6, 2023 Special City Council Meeting

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.

CITY ATTORNEY - CONSENT

10. For possible action to approve the Subdivision Participation and Release Form (Exhibit A) and the Subdivision and Special District Settlement Participation Form (Exhibit K), in accordance with the One Nevada Agreement on Allocation of Opioid Recoveries, for participation in settlements with CVS and Allergan, allocating a total of \$4,438,072 to the City - All Wards

COMMUNITY DEVELOPMENT - BUSINESS LICENSING - CONSENT

11. For possible action to approve a Cannabis Cultivation Facility license (Medical/Recreational) for change of ownership FROM: ACC ENTERPRISES LLC TO: STRATA GROWTH LLC dba STRATA GROWTH LLC at 1261 Calvada Boulevard - Pahrump, Nevada
12. For possible action to approve a Cannabis Cultivation Facility license (Medical/Recreational) for MEDICAL CANNABIS HEALING LLC dba KUSHBERRY FARMS at 14100 Kushberry Lane - North Las Vegas, Nevada
13. For possible action to approve a Cannabis Production Facility license (Medical/Recreational) for MEDICAL CANNABIS HEALING LLC dba KUSHBERRY FARMS at 14100 Kushberry Lane - North Las Vegas, Nevada
14. For possible action to approve a Restricted Gaming license UNITED COIN MACHINE CO dba CENTURY GAMING TECHNOLOGIES db at 7-Eleven 41354A, 6460 Centennial Center Boulevard - Ward 4 (Allen-Palenske)

FINANCE - PURCHASING AND CONTRACTS - CONSENT

15. For possible action to approve award of Contract No. 23MWA955-DD, Prime Design Services for Lorenzi Park Tennis Expansion, located at 3333 West Washington Avenue - Department of Public Works - Award recommended to: TATE SNYDER KIMSEY ARCHITECTS, LTD DBA TSK (Not-to-Exceed \$200,000 - Parks & Leisure Capital Projects Fund) - Ward 5 (Crear)
16. For possible action to approve award of Contract No. 230194-SK Blanket Services for Material Testing and Special Inspection Services - Department of Public Works - Award recommended to: NOVA GEOTECHNICAL & INSPECTION SERVICES, LLC DBA UNIVERSAL ENGINEERING SERVICES (Not-to-Exceed \$200,000 - Various Funds) - All Wards

17. For possible action to approve ratification of the Commission for the Las Vegas Centennial funding allocation for a historic documentary film, and award of Contract No. 230126-DG, Professional Services for Historical Documentary Filmmaking Services Part VI, The City of Las Vegas: Sixties - Department of Community Development - Award recommended to: BOYD PRODUCTIONS, LLC (Total Contract Amount \$290,598 - License Plate Revenue) - All Wards
18. For possible action to approve award of Contract No. 230176-JL, Innovation & Technologies Master Services Contract - Department of Innovation and Technology - Award recommended to: T-WORX, INC. (Not-to-Exceed \$100,000 Annually/Total Contract Amount Not-to-Exceed \$400,000 - Various Funds) - All Wards
19. For possible action to approve award of Modification No. 1 to Agreement No. 210231-JL, Darktrace Enterprise Immune System - Department of Innovation and Technology - Award recommended to: DARKTRACE HOLDINGS LIMITED (\$107,000 Annually - Computer Services Internal Service Fund) - All Wards
20. For possible action to approve award of Modification No. 1 to Mutual Use Contract No. 230076-LAB, International 2WD Life Line Highliner Ambulances - Fire and Rescue Department - Award recommended to: HUGHES FIRE EQUIPMENT, INC. (Not-to-Exceed \$588,261 - Fire Service Public Education Special Revenue Fund) - All Wards
21. For possible action to approve award of Modification No. 3 to Contract No. 200188-MC, Community-Based & Physical Security Services - Department of Neighborhood Services - Award recommended to: UNIVERSAL PROTECTION SERVICES, LLC DBA ALLIED UNIVERSAL SECURITY SERVICES (Not-to-Exceed \$3,344,745.59 Annually - Various Funds) - All Wards

PUBLIC WORKS - CONSENT

22. For possible action to approve Second Supplemental Interlocal Contract LAS05M20 between the City of Las Vegas (CLV) and the Clark County Regional Flood Control District (CCRFCD) for design and to extend the project expiration date from June 30, 2023 to June 30, 2026 for the Meadows Detention Basin Upgrade Project - Ward 1 (Knudsen)
23. For possible action to approve Third Supplemental Interlocal Contract LAS29D17 between the City of Las Vegas (CLV) and the Clark County Regional Flood Control District (CCRFCD) for design and to extend the project expiration date from June 30, 2023 to June 30, 2026 for the Flamingo - Boulder Highway North, Charleston - Main Street to Maryland Parkway Project - Ward 3 (Diaz)
24. For possible action to approve Interlocal Contract 1319 - Supplemental No. 1 between the Cities of Las Vegas, North Las Vegas, Henderson, Boulder City and Mesquite, Clark County, and the Regional Transportation Commission of Southern Nevada (RTC) for the RTC to fund the RTC Traffic Signal Detection Project in coordination with the entities - All Wards
25. For possible action to approve Interlocal Contract 3091 between the City of Las Vegas (CLV) and the Regional Transportation Commission of Southern Nevada (RTC) to provide funding for the implementation of the CLV Vision Zero Program (\$1,250,000 - Traffic Improvements Capital Project Fund [CPF]) - All Wards
26. For possible action to approve Interlocal Contract 3090 between the City of Las Vegas (CLV) and the Regional Transportation Commission of Southern Nevada (RTC) to provide funding for construction of the School Safety Improvements Phase 1 (\$1,265,000 - Traffic Improvements Capital Project Fund [CPF]) - Wards 1, 5 and 6 (Knudsen, Crear and Brune)
27. For possible action to approve Interlocal Contract 3092 between the City of Las Vegas (CLV) and the Regional Transportation Commission of Southern Nevada (RTC) to provide funding for the design of the Stewart Avenue, 6th Street to Nellis Boulevard Project - (\$5,000,000 - Road and Flood Capital Project Fund [CPF]) - Wards 3 and 5 (Diaz and Crear)
28. For possible action to approve Interlocal Contract 3093 between the City of Las Vegas (CLV) and the Regional Transportation Commission of Southern Nevada (RTC) to provide funding for construction of the Buffalo Coalition Traffic Safety Improvements Project (\$500,000 - Traffic Improvements Capital Project Fund [CPF]) - Wards 1 and 2 (Knudsen and Seaman)

29. For possible action to approve Interlocal Contract LAS23K23 between the City of Las Vegas (CLV) and the Clark County Regional Flood Control District (CCRFCD) for construction and construction management of the Centennial Parkway Channel West - Farm Road, Oso Blanca Road to Tee Pee Lane Project - Wards 4 and 6 (Allen-Palenske and Brune)
30. For possible action to approve First Supplemental Interlocal Contract LAS05L20 between the City of Las Vegas (CLV) and the Clark County Regional Flood Control District (CCRFCD) for design and to extend the project expiration date from June 30, 2023 to June 30, 2026 for the Meadows - Charleston Storm Drain, Essex to Lindell Project - Ward 1 (Knudsen)
31. For possible action to approve Second Supplemental Interlocal Contract LAS19E20 between the City of Las Vegas (CLV) and the Clark County Regional Flood Control District (CCRFCD) for design and to extend the project expiration date from June 30, 2023 to June 30, 2026 for the Owens Avenue System - Vegas Storm Drain, Shadow Mountain to Jones Project - Ward 5 (Crear)
32. For possible action to approve Interlocal Contract 3057 - Supplemental No. 1 between the City of Las Vegas (CLV) and the Regional Transportation Commission of Southern Nevada (RTC) to increase funding for construction of the Grand Teton Drive Overpass at US-95, Tee Pee Lane to El Capitan Way Project (\$25,000,000 - Road and Flood Capital Project Fund [CPF]) - Ward 6 (Brune)
33. For possible action to approve a Memorandum of Agreement between the City of Las Vegas (City) and the United States of America, by and through the Department of Interior, the Bureau of Land Management (BLM) Las Vegas Field Office for the outlining of the duties and role of the City Liaison working in the capacity as a Realty Specialist or equivalent position in the BLM Las Vegas Field Office located at 4701 North Torrey Pines Drive - Ward 4 (Allen-Palenske)
34. For possible action to approve a First Amendment to the Lease Agreement between The Fremont Street Experience, LLC (FSE) and the City of Las Vegas (City), to amend the size of the lease space and formalize tenant improvement offsets for the portion of space to serve as a joint public law enforcement substation located at 425 Fremont Street, Suite 150, (APN 139-34-610-045) (\$1,799,375.32 - Public Works Capital Improvement Project [CIP]) - Ward 3 (Diaz)

RESOLUTIONS - CONSENT

35. R-16-2023 - For possible action to approve a resolution concerning the City of Las Vegas, Nevada, Special Improvement District (SID) No. 1516 - Fremont Street Maintenance District FY2024 (Las Vegas Boulevard to 8th Street); overruling complaints, protests, and objections made to the assessments at the hearing of said assessment roll, and confirming the assessment roll - Ward 3 (Diaz)
36. R-17-2023 - For possible action to approve a resolution concerning the City of Las Vegas, Nevada, Special Improvement District (SID) No. 1485 - Alta Drive (Landscape Maintenance FY2024); overruling complaints, protests, and objections made to the assessments at the hearing of said assessment roll, and confirming the assessment roll - Ward 1 (Knudsen)
37. R-18-2023 - For possible action to approve a Resolution regarding the First Amendment to Lease for office space, located at 300 South 4th Street, between the City of Las Vegas Redevelopment Agency (RDA) and PI BPG Fourth Street Partners, LLC (Landlord), reducing the annual rent for the last year of the original Office Lease and includes an option to renew and extend the term for an additional thirty-seven (37) months of the Office Lease to be in compliance with and in furtherance of the goals and objectives of the RDA - Redevelopment Area - Ward 3 (Diaz) [NOTE: This item is related to RDA Item 5 (RA-8-2023)]

DISCUSSION/ACTION ITEMS

ADMINISTRATIVE - DISCUSSION

38. Discussion for possible action regarding the use of settlement recoveries received by the City from opioid-related litigation - All Wards

COMMUNITY DEVELOPMENT - BUSINESS LICENSING - DISCUSSION

39. Discussion for possible action regarding the appeal of a denial for a Beer Wine On Premise license for Casa Corporate Cuisine LLC, dba Braeswood Tex Mex BBQ at 1504 S Main Street [Gerald Casas II, Managing Member] - Ward 3 (Diaz)

RESOLUTIONS - DISCUSSION

40. R-19-2023 - Discussion for possible action regarding a Resolution adopting a procedure regarding ordinance proposals initiated by individual members of the City Council - All Wards

BOARDS AND COMMISSIONS - DISCUSSION

41. Discussion for possible action regarding the appointment of nominee Elaine Sanchez to the Las Vegas-Clark County Library District Board of Trustees

RECOMMENDING COMMITTEE REPORT - DISCUSSION

BILLS ELIGIBLE FOR ADOPTION AT THIS MEETING

42. Bill No. 2023-10 - For possible action - Repeals LVMC 2.44.050, relating to the minimum number of regular monthly meetings to be held by the Planning Commission. Proposed by: Jorge Cervantes, City Manager

NEW BILLS

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. 2023-11 - Ordinance concerning the City of Las Vegas, Nevada, Special Improvement District No. 1485 - Alta Drive (Landscape Maintenance FY2024); providing for the payment of the costs and expenses of maintaining street beautification improvements; assessing the cost of maintenance against the assessable lots, tracts, and parcels of land benefitted by said maintenance. Proposed by: Mike Janssen, Director of Public Works
44. Bill No. 2023-12 - Ordinance concerning the City of Las Vegas, Nevada, Special Improvement District No. 1516 - Fremont Street Maintenance District FY2024 (Las Vegas Boulevard to 8th Street); providing for the payment of the costs and expenses of a Neighborhood Improvement Project, assessing the cost of the project against the assessable lots, tracts, and parcels of land benefitted by said improvements. Proposed by: Mike Janssen, Director of Public Works

COMMUNITY DEVELOPMENT

The items listed below, where appropriate, have been reviewed by the various City departments relative to the requirements for storm drainage and flood control, connection to sanitary sewer, traffic circulation, and Building and Fire regulations. Their comments and/or requirements have been incorporated into the action.

COMMUNITY DEVELOPMENT - CONSENT

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.

45. 23-0153 - APPLICANT/OWNER: OCHOA DEVELOPMENT CORPORATION - For possible action on the following Land Use Entitlement project requests on 1.59 acres at the terminus of Inyo Avenue, 330 feet west of Conquistador Street (APN 125-19-301-012), R-3 (Medium Density Residential) Zone, Ward 4 (Allen-Palenske). Staff recommends APPROVAL on the entire Land Use Entitlement project.
- 45a. 23-0153-EOT1 - EXTENSION OF TIME - VARIANCE - FIRST EXTENSION OF TIME OF AN APPROVED VARIANCE (21-0082-VAR1) TO ALLOW A 20-FOOT RESIDENTIAL ADJACENCY SETBACK WHERE 117 FEET IS REQUIRED VARIANCE
- 45b. 23-0153-EOT2 - EXTENSION OF TIME - SITE DEVELOPMENT PLAN REVIEW - FIRST EXTENSION OF TIME OF AN APPROVED SITE DEVELOPMENT PLAN REVIEW (21-0082-SDR1) FOR A PROPOSED 24-UNIT MULTI-FAMILY RESIDENTIAL DEVELOPMENT

COMMUNITY DEVELOPMENT - DISCUSSION

46. 22-0667-VAR1 - ABEYANCE ITEM - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: SAUL REGALADO - For possible action on a Land Use Entitlement project request TO ALLOW A ZERO-FOOT SIDE YARD SETBACK WHERE FIVE FEET IS REQUIRED, A 14-FOOT FRONT YARD SETBACK WHERE 20 FEET IS REQUIRED, A ZERO-FOOT SEPARATION TO THE MAIN DWELLING UNIT WHERE SIX FEET IS REQUIRED AND TO BE LOCATED WITHIN THE FRONT YARD SETBACK AREA WHERE SUCH IS NOT ALLOWED FOR AN EXISTING ACCESSORY STRUCTURE (CLASS II) [GARAGE]; AND AN EXISTING ACCESSORY STRUCTURE (CLASS II) [CARPORT] TO BE LOCATED IN THE FRONT YARD SETBACK AREA WHERE SUCH IS NOT ALLOWED, WITH A THREE-FOOT CORNER SIDE YARD SETBACK WHERE FIVE FEET IS REQUIRED, A 10-FOOT FRONT YARD SETBACK WHERE 20 FEET IS REQUIRED AND A ZERO-FOOT SEPARATION TO THE MAIN DWELLING UNIT WHERE SIX FEET IS REQUIRED on 0.15 acres at 601 Biltmore Drive, (APN 139-27-810-010), R-1 (Single Family Residential) Zone, Ward 5 (Crear). The Planning Commission (7-0 vote) recommends APPROVAL. Staff recommends DENIAL.
47. 22-0675 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: WESTERN TRADES CONSTRUCTION, LLC - OWNER: SQUARE TRADE HOLDINGS, LLC - For possible action on the following Land Use Entitlement project requests on 0.16 acres on the east side of 9th Street, approximately 50 feet south of Wilson Avenue (APN 139-26-410-012), R-3 (Medium Density Residential) Zone, Ward 5 (Crear). The Planning Commission (7-0 vote) and Staff recommend APPROVAL on the entire Land Use Entitlement project.
- 47a. 22-0675-WVR1 - ABEYANCE ITEM - WAIVER - TO ALLOW THE BACKING OF MOTOR VEHICLES ONTO A PUBLIC STREET FROM A PARKING AREA WHERE SUCH IS PROHIBITED
- 47b. 22-0675-SDR1 - ABEYANCE ITEM - SITE DEVELOPMENT PLAN REVIEW - FOR A PROPOSED TWO-STORY, EIGHT-UNIT MULTI-FAMILY RESIDENTIAL DEVELOPMENT WITH WAIVERS OF APPENDIX F INTERIM DOWNTOWN LAS VEGAS DEVELOPMENT STANDARDS FOR AREA 2
48. 22-0701 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT/OWNER: FOUNDERS CLASSICAL ACADEMY OF LAS VEGAS - For possible action on the following Land Use Entitlement project requests on 7.45 acres at 5730 West Alexander Road (APN 138-01-401-005), U (Undeveloped) Zone, [ML (Medium Low Density Residential) General Plan Designation], Ward 5 (Crear). The Planning Commission (7-0 vote) and Staff recommend APPROVAL on the entire Land Use Entitlement project.
- 48a. 22-0701-SUP1 - ABEYANCE ITEM - SPECIAL USE PERMIT - FOR A PROPOSED ALTERNATIVE PARKING ANALYSIS TO ALLOW 186 PARKING SPACES WHERE 249 ARE REQUIRED
- 48b. 22-0701-SUP2 - ABEYANCE ITEM - SPECIAL USE PERMIT - FOR A MAJOR AMENDMENT TO AN APPROVED SPECIAL USE PERMIT (SUP-65910) TO ALLOW 1,467 STUDENTS WHERE 750 WERE PREVIOUSLY ALLOWED FOR AN EXISTING PUBLIC OR PRIVATE SCHOOL, PRIMARY USE
- 48c. 22-0701-SUP3 - ABEYANCE ITEM - SPECIAL USE PERMIT - FOR A MAJOR AMENDMENT TO AN APPROVED SPECIAL USE PERMIT (SUP-65911) TO ALLOW 1,467 STUDENTS WHERE 750 WERE PREVIOUSLY ALLOWED FOR AN EXISTING PUBLIC OR PRIVATE SCHOOL, SECONDARY USE
- 48d. 22-0701-SDR1 - ABEYANCE ITEM - SITE DEVELOPMENT PLAN REVIEW - FOR A MAJOR AMENDMENT TO AN APPROVED SITE DEVELOPMENT PLAN REVIEW (SDR-65912) FOR A PROPOSED TWO-STORY, 27,200 SQUARE-FOOT ADDITION TO AN EXISTING 67,126 SQUARE-FOOT PRIMARY AND SECONDARY SCHOOL DEVELOPMENT
49. 22-0592 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: INVESTAR USA - OWNER: EL WALKER, LLC, ET AL - For possible action on the following Land Use Entitlement project requests on 0.64 acres at the southeast corner of Bonneville Avenue and 8th Street (APNs 139-34-801-016 and 139-34-810-122), C-1 (Limited Commercial) and R-1 (Single Family Residential) Zones, Ward 3 (Diaz). The Planning Commission (5-0-1 vote) recommends APPROVAL on the entire Land Use Entitlement project. Staff recommends APPROVAL on 22-0592-WVR1 and 22-0592-ZON1. Staff recommends DENIAL on 22-0592-SUP1 and 22-0592-SDR1.
- 49a. 22-0592-WVR1 - ABEYANCE ITEM - WAIVER - TO ALLOW A 50-FOOT WIDE LOT WHERE 100 FEET IS REQUIRED IN THE C-1 (LIMITED COMMERCIAL) ZONE ON 0.16 ACRES AT 613 SOUTH 8TH STREET [APN 139-34-810-122]

- 49b. 22-0592-ZON1 - ABEYANCE ITEM - REZONING - FROM: R-1 (SINGLE FAMILY RESIDENTIAL) TO: C-1 (LIMITED COMMERCIAL) ON 0.16 ACRES AT 613 SOUTH 8TH STREET [APN 139-34-810-122]
- 49c. 22-0592-SUP1 - ABEYANCE ITEM - SPECIAL USE PERMIT - FOR A PROPOSED MULTI-FAMILY RESIDENTIAL USE
- 49d. 22-0592-SDR1 - ABEYANCE ITEM - SITE DEVELOPMENT PLAN REVIEW - FOR A PROPOSED SIX-STORY, 113-UNIT MULTI-FAMILY RESIDENTIAL DEVELOPMENT WITH WAIVERS OF APPENDIX F INTERIM DOWNTOWN LAS VEGAS DEVELOPMENT STANDARDS FOR AREA 2
- 50. 23-0089-EOT1 - EXTENSION OF TIME - NONCONFORMING - PUBLIC HEARING - APPLICANT: NEVADA RESTAURANT SERVICES, INC. - OWNER: FLAMINGO, INC. - For possible action on a Land Use Entitlement project request for the first Extension of Time FOR A NONCONFORMING LIQUOR ESTABLISHMENT (TAVERN) USE [ALCOHOL, ON-PREMISE FULL AND GAMING ESTABLISHMENT, RESTRICTED (6 TO 15 MACHINES)] at 238 South Rainbow Boulevard (APN 138-34-501-010), C-1 (Limited Commercial) Zone, Ward 1 (Knudsen). Staff recommends APPROVAL.
- 51. 22-0672 - PUBLIC HEARING - APPLICANT/OWNER: ART OF BARBERING, LLC - For possible action on the following Land Use Entitlement project requests on 0.66 acres at the southeast corner of Miller Avenue and Martin L King Boulevard (APNs 139-21-510-078 and 079), C-2 (General Commercial) Zone, Ward 5 (Crear). The Planning Commission (7-0 vote) recommends DENIAL on 22-0672-VAR1 and APPROVAL on 22-0672-SDR1. Staff recommends DENIAL on the Land Use Entitlement project.
 - 51a. 22-0672-VAR1 - VARIANCE - TO ALLOW A 15-FOOT TALL MONUMENT SIGN WHERE 10 FEET IS ALLOWED
 - 51b. 22-0672-SDR1 - SITE DEVELOPMENT PLAN REVIEW - FOR A PROPOSED TWO-STORY, 8,535 SQUARE-FOOT BUSINESS SCHOOL AND OFFICE DEVELOPMENT WITH WAIVERS OF THE PERIMETER LANDSCAPE BUFFER REQUIREMENTS, TO NOT ORIENT THE BUILDING TO THE CORNER AND STREET FRONTAGES WHERE SUCH IS REQUIRED AND TO ALLOW A LOADING ZONE AT THE STREET FRONTAGE WHERE REQUIRED TO BE PLACED ON THE SITE INTERIOR
- 52. 22-0680-VAR1 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: FREDERICK GOMPFF, JR. - For possible action on a Land Use Entitlement project request TO ALLOW A ZERO-FOOT SIDE YARD SETBACK WHERE THREE FEET IS REQUIRED, A ZERO-FOOT SEPARATION FROM THE PRIMARY DWELLING WHERE SIX FEET IS REQUIRED, AND AN EXISTING ACCESSORY STRUCTURE (CLASS II) [SHED] TO NOT BE AESTHETICALLY COMPATIBLE WITH THE PRIMARY DWELLING WHERE SUCH IS REQUIRED on 0.15 acres at 4433 Sunrise Avenue (APN 140-32-310-192), R-1 (Single Family Residential) Zone, Ward 3 (Diaz). The Planning Commission (7-0 vote) and Staff recommend DENIAL.
- 53. 23-0157-DIR1 - DIRECTOR'S BUSINESS - PUBLIC HEARING - APPLICANT: ZELZAH SHRINE TEMPLE INC. - For possible action on an Appeal of a Director's decision regarding the interpretation of outdoor storage and shipping containers located on the north side of Sahara Avenue, approximately 365 feet east of Eastern Avenue (APN 162-01-401-004), C-1 (Limited Commercial) Zone, Ward 3 (Diaz). Staff recommends DENIAL.

SET DATE

- 54. 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

- 55. 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 EMERGING ISSUES

Comments made by Council members during this portion of the agenda must refer solely to proposals for future agenda item topics to be brought before the Council for consideration and action at a later date. Any discussion must be limited to whether or not such proposed items shall be placed on a future agenda and no discussion regarding the substance of any such proposed topic shall occur. No action shall be taken.

56. Discussion regarding potential items for future City Council agendas - All Wards

COUNCIL MEMBER RECOGNITION

57. 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 WAS PROPERLY NOTICED AND POSTED AT THE FOLLOWING LOCATIONS
IN ACCORDANCE WITH THE NOTICING STANDARDS AS OUTLINED IN NRS 241.020:

The City of Las Vegas website – www.lasvegasnevada.gov

The Nevada Public Notice website – notice.nv.gov

City Hall, 495 South Main Street, 1st Floor