

FIRST AMENDMENT

Summary: An ordinance authorizing local improvement bonds for the City of Las Vegas, Nevada Special Improvement District No. 808 (Summerlin Area) in the aggregate principal amount of \$46,000,000, and providing other matters related thereto.

BILL NO. 2001-35

ORDINANCE NO. 5316

AN ORDINANCE CONCERNING THE CITY OF LAS VEGAS, NEVADA SPECIAL IMPROVEMENT DISTRICT NO. 808 (SUMMERLIN AREA) AND AUTHORIZING THE ISSUANCE OF LOCAL IMPROVEMENT BONDS, SERIES 2001 FOR THE CITY OF LAS VEGAS, NEVADA SPECIAL IMPROVEMENT DISTRICT NO. 808 (SUMMERLIN AREA) IN THE AGGREGATE PRINCIPAL AMOUNT OF \$46,000,000 TO FINANCE THE ACQUISITION AND IMPROVEMENT OF A STREET PROJECT, STORM SEWER PROJECT, AND WATER PROJECT.

WHEREAS, the City of Las Vegas, Nevada (the "City") is organized and operating pursuant to the provisions of Chapter 517, Statutes of Nevada 1983, as amended, and the general laws of the State of Nevada; and

WHEREAS, the City Council of the City (the "Council") has heretofore, pursuant to the requisite preliminary proceedings, created the City of Las Vegas, Nevada Special Improvement District No. 808 (Summerlin Area) (the "District") for the purpose of acquiring and improving a streets, sanitary sewers, storm sewers, and water mains (the "Project") and has provided that the entire cost and expense of the Project shall be paid by special assessments, according to benefits, levied against the benefited lots, tracts and parcels of land in the District; and

WHEREAS, the Council has heretofore provided for the payment of the cost and expense of the Project by assessing the cost of the Project against the assessable lots, tracts and parcels of land benefited by the Project; and

WHEREAS, the Council desires to issue its City of Las Vegas, Nevada Special Improvement District No. 808 (Summerlin Area) Local Improvement Bonds, Series 2001 in the aggregate principal amount of \$46,000,000 (the "Bonds") to provide funds to pay the cost and expense of the Project; and

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WHEREAS, the Bonds are to be payable from the sources permitted by the Consolidated Local Improvements Law, Chapter 271, Nevada Revised Statutes, and all laws amendatory thereof and supplemental thereto (the "Act"), as more fully described herein; and

WHEREAS, the Bonds are to be sold by the City to Stone & Youngberg LLC and Merrill Lynch, Pierce, Fenner & Smith Incorporated (collectively the "Purchaser") on the terms set forth in the Bond Purchase Agreement in substantially the form filed with the City Clerk prior to the date of adoption of this Ordinance (the "Bond Purchase Agreement"); and

WHEREAS, the effective interest rate on the Bonds shall not exceed by more than three percent (3%) the "Index of Twenty Bonds" which was most recently published in The Bond Buyer; and

WHEREAS, the Council has elected, and hereby elects, to have Chapter 348 of NRS apply to the Bonds.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF LAS VEGAS IN THE STATE OF NEVADA, DOES ORDAIN:

Section 1. In addition to the terms elsewhere defined in this Special Improvement District No. 808 (Summerlin Area) Bond Ordinance (the "Ordinance"), the following terms shall have the respective meanings set forth below:

"Administration Fund" means the "City of Las Vegas, Nevada Special Improvement District No. 808 (Summerlin Area) Administration Fund" established in Section 11 hereof.

"Annual Debt Service" means, for each Bond Year, the sum of the interest falling due on all outstanding Bonds in such Bond Year, assuming that all outstanding Bonds are retired as scheduled and the principal amount of the outstanding Bonds maturing subject to mandatory redemption by their terms in such Bond Year. "Annual Debt Service" shall not include interest on Bonds that is to be paid from amounts constituting capitalized interest.

"Assessment" or "Assessments" means the aggregate special assessment or individual portions thereof, as the case may be, levied by the City constituting a first lien and charge upon benefited lots, tracts and parcels of land within the District, co-equal with the latest lien thereon to secure the payment of general (ad valorem) taxes.

"Assessment Installments" means the installments of principal and interest of the Assessments to be paid by the owners of the benefited lots, tracts and parcels of land within the District.

"Assessment Ordinance" means the assessment ordinance finally adopted by the Council on and any ordinance amending such ordinance.

"Average Annual Debt Service" means the average Bond Year Annual Debt Service over all Bond Years.

"Bond Fund" means the "City of Las Vegas, Nevada Special Improvement District No. 808 (Summerlin Area) Bond Fund" established in Section 11 hereof.

"Bond Reserve Fund" means the "City of Las Vegas, Nevada Special Improvement District No. 808 (Summerlin Area) Bond Reserve Fund" established in Section 11 hereof.

"Bond Year" means (i) with respect to the initial Bond Year, the period extending from the date the Bonds are originally delivered to and including June 1, 2002 and (ii) thereafter, each successive twelve month period.

"Certificate of City Finance Director" means a certificate of the City Finance Director dated on or before the date of delivery of the Bonds setting forth the rate of interest on the Bonds, the dates on which and prices at which Bonds may be called for redemption, the price at which the Bonds will be sold, and the amount of principal maturing on each date.

"Code" means the Internal Revenue Code of 1986, as amended, and any regulations promulgated thereunder, including any regulations promulgated under the Internal Revenue Code of 1954, as amended, applicable to the Bonds.

"Construction Fund" means the "City of Las Vegas, Nevada Special Improvement District No. 808 (Summerlin Area) Construction Fund" established in Section 11 hereof.

"Continuing Disclosure Agreement" means the Continuing Disclosure Agreement between the City and the Developer, in substantially the form now before the Council, and any amendments and supplements thereto.

"Continuing Disclosure Certificate" means the Continuing Disclosure Certificate executed by the Mayor and dated as of the date of delivery of the Bonds, in substantially the form now before the Council, and any amendments and supplements thereto.

"Developer" means The Howard Hughes Corporation, a Delaware corporation.

"Financing Agreement" means the Development and Financing Agreement dated as of December 1, 2000 between the City and the Developer, and any amendments and supplements thereto.

"Maximum Annual Debt Service" means the largest Annual Debt Service during the period from the date of such determination through the final maturity date of any outstanding Bonds.

"Parity Assessments" means additional assessments levied on the assessable property within the District or any portion thereof, pursuant to the Act or any similar law, which are on a parity with the lien of the Assessments.

"Parity Value-to-Lien Ratio" means a fraction, (i) the numerator of which is the market value of all or any portion of the assessable property in the District, as set forth in a Qualified Appraisal Report, with respect to which the Parity Value-to-Lien Ratio is being determined, and (ii) the denominator of which is the sum of the principal amount of existing Assessments levied on the assessable property with respect to which the Parity Value-to-Lien Ratio is being determined, plus the principal amount of any Parity Assessments theretofore levied and then proposed to be levied on such property (which shall be expressed, after reducing such fraction, as the numerator of said fraction to the denominator of such fraction).

"Paying Agent" means the Treasurer of the City, being the agent for the City for the payment of the Bonds and interest thereon, or his or her successors and assigns appointed in accordance with the provisions hereof.

"Qualified Appraisal Report" means a real estate appraisal report which (a) has been prepared by a real estate appraiser selected by the City having an "MAI" designation from The Appraisal Institute, (b) at the time of its submittal to the City is not more than six months old, (c) states that it is prepared in accordance with the applicable standards of The Appraisal Institute for such reports, and (d) employs a methodology and provides limiting conditions that are consistent with the initial appraisal prepared at the time of the creation of the District and the levy of the Assessments.

"Rebate Fund" means the "City of Las Vegas, Nevada Special Improvement District No. 808 (Summerlin Area) Rebate Fund" created in Section 11 hereof.

"Record Date" means the fifteenth day of the calendar month preceding the calendar month in which each regularly scheduled interest payment date for the Bonds occurs.

"Refunding Bonds" means bonds issued by the City to refund a portion of the Bonds.

"Registrar" means the Treasurer of the City, being the agent for the City for the registration, transfer and exchange of the Bonds, or his or her successors and assigns appointed in accordance with the provisions hereof.

"Remaining Assessments" means Assessments, which remain part of the Trust Estate after the issuance of any Refunding Bonds.

"Report" means the Engineers Report For Special Improvement District No. 808 (Summerlin Area) dated January 17, 2001, and any addendum thereto filed with the City Clerk prior to the date of adoption of this ordinance.

"Reserve Requirement" means an amount equal to the lesser of: (i) ten percent (10%) of the original principal amount of the Bonds; (ii) one hundred twenty-five percent (125%) of Average Annual Debt Service on the Bonds; and (iii) Maximum Annual Debt Service on all Bonds Outstanding, less the sum of all downward adjustments to the Reserve Requirement due to the prepayment of Assessments as provided in Section 3.14E hereof or due to the issuance of Refunding Bonds as provided in Section 27 hereof. The amount of the Reserve Requirement upon initial delivery of the Bonds shall be confirmed in the Sales Certificate.

"Special Record Date" means a special date fixed by the Paying Agent to determine the names and addresses of registered owners of Bonds for the purpose of paying interest on a special interest payment date for the payment of defaulted interest, all as further provided in Section 3 hereof.

"Trust Estate" means (i) all Assessments except Assessments released pursuant to Section 27 hereof, (ii) all moneys and securities from time to time held by the City in the Bond Reserve Fund and the Bond Fund (including all earnings thereon except to the extent deposited in the Rebate Fund), and (iii) any and all other real or personal property of every name and nature hereafter by delivery or in writing specially pledged as additional security for the Bonds.

"Undeveloped Property" means property located within the District on which there is no improvement, which requires a City certificate of occupancy.

"Value-to-Lien Ratio" means a fraction, (i) the numerator of which is the most recent market value of the Undeveloped Property subject to the lien of the Remaining Assessments, as certified by the County Assessor or, in the sole discretion of the City, is the market value of the Undeveloped Property subject to the lien of the Remaining Assessments, as set forth in a Qualified Appraisal Report, and (ii) the denominator of which is the sum of the principal amount of the Remaining Assessments (which shall be expressed, after reducing such fraction, as the numerator of said fraction to the denominator of such fraction).

"Village" means individually Summerlin Village 20, Village 23A or Village 24 as each such village is defined in Appendix 4 of the Report.

Section 2. 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 Ordinance) concerning the District, including, but not limited to, the acquisition and improvement of the Project, the levy of Assessments for those purposes, the validation and confirmation of the assessment roll and the Assessments therein and the sale of the Bonds to the Purchaser, are ratified, approved and confirmed, including, without limitation, the execution and delivery of the Bond Purchase Agreement and the distribution of the Preliminary Official Statement for the Bonds.

Section 3. For the purpose of defraying the entire cost and expense to the City of the Project, there shall be issued the City's special assessment bonds designated as the "City of Las Vegas, Nevada Special Improvement District No. 808 (Summerlin Area) Local Improvement Bonds, Series 2001" in the aggregate principal amount of \$46,000,000, which Bonds shall be dated as of the date of delivery of the Bonds and shall be in the form of fully registered Bonds in the denominations of \$5,000 and any integral multiple thereof. The Bonds shall bear interest, at the rates per annum designated in the Certificate of the City Finance Director from the most recent interest payment date for which interest has been paid or duly provided for, or if no interest has been paid, from the date of the Bonds, to maturity at the rates per annum herein designated, payable semiannually on June 1 and December 1 of each year, commencing on December 1, 2001. The bonds shall mature on each June 1 in the years and amounts as designated in the Certificate of the City Finance Director. The principal of each Bond shall be payable at the principal office of the Paying Agent upon presentation and surrender of the Bond. Except as provided in Section 8 hereof, payment of interest on any Bond

shall be made to the person who is the registered owner thereof at the close of business on the Record Date for such interest payment date by check mailed by the Paying Agent to such registered owner at his or her address as it appears on the registration records kept by the Registrar, but any such interest not so timely paid shall cease to be payable to the person who is the registered owner thereof at the close of business on the Record Date and shall be payable to the person who is the registered owner thereof at the close of business on a Special Record Date for the payment of any such defaulted interest. Such Special Record Date shall be fixed whenever moneys become available for payment of the defaulted interest, and notice of the Special Record Date shall be given to the registered owners of the Bonds not less than ten days prior thereto by first-class postage prepaid mail to each such registered owner as shown on the registration records, stating the date of the Special Record Date and the date fixed for the payment of such defaulted interest. The Paying Agent may make payments of interest on any Bond by such alternative means as may be mutually agreed to in writing between the registered owner of such Bond and the Paying Agent. If any Bond is not paid upon its presentation and surrender at or after its maturity or prior redemption, interest shall continue at its stated rate per annum until the principal thereof is paid in full. Interest on the Bonds shall be calculated based on a 360-day year, consisting of twelve 30-day months. All such payments shall be made in lawful money of the United States of America.

Section 4. The Bonds will be subject to redemption at the option of the City from any legally available funds on any interest payment date in whole, or in part from any maturities, in any order of maturity and by lot within a maturity in such manner as the City may determine, (giving proportionate weight to Bonds in denominations larger than \$5,000), at a price equal to 100% of the principal amount of each Bond, or portion thereof, so redeemed, and accrued interest thereon to the redemption date, plus a premium of not more than 3% as set forth in the Certificate of the City Finance Director. If less than all of the Bonds are to be redeemed, the Bonds to be redeemed shall be selected proportionately from each outstanding maturity of the Bonds (including any mandatory sinking fund installment) unless the City Treasurer determines that the Assessment Installments will be sufficient to pay the principal and interest of the Bonds, which would remain outstanding using a different method of selecting Bonds to be redeemed, on each interest payment date subsequent to the redemption date. The redemption premium, if any, shall be paid from a prepayment penalty for the

Assessments provided for in the Assessment Ordinance, provided, however, that nothing herein shall prevent the payment of any such redemption premium from any other funds available for that purpose. Any Assessment which is voluntarily prepaid shall be used to redeem Bonds on the next interest payment date on the Bonds which is at least 60 days after receipt of such prepayment; provided that the amount of any such prepaid Assessment which is less than \$5,000 and can not be used by such interest payment date to redeem Bonds may be used to pay principal of or interest on the Bonds due on such interest payment date; and provided further that all or any portion of such prepaid Assessment may be used to pay principal of or interest on the Bonds if necessary to avoid or cure a default in payment of principal of or interest on the Bonds. The Paying Agent shall not be required to give notice of any such prior redemption unless it has received written instructions from the City in regard thereto at least 60 days prior to such redemption date.

The Bonds shall be subject to mandatory sinking fund redemption to the extent provided in the Certificate of the City Finance Director. Not more than sixty days nor less than forty-five days prior to each such sinking fund redemption date, the Registrar shall proceed to call the Bonds so designated for mandatory prior redemption from such sinking fund on the next sinking fund redemption date, and shall give notice of such call without further instruction or notice from the City.

At its option, to be exercised on or before the sixtieth day next preceding each sinking fund redemption date, the City may (i) deliver to the Registrar for cancellation, Bonds of the appropriate maturity in an aggregate principal amount desired by the City or (ii) specify a principal amount of Bonds of the appropriate maturity which prior to said date have been redeemed (otherwise than through the operation of the sinking fund) and cancelled by the Registrar or the Paying Agent and not theretofore applied as a credit against any sinking fund redemption obligation. Each such Bond or portion thereof so delivered or previously redeemed will be credited by the Registrar at 100% of the principal amount thereof against the obligation of the City on such sinking fund redemption date and any excess over such amount shall be credited against future sinking fund redemption obligations for the Bonds of that maturity in chronological order or any other order specified by the City. In the event the City shall avail itself of the provisions of clause (i) of the first

sentence of this paragraph, the certificate required by the first sentence of this paragraph shall be accompanied by the Bonds to be cancelled or evidence thereof satisfactory to the Registrar.

In the case of Bonds of a denomination larger than \$5,000, a portion of such Bond (\$5,000 or any integral multiple thereof) may be redeemed, in which case the Registrar shall, without charge to the owner of such Bond, authenticate and issue a replacement Bond or Bonds for the unredeemed portion thereof. Unless waived by the registered owner of a Bond to be redeemed, notice of redemption shall be given by the Registrar in the name of the City by mailing such notice at least fifteen days and not more than sixty days prior to the redemption date, by first-class mail, postage prepaid, to the registered owners (initially Cede & Co.) of the Bonds to be redeemed at their addresses as shown on the registration records. Failure to give such notice to the registered owner of any Bond, or any defect therein, shall not affect the validity of the proceedings for the redemption of any other Bonds. All such notices of redemption shall be dated and shall state: (i) the redemption date, (ii) the redemption price, (iii) if less than all outstanding Bonds are to be redeemed, the identification (and, in the case of partial redemption, the respective principal amounts) of the Bonds to be redeemed, (iv) that on the redemption date the redemption price will become due and payable upon each such Bond or portion thereof called for redemption, and that interest thereon shall cease to accrue from and after said date, and (v) the place where such Bonds are to be surrendered for payment of the redemption price, which place of payment shall be the principal office of the Paying Agent. After such notice has been given in the manner hereinbefore provided, the Bond or Bonds called for redemption shall become due and payable on the designated redemption date, and upon presentation and surrender thereof the City will pay the Bond or Bonds called for redemption. Installments of interest due on the redemption date shall be payable as herein provided for payment of interest. A certificate by the Registrar that a notice of redemption has been given as herein set forth shall be conclusive and receipt by the Bondholder of a notice of redemption shall not be a condition precedent to the redemption of that Bond.

Notwithstanding the foregoing provisions, any notice of redemption may contain a statement that the redemption is conditioned upon the receipt by the Paying Agent of funds on or before the date fixed for redemption sufficient to pay the redemption price of the bonds so called for redemption, and that if such funds are not available, such redemption shall be canceled by written

notice to the registered owners of the Bonds called for redemption in the same manner as the original redemption notice was mailed.

Section 5. Pursuant to NRS 271.515, the Mayor, the City Clerk and City Treasurer shall each file with the Secretary of State his or her manual signature certified under oath. Thereafter, each of the Bonds shall be signed and executed in the name of the City with the manual or facsimile of the signature of the Mayor, countersigned with the manual or facsimile of the signature of the City Treasurer, shall be attested with the manual or facsimile of the signature of the City Clerk and the seal of the City or a facsimile thereof shall be affixed thereto. The Bonds bearing the signatures of the officers in office at the time of the signing thereof shall be the valid and binding obligations of the City (subject to the requirement of authentication by the Registrar as hereinafter provided) notwithstanding that before the delivery thereof and payment therefore, any or all of the persons whose signatures appear thereon shall have ceased to fill their respective offices. Any officer herein authorized or permitted to sign any Bond at the time of its execution and of the execution of a signature certificate may adopt as and for his or her own facsimile signature the facsimile signature of his or her predecessor in office in the event that such facsimile signature appears upon the Bond. No Bond shall be valid or obligatory for any purpose unless the certificate of authentication, substantially in the form hereinafter provided, has been duly executed by the manual signature of the Registrar (or a duly authorized officer thereof), and such certificate of authentication of the Registrar upon any Bond shall be the only competent evidence that such Bond has been duly issued and delivered. If any Bond shall be lost, stolen, destroyed or mutilated, the Registrar shall, upon receipt of such evidence or information relating thereto, appropriate indemnification, and such reimbursement for expenses as it may reasonably require, register and deliver to the registered owner thereof a replacement for such Bond bearing a number not contemporaneously outstanding. If such lost, stolen, destroyed or mutilated Bond shall have matured, the Registrar shall direct the Paying Agent to pay such Bond in lieu of replacement.

Section 6. Records for the registration and transfer of the Bonds shall be kept by the Registrar. A Bond shall be fully transferable by the registered owner thereof in person or by his or her duly authorized attorney on the registration records kept at the office of the Registrar upon presentation of the Bond together with a duly executed written instrument of transfer satisfactory to

the Registrar. Upon the surrender for transfer of any Bond at the principal office of the Registrar, duly endorsed for transfer or accompanied by an assignment (in form satisfactory to the Registrar) duly executed by the registered owner or his or her attorney duly authorized in writing, the Registrar shall authenticate and deliver in the name of the transferee or transferees a new Bond or Bonds of a like aggregate principal amount, bearing a number or numbers not contemporaneously outstanding. Bonds may be exchanged at the principal office of the Registrar for an equal aggregate principal amount of Bonds of other authorized denominations. The Registrar may require the owner or transferee to pay any tax or other governmental charge required to be paid with respect to such transfer or exchange, and may charge a sum sufficient to pay the cost of preparing and authenticating a new Bond. No such charges shall be levied in the case of an exchange resulting from a redemption of a portion of a Bond. The Registrar shall not be required to transfer or exchange (i) any Bond during the period beginning at the opening of business fifteen days before the date of the mailing by the Registrar of a notice of redemption of Bonds and ending at the close of business on the date such notice is mailed, or (ii) any Bond after the mailing of notice calling such Bond or any portion thereof for redemption except the unredeemed portion of any Bond redeemed in part as herein provided. Whenever any Bond shall be surrendered to the Paying Agent upon payment thereof, or to the Registrar for replacement as provided herein, such Bond shall be promptly canceled and destroyed by the Paying Agent or Registrar, and a certificate of such destruction shall be prepared by the Paying Agent or Registrar.

The person in whose name a Bond shall be registered on the registration records kept by the Registrar shall be deemed and regarded as the absolute owner thereof for all purposes and neither the City, the Paying Agent nor the Registrar shall be affected by any notice to the contrary. Payment of principal of, premium, if any, and interest on any Bond shall be made only to or upon the written order of the registered owner thereof or his or her legal representative (except as provided above for the payment of interest to the registered owner as of the Record Date or a Special Record Date). All such payments shall be valid and effectual to discharge the liability upon such Bond to the extent of the sum or sums so paid.

The foregoing provisions of this Section are subject to the provisions of Section 8 hereof.

Section 7. Subject to the registration provisions hereof, the Bonds shall be fully negotiable and shall have all the qualities of negotiable paper, and the registered owner or owners thereof shall possess all rights enjoyed by the holders of negotiable instruments under the provisions of the Uniform Commercial Code -- Investment Securities.

Section 8. Notwithstanding the provisions of Sections 4 through 6 hereof, the Bonds shall initially be evidenced by one Bond for each year in which Bonds mature in denominations equal to the aggregate principal amount of the Bonds maturing in that year. Such initially delivered Bonds shall be registered in the name of "Cede & Co.," as nominee for The Depository Trust Company ("DTC"), the securities depository for the Bonds. So long as the Bonds are held by DTC, the Paying Agent, the Registrar and the City may treat DTC (or its nominee) as the sole and exclusive owner of the Bonds registered in its name for the purposes of payment of the principal of, premium, if any, and interest on the Bonds, selecting the Bonds or portions thereof to be redeemed, giving any notice permitted or required to be given to the registered owners under this Ordinance, registering the transfer of such Bonds, obtaining any consent or other action to be taken by the registered owners and for all other purposes whatsoever, and neither the Paying Agent, the Registrar nor the City shall be affected by any notice to the contrary. Neither the Paying Agent, the Registrar nor the City shall have any responsibility or obligation to any DTC participant or indirect participant, any beneficial owner of the Bonds, or any other person which is not shown on the registration records of the Registrar as being a registered owner with respect to the accuracy of any records maintained by DTC or any DTC participant or indirect participant; the payment by DTC or any DTC participant or indirect participant of any amount in respect of the Bonds; any notice which is permitted or required to be given to the registered owners under this Ordinance; the selection by DTC or any DTC participant or indirect participant of any person to receive payment in the event of a partial redemption of the Bonds or any consent given or other action taken by DTC as owner. After such initial issuance of the Bonds, the Bonds may not thereafter be transferred or exchanged except:

A. To any successor of DTC or its nominee, which successor must be both a "clearing corporation" as defined in subsection 3 of NRS 104.8102, and a qualified and registered "clearing agency" under Section 17A of the Securities Exchange Act of 1934, as amended; or

B. Upon the resignation of DTC or a successor or new depository under paragraph A or this paragraph B, or a determination by the City that DTC or such successor or new depository is no longer able to carry out its functions, and the designation by the City of another depository institution acceptable to the depository then holding the Bonds, which new depository institution must be both a "clearing corporation" as defined in subsection 3 of NRS 104.8102, and a qualified and registered "clearing agency" under Section 17A of the Securities Exchange Act of 1934, as amended, to carry out the functions of DTC or such successor or new depository; or

C. Upon the resignation of DTC or a successor or new depository under paragraph A or paragraph B, or a determination by the City that DTC or such successor or new depository is no longer able to carry out its functions, and the failure by the City, after reasonable investigation, within 90 days thereafter to locate another qualified depository institution under paragraph B to carry out such depository functions or upon a determination by the City that it is in the best interest of the beneficial owners of the Bonds that they be able to obtain Bond certificates and the delivery by the City of written notice thereof to the Registrar and the Paying Agent.

In the case of a transfer to a successor of DTC or its nominee as referred to in paragraph A above or designation of a new depository pursuant to paragraph B above, upon receipt of the Bonds by the Registrar, together with written instructions for transfer satisfactory to the Registrar, a new Bond shall be issued to such successor or new depository, as the case may be, or its nominee, as is specified in such written transfer instructions. In the case of a resignation or determination under paragraph C above and, if applicable, the failure after reasonable investigation within 90 days thereafter to locate another qualified depository institution for the Bonds as provided in paragraph C above, and upon receipt of the Bonds by the Registrar, together with written instructions for transfer satisfactory to the Registrar, new Bonds shall be issued in the denominations of \$5,000 and any integral multiple thereof, as provided in Section 3 hereof, registered in the names of such persons and in such denominations as are requested in such written transfer instructions; provided, however, the Registrar shall not be required to deliver such new Bonds within a period of less than 60 days from the date of receipt of such written transfer instructions.

The City, the Registrar and the Paying Agent shall endeavor to cooperate with DTC or any successor or new depository named pursuant to paragraph A or B above in effectuating

payment of the principal of, premium, if any, and interest on the Bonds by arranging for payment in such a manner that funds representing such payments are available to the depository on the date they are due.

Upon any partial redemption of any of the Bonds, Cede & Co. (or its successor) in its discretion may request the City to issue and authenticate a new Bond or shall make an appropriate notation on the Bond indicating the date and amount of prepayment, except in the case of final maturity, in which case the Bond must be presented to the Paying Agent prior to payment.

Section 9. Pursuant to NRS 271.505, the Bonds shall contain a recital that they are issued pursuant to Chapter 271, Nevada Revised Statutes, which recital shall conclusively impart full compliance with all of the provisions of the Act, and all Bonds issued containing such recital shall be incontestable for any cause whatsoever after their delivery for value.

Section 10. Subject to the provisions of this Ordinance, the Bonds shall be in substantially the following form, with such omissions, insertions, endorsements and variations as may be required by the circumstances, be required or permitted by this Ordinance, or be consistent with this Ordinance or necessary or appropriate to conform to the rules and requirements of any governmental authority or any usage or requirement of law with respect thereto:

(Form of Bond)

Unless this certificate is presented by an authorized representative of The Depository Trust Company, a New York corporation ("DTC"), to the City or its agent for registration of transfer, exchange, or payment, and any certificate issued is registered in the name of Cede & Co. or in such other name as is requested by an authorized representative of DTC (and any payment is made to Cede & Co. or to such other entity as is requested by an authorized representative of DTC), ANY TRANSFER, PLEDGE, OR OTHER USE HEREOF FOR VALUE OR OTHERWISE BY OR TO ANY PERSON IS WRONGFUL inasmuch as the registered owner hereof, Cede & Co., has an interest herein.

UNITED STATES OF AMERICA

STATE OF NEVADA

CITY OF LAS VEGAS

NO. R-__

\$

CITY OF LAS VEGAS, NEVADA

SPECIAL IMPROVEMENT DISTRICT NO. 808 (SUMMERLIN AREA)

LOCAL IMPROVEMENT BOND

SERIES 2001

Interest Rate

Maturity Date

Dated as of

CUSIP Number

__% per annum

_____, 2001

REGISTERED OWNER

PRINCIPAL AMOUNT

DOLLARS

City of Las Vegas, Nevada (the "City"), for value received, hereby promises to pay, out of funds available for that purpose as hereinafter set forth, to the registered owner specified above or registered assigns the principal amount specified above on the maturity date specified above (unless this Bond shall have been called for prior redemption, in which case on such redemption date) and to pay solely from such available funds interest hereon at the interest rate per annum specified above, said interest being payable on June 1 and December 1 in each year, commencing December 1, 2001. This Bond shall bear interest from the most recent interest payment

date to which interest has been paid, or if no interest has been paid, from the date of this Bond. Both principal and interest are payable in lawful money of the United States of America without deduction for exchange or collection charges. The principal of this Bond shall be payable to the person in whose name this Bond is registered (the "registered owner") on the registration records maintained by the registrar of the City, presently the City Treasurer in Las Vegas, Nevada, (the "Registrar"), upon presentation and surrender of this Bond as it becomes due. The interest hereon shall be paid by check mailed by the paying agent of the City, presently the City Treasurer in Las Vegas, Nevada (the "Paying Agent"), on each interest payment date (or, if such interest payment date is not a business day, on the next succeeding business day), to the registered owner at his or her address as it last appears on the registration records kept for that purpose by the Registrar on the fifteenth day of the calendar month preceding the calendar month in which such interest payment date occurs or on a special record date established by the Registrar for the payment of defaulted interest. Alternative means of payment of interest may be used if mutually agreed to between the registered owner of this Bond and the Paying Agent. If, upon presentation and surrender to the Paying Agent at maturity or prior redemption, payment of this Bond is not made as herein provided, interest hereon shall continue at the same rate per annum until the principal hereof is paid in full. Interest on this Bond shall be calculated based on a 360-day year consisting of twelve 30-day months.

This Bond is one of a series of bonds designated as the "City of Las Vegas, Nevada Special Improvement District No. 808 (Summerlin Area) Local Improvement Bonds, Series 2001" (the "Bonds") issued by the City in the aggregate principal amount of \$46,000,000 for the purpose of providing funds to pay the cost and expenses of acquiring and improving a streets, sanitary sewers, storm sewers, and water mains (the "Project") within the City of Las Vegas, Nevada Special Improvement District No. 808 (Summerlin Area) (the "District"). The Bonds have been authorized and issued pursuant to an ordinance (the "Ordinance") duly adopted by the City Council and the Consolidated Local Improvements Law, Chapter 271, Nevada Revised Statutes (the "Act").

The Bonds are subject to redemption at the option of the City from any legally available funds on any interest payment date in whole, or in part from any maturities, in any order of maturity and by lot within a maturity in such a manner as the City may determine, (giving proportionate weight to Bonds in denominations larger than \$5,000), at a price equal to 100% of the

principal amount of each Bond, or portion thereof, so redeemed, and accrued interest thereon to the redemption date, plus a premium computed in accordance with the following schedule:

<u>Redemption Period</u>	<u>Redemption Premium</u>
_____	_____ %
_____	_____ %
_____	_____ %
_____	_____ %

The Bonds maturing June 1, _____ are subject to mandatory sinking fund redemption as provided in the Ordinance at a redemption price equal to 100% of the principal amount thereof plus accrued interest to the redemption date. The Bonds to be so redeemed shall be selected by lot in such manner as the Registrar shall determine (giving proportionate weight to Bonds in denominations larger than \$5,000).

Redemption shall be made upon not less than thirty days' prior notice by mailing to the registered owner of each Bond to be redeemed at the address shown on the registration records in the manner and upon the conditions provided in the Ordinance.

****Upon any partial prior redemption of this Bond, Cede & Co., in its discretion, may request the Registrar to authenticate a new Bond or shall make an appropriate notation on this Bond indicating the date and amount of prepayment, except in the case of final maturity, in which case this Bond must be presented to the Paying Agent prior to payment.****

Pursuant to the Ordinance, the payment of the principal of, premium, if any, and interest on the Bonds shall be made from and as security for such payment there is pledged, a special fund designated as the "City of Las Vegas, Nevada Special Improvement District No. 808 (Summerlin Area) Bond Fund" (the "Bond Fund") containing the receipts upon the collection thereof from the special assessments (the "Assessments") levied against and secured by a lien upon the property in the District specially benefited by the Project, which fund shall be used for the full and prompt payment of the Bonds and the interest thereon, and shall be used for no other purpose whatsoever except as permitted by the Ordinance. Whenever there is a deficiency in the Bond Fund, the deficiency must be paid out of the special fund designated as the "City of Las Vegas, Nevada

Special Improvement District No. 808 (Summerlin Area) Bond Reserve Fund" in the priority specified in the Ordinance (the Assessments, the Bond Fund, the Bond Reserve Fund, such other special funds collectively, the "Trust Estate"). The Bonds are not payable from the sources identified in NRS 271.428, 271.495 and 271.500.

Pursuant to the Ordinance, the Trust Estate has been irrevocably pledged to and shall be used for the punctual payment of the principal of, premium, if any, and interest on the Bonds, and for payment of the continuing costs of the Bonds and the Trust Estate shall not be used for any other purpose while any of the Bonds remain outstanding. The pledge of the Assessments shall constitute a first and exclusive lien on the Assessments for the foregoing purposes in accordance with the terms of the Ordinance; provided that pursuant to the Act such lien is coequal with the latest lien on the real property in the District to secure the payment of general (ad valorem) taxes.

The City Treasurer shall collect, receive and enforce the payment of all Assessments made and levied for the Project, all interest thereon, and all penalties accrued, as provided by law and in the same manner and at the same time or times as prescribed by the Ordinance, the Financing Agreement and the other proceedings of the City relating thereto.

The Bonds are issuable as fully registered Bonds in denominations of \$5,000 and any integral multiple thereof. Upon surrender of any Bond at the principal office of the Registrar with a written instrument satisfactory to the Registrar duly executed by the registered owner or his or her duly authorized attorney, and receipt by the Registrar of the fees and charges provided in the Ordinance, such Bond may be exchanged for an equal aggregate principal amount of Bonds of other authorized denominations, subject to the terms and conditions set forth in the Ordinance.

This Bond is fully transferable by the registered owner hereof in person or by his or her duly authorized attorney on the registration records kept by the Registrar upon surrender of this Bond together with a duly executed written instrument of transfer satisfactory to the Registrar, and upon the payment of the fees and charges provided in the Ordinance. Upon such transfer a new fully registered Bond or Bonds of authorized denomination or denominations of the same aggregate principal amount will be issued to the transferee in exchange for this Bond, subject to the terms and conditions set forth in the Ordinance.

The Registrar will not be required to transfer or exchange (i) any Bond during the period beginning at the opening of business fifteen days before the date of the mailing by the Registrar of a notice of redemption of Bonds and ending at the close of business on the date such notice is mailed, or (ii) any Bond after the mailing of notice calling such Bond or any portion thereof for redemption except the unredeemed portion of any Bond redeemed in part.

The Bonds shall not be transferable or exchangeable, except as set forth in the Ordinance.

The City, the Registrar and the Paying Agent may deem and treat the person in whose name this Bond is registered as the absolute owner hereof for the purpose of making payment (except to the extent otherwise provided hereinabove and in the Ordinance with respect to Record Dates and Special Record Dates for the payment of interest) and for all other purposes, and neither the City, the Registrar nor the Paying Agent shall be affected by any notice to the contrary.

To the extent and in the respects permitted by the Ordinance, the provisions of the Ordinance may be modified or amended by action of the City taken in the manner and subject to the conditions and exceptions prescribed in the Ordinance.

It is hereby certified, recited and declared that all acts, conditions and things essential to the validity of this Bond exist, have happened and have been done in due time, form and manner as required by law; that the total issue of the Bonds does not exceed the amount authorized by law nor the total unpaid special assessments levied to cover the cost of the Project; that this Bond is issued under the authority of the Act and that this Bond is incontestable for any cause whatsoever.

It is hereby further certified, recited and declared that the proceedings with reference to the Project, the levying of the assessments to pay the cost and expense of the Project and the issuance of the Bonds have been regularly had and taken in compliance with law, and that all prerequisites to the fixing of the assessment lien against the property benefited by the Project and of the liability of the owner or owners of such property therefore have been performed.

This Bond shall not be valid or obligatory for any purpose until the Registrar shall have manually signed the certificate of authentication hereon.

IN WITNESS WHEREOF, the City of Las Vegas, Nevada has caused this Bond to be signed and executed in the name of and on behalf of the City with the manual or facsimile

signature of the Mayor, to be countersigned with the manual or facsimile signature of the City Treasurer, and to be countersigned, subscribed, executed and attested with the manual or facsimile signature of the City Clerk, has caused the seal of the City or a facsimile thereof to be affixed hereon, and has caused this Bond to be dated as of the date specified above.

(For Manual or Facsimile Signature)

Mayor

(For Manual or Facsimile Signature)

City Treasurer

(MANUAL OR FACSIMILE SEAL)

Attested:

(For Manual or Facsimile Signature)

City Clerk

* Insert only if Bonds are delivered pursuant to paragraph C of Section 8 of this Ordinance.

** Insert only if Bonds are initially delivered to The Depository Trust Company pursuant to the first paragraph of Section 8 of this Ordinance.

(Form of Registrar's Certificate of Authentication)

Date of Registration:

This is one of the Bonds described in the above-mentioned Ordinance and this Bond has been duly registered in the registration records kept by the undersigned as Registrar for the Bonds.

CITY TREASURER, CITY
OF LAS VEGAS, NEVADA, as Registrar

By (Manual Signature)

(End of Form of Registrar's Certificate of Authentication)

**** (Form of Prepayment Panel)**

The following installments of principal (or portions thereof) of this Bond have been prepaid in accordance with the terms of the Ordinance authorizing the issuance of this Bond.

<u>Date of Prepayment</u>	<u>Principal Prepaid</u>	<u>Signature of Authorized Representative of DTC</u>

(End of Form of Prepayment Panel)**

(Form of Assignment Provision)

ASSIGNMENT

FOR VALUE RECEIVED the undersigned hereby sells, assigns and transfers unto _____ the within Bond and all rights thereunder, and hereby irrevocably constitutes and appoints _____ to transfer the within Bond on the records kept for the registration thereof with full power of substitution in the premises.

Dated: _____

NOTICE:

The signature to this assignment must correspond with the name as it appears on the face of the within Bond in every particular, without alteration or enlargement or any change whatever. The signature must be guaranteed by an eligible guarantor institution as defined in 17 CFR ' 240.17 Ad-15(a)(2).

Signature Guaranteed:

Address of Transferee:

Social Security or other tax
identification number of
transferee:

(End of Form of Assignment)

Section 11. When the Bonds have been duly executed and authenticated, they shall be delivered to the Purchaser on receipt of the agreed purchase price. The proceeds realized by the City from the sale of the Bonds (net of the Purchaser's discount) shall be applied as follows:

(a) An amount equal to the Reserve Requirement shall be deposited in a special fund to be held by the City Treasurer and hereby created, to be designated as the "City of Las Vegas, Nevada Special Improvement District No. 808 (Summerlin Area) Bond Reserve Fund."

(b) The remainder of such proceeds shall be deposited in a special account to be held by the City Treasurer hereby created and to be designated as the "City of Las Vegas, Nevada Special Improvement District No. 808 (Summerlin Area) Construction Fund."

There are also hereby created the following special funds and accounts to be held by the City Treasurer and designated as:

(a) "City of Las Vegas, Nevada Special Improvement District No. 808 (Summerlin Area) Administration Fund."

(b) "City of Las Vegas, Nevada Special Improvement District No. 808 (Summerlin Area) Rebate Fund."

The Purchaser shall in no manner be responsible for the application by the City, or any of its officers, agents or employees, of any of the funds derived from the sale of the Bonds or of any other funds herein designated.

Amounts in all of such funds and account may be invested by the City in securities, which are permitted investments for City funds under Chapter 355 of NRS. Investment income remains in such funds or account unless otherwise provided herein.

Section 12. The Construction Fund shall be a special fund held by the City Treasurer. All money in the Construction Fund shall be applied by the City for the payment of cost (as defined in the Act) of the acquisition and improvement of the Project, which includes the payment of the costs of issuance of the Bonds, all in accordance with the Financing Agreement. The amount of any income realized from the investment of the money in the Construction Fund shall be retained in the Construction Fund or, at the option of the City, transferred to the Rebate Fund. When the acquisition and improvement of the Project have been completed, the City shall either (i) transfer any remaining balance of money in the Construction Fund to the Bond Fund or (ii) retain such

balance in the Construction Fund to be applied for the payment of the cost of any additional projects permitted by the Act and agreed to by the City and the Developer pursuant to the Financing Agreement. Any such moneys transferred to the Bond Fund shall be credited against the Assessment Installments to become due and payable, with an appropriate payment to the owner of any assessed parcel whose Assessment has been paid in full.

Section 13. The City Treasurer is authorized, empowered and directed, and it shall be his or her duty, to receive, collect and enforce the payment of all Assessments made and levied for the Project, and all installments thereof, all interest thereon, and all penalties accrued, as provided by law and in the same manner and at the same time or times as prescribed by the Assessment Ordinance, and to pay and disburse said payments, the installments thereof, the interest thereon, and the penalties thereto, to the person or persons entitled thereto pursuant to the provisions of this Ordinance, the Financing Agreement and the Act. All moneys received from the Assessments, both principal and interest, shall be deposited in the Bond Fund (except to the extent required to replenish the Bond Reserve Fund). All moneys deposited in the Bond Fund shall be used as soon as the funds are available for the purpose of paying the principal of and the interest and prior redemption premiums on the Bonds as they become due and payable, and (except as herein and in the Financing Agreement provided) for no other purpose whatsoever, and the Bond Fund is hereby pledged as security for such purposes. Interest and other gain on moneys in the Bond Fund shall (i) prior to the completion of the acquisition and improvement of the Project (including any additional projects pursuant to Section 12 hereof) be transferred quarterly to the Construction Fund and (ii) after such completion be retained in the Bond Fund. Notwithstanding the foregoing, after June 1 of each fiscal year the interest portion of the Assessment Installments that is not used to pay the principal and interest on the Bonds shall be transferred from the Bond Fund to the Administration Fund and used to pay the reasonable administration and other expenses of the City in connection with the Bonds, the Assessments and the Project and for certain other purposes, all as provided in Section 2.5 and Section 2.7B of the Financing Agreement. The Bonds and the interest thereon shall be payable from the Bond Fund, containing the receipts upon the collection of the Assessments and from the remainder of the Trust Estate. The Bonds are not payable from the sources identified in NRS 271.428, 271.495 and 271.500.

Section 14. A. Whenever there is a deficiency in the Bond Fund, the deficiency shall be paid from amounts in the Bond Reserve Fund. The Bond Reserve Fund shall be a special trust fund held by the City Treasurer as a continuing reserve to secure the payment of the Bonds by meeting possible deficiencies in the payment of the principal of and the interest on the Bonds resulting from the failure to deposit into the Bond Fund sufficient funds to pay the principal and interest on the Bonds as the same accrue. The City hereby pledges the Bond Reserve Fund for such purpose.

B. An amount equal to the Reserve Requirement shall be deposited to the Bond Reserve Fund from the proceeds of the Bonds. The Bond Reserve Fund will be used as additional security for the Bonds to pay any principal and interest on the Bonds when due, if the payments of the Assessment Installments are insufficient for that purpose.

C. All amounts in the Bond Reserve Fund in excess of the Reserve Requirement, derived from interest earned on amounts in the Bond Reserve Fund or otherwise shall be applied to the following in the following order of priority:

(1) First, when needed to pay the principal of and interest on the Bonds then due to the extent not provided from Bond proceeds including accrued interest or from the Assessment Installments and interest. Interest used under this clause to pay the principal of and interest on the Bonds shall be applied before a withdrawal is made from the balance in the Bond Reserve Fund.

(2) Second, when needed for transfer to the Administration Fund to pay all administrative and other expenses of the City associated with the Project, the Bonds or the Assessments.

(3) Third, at the time of any prepayment of any Assessment, to provide any refund then owed under paragraph E of this section.

(4) Fourth, at least annually commencing after the April 1, 2003 Assessment payment, used to call Bonds prior to their stated due dates or held in an account for payment of the Bonds at or prior to their due dates, whichever the Treasurer determines is in the financial best interests of the City. No funds shall be applied as provided in this clause 4 unless they have been held in the Bond Reserve Fund for at least one year.

D. If because of any delinquent Assessment an amount is withdrawn from the Bond Reserve Fund to pay the principal of or interest on the Bonds, and that Assessment is later paid in whole or in part (or amounts are received at a foreclosure sale or otherwise as a result of enforcing the payment of the delinquent Assessment), to the extent available from that payment of the delinquent Assessment (including penalty and interest but after payment of costs of collection), an amount equal to the greater of (i) the amount withdrawn plus interest at the Assessment interest rate, or (ii) the amount necessary to restore the Bond Reserve Fund to the Reserve Requirement, shall be paid to the Bond Reserve Fund from the payment of the delinquent Assessment.

E. At the time the Assessment against any parcel of property is voluntarily paid in full, the person who owned the property at the time of the payment in full shall be entitled to a refund, in cash, equal to that property's pro rata share of the balance then in the Bond Reserve Fund, and the Reserve Requirement shall be recalculated to reflect the payment in full of that Assessment. Such refund, in cash or otherwise, shall be made only to the extent the balance in the Bond Reserve Fund after making the refund would not be less than the Reserve Requirement, as recalculated, but if this structure prevents all or a part of such a refund, that refund (or, an additional partial refund, as the case may be) shall be made if and when money is available in the Bond Reserve Fund to make the payment and as otherwise provided in paragraph C of this section. This section does not prevent the City from amending this Ordinance, the Assessment Ordinance or any other documents executed in connection with the Bonds to provide for other uses of the Bond Reserve Fund in connection with a refunding of the Bonds and the owners of the property assessed in the District have no entitlement to any amounts in the Bond Reserve Fund in the event of such an amendment.

Section 15. The Trust Estate is hereby irrevocably pledged to and shall be used for the punctual payment of the principal of, premium, if any, and interest on the Bonds, and for payment of the continuing costs of the Bonds as set forth in Section 13 hereof, and the Trust Estate shall not be used for any other purpose while any of the Bonds remain outstanding. The pledge of the Assessment Installments shall constitute a first and exclusive lien on the Assessment Installments for the foregoing purposes in accordance with the terms hereof; provided that pursuant to the Act such lien is coequal with the latest lien on the real property in the District to secure the payment of general (ad valorem) taxes.

Section 16. There shall be deposited into the "City of Las Vegas, Nevada Special Improvement District No. 808 (Summerlin Area) Rebate Fund" any amounts paid by the City for deposit therein. The Rebate Fund shall be held by the City Treasurer, but shall not constitute part of the Trust Estate. Notwithstanding any other provision of this Ordinance or of the Financing Agreement, any investment income or other gain on moneys in the Construction Fund, the Bond Fund or the Bond Reserve Fund may be transferred to the Rebate Fund to enable the City to satisfy the requirements of Section 148(f) of the Code. Moneys in the Rebate Fund shall be paid to the United States by the City in the amounts and at the times required by the Code. Any excess moneys contained in the Rebate Fund shall be transferred to the Bond Fund. Upon payment of all amounts due to the United States pursuant to Section 148 of the Code, any moneys remaining in the Rebate Fund shall be transferred to the City's general fund. Moneys in the Rebate Fund are not part of the Trust Estate.

Section 17. So long as any of the Bonds remain outstanding, the City will keep or cause to be kept true and accurate books of records and accounts showing full and true entries covering the collection and disposition of the Assessment Installments, as well as any delinquencies in the collection thereof, covering deposits in and disbursements from the Construction Fund, the Bond Fund, the Bond Reserve Fund and the Rebate Fund, and covering the payment of the principal of, premium, if any, and interest on the Bonds. The City will permit an inspection and examination of all records and accounts at all reasonable times by a representative of the Purchaser.

Section 18. Promptly upon a default in the due and punctual payment of any Assessment Installment due hereunder and under the Assessment Ordinance, the City Treasurer shall mark the Assessment Installment delinquent on the assessment roll for the District and shall notify the delinquent person of such delinquency in writing. Unless such Assessment Installment plus accrued interest and penalties thereon have been paid in full, within sixty days thereafter the Council shall direct the Treasurer of the City to give notice of the sale of the property subject to the lien of the delinquent Assessment Installment, or all of the Assessment with respect to such property if the Council has exercised its option to cause the whole amount of the unpaid Assessment with respect to such property to become due and payable (subject to the provisions of Section 19 hereof), and shall sell such property as provided in and pursuant to the Act. In the event that the owner of such

property does not prior to the day of sale pay the amount of all delinquent Assessment Installments, with accrued interest thereon and penalties and costs of collection (as further provided in the Assessment Ordinance) and such property is not sold to a third party purchaser at such sale, the property may be stricken off to the City and held in trust for the benefit of the District pursuant to the Act. Alternatively, the City may proceed with the collection or enforcement of any delinquent Assessment Installment, or the whole amount of the unpaid Assessment with respect to such property if the City has exercised its option to cause the whole amount of the unpaid Assessment with respect to such property to become due and payable (subject to the provisions of Section 19 hereof), by a foreclosure action brought in the district court located in and for the City. All proceedings supplemental to the judgment in any such foreclosure action, including appeal, period of redemption, sale and the issuance of a deed, shall be conducted in accordance with the law relating to property sold upon foreclosure of mortgages or liens upon real property, except that there shall be no personal liability upon the defendants for any deficiency in the proceeds of such sale.

Upon the sale of or foreclosure upon the real property which is the subject of such delinquent Assessment Installment, or upon the owner of such property paying prior to the date of sale the amount of all delinquent Assessment Installments, or after the date of sale all delinquent Assessment Installments or all of the Assessment if the Council has exercised its option referred to above, accrued interest thereon, penalties and costs of collection, the City shall deposit such moneys received in the Bond Fund or as otherwise required by the Financing Agreement.

Section 19. Upon a default in the due and punctual payment of an Assessment Installment and if sale or foreclosure proceedings are not promptly filed and diligently prosecuted by the City, then any registered owner may:

- A. file and prosecute a foreclosure action in the name of the City; and
- B. proceed against the City to protect and enforce the rights of the registered owners under the Act or hereunder by suit, action or special proceedings in equity or at law, either for the appointment of a receiver or for the specific performance of any provisions contained in the Act or herein or in an award of execution of any power granted for the enforcement of any proper legal or equitable remedy as such registered owner may deem most effectual to protect and enforce the rights aforesaid.

All such proceedings at law or in equity shall be instituted, had and maintained for the equal benefit of all registered owners of the Bonds then outstanding. The failure of the registered owners so to foreclose upon the property, which is the subject of such delinquent Assessment Installment, or so to proceed against the City, or both, shall not relieve the City or any of its officers, agents or employees of its duty so to take the actions set forth in Section 18.

Section 20. The City covenants for the benefit of the registered owners of the Bonds to comply with the provisions of the Continuing Disclosure Certificate in substantially the form presented to the Council at this meeting with only such changes therein, if any, as are not inconsistent herewith which the Mayor is authorized and directed to execute. The City shall enter into the Continuing Disclosure Agreement with the Developer in substantially the form presented to the Council at this meeting with only such changes therein, if any, as are not inconsistent herewith. The Mayor is hereby authorized and directed to execute the Disclosure Agreement and the City Clerk is hereby authorized and directed to affix the seal of the City to and to attest the Disclosure Agreement.

Section 21. A. The form, terms and provisions of the Bond Purchase Agreement be, and they hereby are, approved and the City shall enter into the Bond Purchase Agreement in substantially the form of such document presented to the Board at this meeting, with only such changes therein, if any, as are approved by the Finance Director of the City, such approval to be evidenced by the execution of the Bond Purchase Agreement by the Finance Director; and the Finance Director is hereby authorized and directed to execute and deliver the Bond Purchase Agreement, provided that the Bond terms and details are consistent with this Ordinance.

B. The officers of the City are authorized and directed to take all action necessary or appropriate to effectuate the provisions of this Ordinance, including without limiting the generality of the foregoing:

(1) The printing of the Bonds, including, without limitation, the printing of such additional blank Bonds as shall be required by the Registrar; and

(2) The printing and distribution of the final official statement for the Bonds in substantially the form of the Preliminary Official Statement heretofore approved by the Council, but

with such amendments, additions and deletions as are in accordance with the facts and not inconsistent herewith; and

(3) The execution of such certificates as may be reasonably required by the Purchaser, relating, inter alia, to the signing and registration of the Bonds, the tenure and identity of the officials of the Council and the City, the delivery of the Bonds, the receipt of the purchase price for the Bonds, the exemption of interest on the Bonds from federal and state income taxation, and if it is in accordance with fact, the absence of litigation, pending or threatened, affecting the validity thereof. It shall be the duty of the proper officers of the City to hereafter take all action necessary for the City to comply with the provisions of the Act, as hereafter amended and supplemented from time to time.

C. The Finance Director is authorized to deem the Preliminary Official Statements final for purposes of SEC Rule 15c2-12.

Section 22. The City covenants for the benefit of the registered owners of the Bonds that it will not take any action or omit to take any action with respect to the Bonds, the proceeds thereof, any other funds of the City or any facilities financed with the proceeds of the Bonds if such action or omission (i) would cause the interest on the Bonds to lose its exclusion from gross income for federal income tax purposes under Section 103 of the Code, or (ii) would cause interest on the Bonds to lose its exclusion from alternative minimum taxable income as defined in Section 55(b)(2) of the Code except to the extent such interest is required to be included in the adjusted current earnings adjustment applicable to corporations under Section 56 of the Code in calculating corporate alternative minimum taxable income. The foregoing covenant shall remain in full force and effect notwithstanding the payment in full or defeasance of the Bonds until the date on which all obligations of the City in fulfilling the above covenant under the Code have been met.

Section 23. The City covenants for the benefit of the registered owners of the Bonds that it will use its best efforts to apportion the Assessments in accordance with the Report heretofore filed with the City. The Council's determination that the apportionment is in accordance with the Report shall be conclusive and binding upon the owners of the property and the owners of the Bonds. The Council's approval of an apportionment report shall be deemed conclusively to constitute a finding that the apportionment is in accordance with the Report.

Section 24. The Council hereby finds and determines that the condition to the City's obligations under the Financing Agreement set forth in Section 1.7 thereof (i.e., receipt and review of an appraisal and absorption study) has been satisfied.

Section 25. A. This Ordinance may be amended or supplemented by an ordinance or ordinances adopted by the Council, without the receipt by the City of any additional consideration, with the written consent of the owners of not less than sixty-six per cent (66%) of the Bonds outstanding at the time of the adoption of such amendatory or supplemental ordinance, provided, however, that no such ordinance shall have the effect of permitting:

(4) An extension of the maturity of any Bond authorized by this Ordinance; or

(5) A reduction in the principal amount of any Bond or the rate of interest thereon; or

(6) The creation of a lien upon or a pledge of property, revenues or funds, ranking prior to the liens or pledges created by this Ordinance; or

(7) A reduction of the principal amount of Bonds required for consent to such amendatory or supplemental ordinance.

B. The City may, without the consent of or notice to the owners, adopt one or more ordinances supplemental hereto, which supplemental ordinances shall thereafter form a part hereof, for any one or more of the following purposes:

(8) To cure any ambiguity, or to cure, correct or supplement any formal defect or omission or inconsistent provision contained in this ordinance, to make any provision necessary or desirable due to a change in law, to make any provisions with respect to matters arising under this ordinance, or to make any provisions for any other purposes if, in each case, such provisions are necessary or desirable and do not adversely affect the interests of the owners of the Bonds; or

(9) To pledge additional revenues, properties or collateral as security for the Bonds; or

(10) To grant or confer upon the Registrar or Paying Agent for the benefit of the owners of the Bonds any additional rights, remedies, power or authorities that may lawfully be granted to or conferred upon the owners; or

(11) for the purpose of providing for the issuance of Refunding Bonds.

Section 26. If the Registrar or Paying Agent initially appointed hereunder shall resign, or if the Council shall reasonably determine that said Registrar or Paying Agent has become incapable of performing its duties hereunder, the Council may, upon notice mailed to each registered owner at his or her address last shown on the registration records, appoint a successor Registrar or Paying Agent, or both. No resignation or dismissal of the Registrar or Paying Agent may take effect until a successor is appointed. It shall not be required that the same institution or person serve as both Registrar and Paying Agent hereunder, but the City shall have the right to have the same institution or person serve as both Registrar and Paying Agent hereunder.

Section 27. Partial Refunding. So long as any of the Bonds are Outstanding, the City may issue Refunding Bonds and may pledge a portion of the Assessments to the payment of such Refunding Bonds if (i) the Value-to-Lien Ratio of all of the Undeveloped Property subject to the lien of the Remaining Assessments will in the aggregate be not less than 3.5:1 and (ii) the principal amount of the Remaining Assessments is not less than the principal amount of the Bonds remaining Outstanding after issuance of the Refunding Bonds. The requirement of NRS 271.488(8)(a) shall be deemed to have been met with respect to the issuance of Refunding Bonds, which comply with this section. Upon the issuance of the Refunding Bonds, the Assessments pledged to the payment of the Refunding Bonds shall be released from and shall no longer constitute a part of the Trust Estate. In connection with the issuance of the Refunding Bonds, the City may transfer from the Reserve Fund to any fund or account of the City designated by the Council all or any portion of the amount in the Reserve Fund, which will be in excess of the minimum requirement after issuance of the Refunding Bonds.

Section 28. Parity Assessments. So long as the Bonds or any portion thereof remain Outstanding, the City shall not levy Parity Assessments unless:

(a) The Director of Public Works shall have delivered a certificate to the City Council at the time of approval of such Parity Assessments to the effect that (i) no portion of the project or projects for which such Parity Assessments are being levied are to be constructed within the exterior boundaries of the District, or if the project or projects for which such Parity Assessments are being levied are to be constructed within the exterior boundaries of the District, that not more than ten percent (10%) of the total amount of assessments being levied for such project or projects will be levied on property within the District, and (ii) the project or projects to be constructed would not have been required as a condition or requirement of development of land within the District based upon the City's development standards in existence as of March 1, 2001; or

(b) The Parity Value-to-Lien Ratio of all of the assessable property within the District or (if less than all of the assessable property in the District is to be subject to a Parity Assessment) within each Village against which property Parity Assessments are to be levied will in the aggregate, immediately after such levy, be not less than 3:1.

Any certificate delivered by the Director of Public Works pursuant to subsection (a) above shall be final and conclusive as to the matters contained therein absent fraud.

Section 29. The Administration Fund shall be a special fund held by the City Treasurer, but shall not constitute part of the Trust Estate. All money in the Administration Fund shall be to pay the reasonable administration and other expenses of the City in connection with the Bonds, the Assessments and the Project. The amount of any income realized from the investment of the money in the Administration Fund shall be retained in the Administration Fund or, at the option of the City and to the extent permitted by law, transferred to the Rebate Fund.

Section 30. All ordinances, resolutions, bylaws and orders, or parts thereof, in conflict with the provisions of this Ordinance are hereby repealed to the extent only of such inconsistency. This repealer shall not be construed to revive any ordinance, resolution, bylaw or order, or part thereof, heretofore repealed.

Section 31. When first proposed, this Ordinance must be read to the Council by title, after which an adequate number of copies of this Ordinance must be deposited with the City Clerk for public examination and distribution. Notice of the deposit must be published once in a

newspaper published and having general circulation in the City at least 10 days before the adoption of the Ordinance, such publication to be in substantially the following form:

(FORM OF PUBLICATION OF NOTICE OF DEPOSIT OF AN ORDINANCE)

BILL NO. _____
ORDINANCE NO. _____

**AN ORDINANCE CONCERNING THE CITY OF LAS VEGAS, NEVADA
SPECIAL IMPROVEMENT DISTRICT NO. 808 (SUMMERLIN AREA) AND
AUTHORIZING THE ISSUANCE OF LOCAL IMPROVEMENT BONDS,
SERIES 2001 FOR THE CITY OF LAS VEGAS, NEVADA SPECIAL
IMPROVEMENT DISTRICT NO. 808 (SUMMERLIN AREA) IN THE
AGGREGATE PRINCIPAL AMOUNT OF \$46,000,000 TO FINANCE THE
ACQUISITION AND IMPROVEMENT OF A STREET PROJECT, STORM
SEWER PROJECT, AND WATER PROJECT.**

PUBLIC NOTICE IS HEREBY GIVEN, and that an adequate number of typewritten copies of the above-numbered and entitled proposed Ordinance are available for public inspection and distribution at the office of the City Clerk of the City of Las Vegas, at her office in City Hall, 400 Stewart Avenue, Las Vegas, Nevada, and that such Ordinance was proposed on March 21, 2001, and will be considered for adoption at a regular meeting of the City Council of the City of Las Vegas held on April 4, 2001.

/s/ Barbara Jo Ronemus
City Clerk

(End of Form of Publication of Notice of Deposit of An Ordinance)

Section 32. After this Ordinance is signed by the Mayor and attested and sealed by the Clerk, this Ordinance shall be published once by its title only, together with the names of the Council members voting for or against its passage, such publication to be made in the Las Vegas Review-Journal, a newspaper published and having a general circulation in the City, such publication to be in substantially the following form:

(FORM OF PUBLICATION OF ADOPTION OF ORDINANCE)

ORDINANCE NO. _____
(of Las Vegas, Nevada)

AN ORDINANCE CONCERNING THE CITY OF LAS VEGAS, NEVADA SPECIAL IMPROVEMENT DISTRICT NO. 808 (SUMMERLIN AREA) AND AUTHORIZING THE ISSUANCE OF LOCAL IMPROVEMENT BONDS, SERIES 2001 FOR THE CITY OF LAS VEGAS, NEVADA SPECIAL IMPROVEMENT DISTRICT NO. 808 (SUMMERLIN AREA) IN THE AGGREGATE PRINCIPAL AMOUNT OF \$46,000,000 TO FINANCE THE ACQUISITION AND IMPROVEMENT OF A STREET PROJECT, STORM SEWER PROJECT, AND WATER PROJECT.

PUBLIC NOTICE IS HEREBY GIVEN, and that such Ordinance was proposed on March 21, 2001, and was passed at the meeting held on April 4, 2001, by the following vote of the City Council:

Those Voting Aye:

Oscar B. Goodman
Gary Reese
Michael J. McDonald
Larry Brown
Lynette Boggs-McDonald
Lawrence Weekly
Michael Mack

Those Voting Nay:

Those Absent:

This Ordinance shall be in full force and effect from and after the ____ day of April, 2001, i.e., the day after the publication of such Ordinance by its title only.

IN WITNESS WHEREOF, the City Council of the City of Las Vegas, Nevada, has caused this Ordinance to be published by title only.

DATED this April 4, 2001.

/s/ Oscar B. Goodman
Mayor

Attest:

/s/ Barbara Jo Ronemus
City Clerk

(End of Form of Publication)

Section 33. If any section, paragraph, clause or other provision of this Ordinance shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or other provision shall not affect any of the remaining provisions of this Ordinance.

Proposed on March 21, 2001.

Proposed by Bond Ordinance

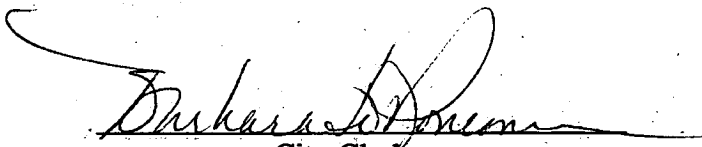
Vote:

Those Voting Aye: Mayor Oscar B. Goodman and Councilmembers
Reese, M. McDonald, Brown, L. B. McDonald,
Weekly and Mack

Those Voting Nay: NONE

Those Absent: NONE

Attest:


City Clerk


Mayor

This Ordinance shall be in force and effect from and after the 8th day of April, 2001,
i.e., the date after the publication of such Ordinance by its title only.

STATE OF NEVADA

)

) SS.

CITY OF LAS VEGAS

)

I, Barbara Jo Ronemus, the duly chosen, qualified and acting Clerk of City of Las Vegas, Nevada (the "City"), do hereby certify:

1. The foregoing pages constitute a true, correct, complete and compared copy of an ordinance which was introduced at the meeting of the Council on March 21, 2001 and finally adopted and approved on April 4, 2001.

2. The following members of the Council were present at the March 21, 2001 Council meeting:

Mayor:

Oscar Goodman

Councilmembers

Gary Reese

Michael J. McDonald

Larry Brown

Lynette Boggs-McDonald

Lawrence Weekly

Michael Mack

3. The foregoing Ordinance was first proposed and read by title to the City Council on March 21, 2001, and referred to a committee composed of Councilmembers Reese and Weekly for recommendation; thereafter the said committee reported favorably on said Ordinance on April 4, 2001, which was a regular meeting of said Council; that at said regular meeting, the proposed Ordinance was again read by title to the City Council and adopted. The members of the City Council were present at the April 4, 2001 meeting and voted upon the adoption of the Ordinance as follows:

Those Voting Aye:

Oscar B. Goodman

Gary Reese

Michael J. McDonald

Larry Brown

Lynette Boggs-McDonald

Lawrence Weekly

Michael Mack

Those Voting Nay:

NONE

Those Absent:

NONE

4. The original of the Ordinance has been approved and authenticated by the signatures of the Mayor of the City and myself as Clerk of the City, and sealed with the seal of the city, and has been recorded in the journal of the Council kept for that purpose in my office, which record has been duly signed by such officers and properly sealed.

5. All members of the Council were given due and proper notice of the meetings held on March 21, 2001 and April 4, 2001.

6. All members of the Council were given due and proper notice of the meetings. Pursuant to NRS ' 241.020, written notice of the meeting including the time, place, location and agenda of the meeting was given by 9:00 a.m. at least three working days before the meeting.

7. By posting a copy of the notice at the principal office of the Council, or if there is no principal office, at the building in which the meeting is to be held, and at least three other separate, prominent places within the jurisdiction of the Council, to wit:

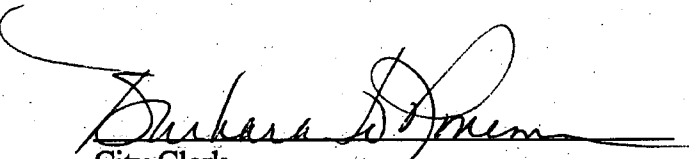
- (a) City Hall
Las Vegas, Nevada
- (b) Senior Citizens Center
Las Vegas, Nevada
- (c) Clark County Government Center
Las Vegas, Nevada
- (d) Downtown Transportation Center
Las Vegas, Nevada

and

8. By mailing a copy of the notice to each person, if any, who has requested notice of the meetings of the Council in the same manner in which notice is required to be mailed to a member of the Council.

9. Copies of the notice of each such meeting as posted and mailed are attached hereto as Exhibit A.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the City this April 24, 2001.


City Clerk

(SEAL)

EXHIBIT A

(Notice of March 21, 2001 City Council Meeting)

CITY COUNCIL AGENDA

MARCH 21, 2001
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CONSENT		DISCUSSION	
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Citizens Participation	Pg 11



CITY COUNCIL AGENDA

COUNCIL CHAMBERS • 400 STEWART AVENUE • PHONE 229-6011

CITY OF LAS VEGAS INTERNET ADDRESS: <http://www.ci.las-vegas.nv.us>

OSCAR B. GOODMAN, MAYOR (At-Large) • COUNCILMAN GARY REESE, MAYOR PRO TEM (Ward 3)

**COUNCILMEMBERS: MICHAEL J. McDONALD (Ward 1), LARRY BROWN (Ward 4), LYNETTE BOGGS McDONALD (Ward 2),
LAWRENCE WEEKLY (Ward 5), MICHAEL MACK (Ward 6)**

Facilities are provided throughout City Hall for the 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.

MARCH 21, 2001

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 PRESENTED LIVE ON KCLV, CABLE CHANNEL 2. THE PROCEEDINGS WILL BE REBROADCAST ON KCLV CHANNEL 2 THE WEDNESDAY OF THE MEETING AT 8:00 PM AND ARE ALSO REBROADCAST ON FRIDAY AT 4:00 AM, SATURDAY AT 7:00 PM, SUNDAY AT 7:00 AM AND THE FOLLOWING MONDAY AT 10:00 AM.

DUPLICATE AUDIO TAPES ARE AVAILABLE AT A COST OF \$5.00 PER TAPE AND DUPLICATE VIDEO TAPES ARE AVAILABLE AT A COST OF \$10.00 PER TAPE THROUGH THE CITY CLERK'S OFFICE.

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

CEREMONIAL MATTERS

- CALL TO ORDER
- ANNOUNCEMENT RE: COMPLIANCE WITH OPEN MEETING LAW
- INVOCATION – REVEREND LARRY G. HANSMEIER, FIRST CHRISTIAN CHURCH
- PLEDGE OF ALLEGIANCE
- RECOGNITION OF EMPLOYEE OF THE MONTH

BUSINESS ITEMS

1. Any items from the morning session that the Council, staff, and/or the applicant wishes to be stricken or held in abeyance to a future meeting, may be brought forward and acted upon at this time
2. Approval of the Final Minutes by reference of the Regular City Council Meeting of February 21, 2001

CONSENT AGENDA

MATTERS LISTED ON THE CONSENT AGENDA ARE CONSIDERED TO BE ROUTINE AND HAVE BEEN RECOMMENDED FOR APPROVAL BY THE SUBMITTING DEPARTMENTS. ALL ITEMS ON THE CONSENT AGENDA MAY BE APPROVED IN A SINGLE MOTION. HOWEVER, IF A COUNCIL MEMBER SO REQUESTS, ANY CONSENT ITEM MAY BE MOVED TO THE DISCUSSION PORTION OF THE AGENDA AND OTHER ACTION, INCLUDING POSTPONEMENT OR DENIAL OF THE ITEM, MAY TAKE PLACE.

ADMINISTRATIVE - CONSENT

3. Approval of Video Services Tape Dubbing Policy and Fee Structure

FIELD OPERATIONS DEPARTMENT - CONSENT

4. Approval of 10 feet by 15 feet Las Vegas Valley Water District easement located on the northwesterly corner of Stewart Avenue and Las Vegas Boulevard on the Las Vegas City Hall property - Ward 5 (Weekly)

FINANCE & BUSINESS SERVICES DEPARTMENT - CONSENT

5. Approval of Service and Material Checks/Payroll Checks/Wire Transfers/Other Checks and Investments
6. Approval to establish the Fire Safety Initiative Special Revenue Fund
7. ABEYANCE ITEM - Approval of Change of Location for an Escort Bureau License subject to the provisions of the fire codes, Bleu Limited, dba Bleu, From: 652 Peachy Canyon Circle, Unit 103, To: 1725 South Rainbow Blvd., Suite 19K, Jeffery G. Schoor, Mmbr, 50%, Cynthia L. Steinman, Mmbr, 50% - Ward 1 (M. McDonald)
8. Approval of a new Family Child Care Home License, Cindy Black, 7532 Flat Rock Street, Cindy Black, 100% - Ward 6 (Mack)
9. Approval of a New Family Child Care Home License, Jennifer Kelly Halper, dba Kelly Halper Family Child Care Home, 10532 White Heath Court, Jennifer K. Halper, 100% - Ward 2 (L.B. McDonald)
10. Approval of a new Family Child Care Home License, Ayesah Qureshi, 8525 Stone Harbor Ave., Ayesah Qureshi, 100% - Ward 2 (L.B. McDonald)
11. Approval of a new Child Care Center subject to the provisions of the fire and planning codes, Health Dept. and licensing regulations, Suzanne C. Moody, dba Las Vegas "Buy the Hour" Kids Camp, 4588 North Rancho Drive, Suzanne C. Moody, 100% - Ward 6 (Mack)
12. Approval of a new Beer/Wine/Cooler Off-sale Liquor License, Dual Alliance, LLC, dba Riders, 2237 West Charleston Blvd., Thomas G. Jones, Jr., Mgr, Mmbr, 50%, Dalton L. Conners, Mgr, Mmbr, 50% - Ward 1 (M. McDonald)
13. Approval of Additional Licenses: Package Liquor License limited to Beer/Wine/Cooler only and Beer/Wine/Cooler On-sale Liquor License limited to wine only, Star Wine, Inc., dba Marche' Bacchus, 2620 Regatta Drive, Suite 106, Gregoire M. Verge, Dir, Pres, Secy, Treas, 100% - Ward 4 (Brown)
14. Approval of Co-Owner for a Beer/Wine/Cooler Off-sale Liquor License, Saeid Behnamjou, dba Saeid AM/PM, 329 Las Vegas Blvd., North, Hamid R. Maghamfar, 50% - Ward 5 (Weekly)

FINANCE & BUSINESS SERVICES DEPARTMENT - CONSENT

15. Approval of Manager for a Package Liquor License, Supermercado Del Pueblo, Inc., dba Supermercado Del Pueblo, 1000 North Rancho Drive, Karla S. Paredes, Mgr - Ward 5 (Weekly)
16. Approval of Manager for a Supper Club Liquor License, Hamada Towers, Inc., dba Hamada Asian Village, 2000 Las Vegas Blvd., South, Masayoshi Nakajima, Mgr - Ward 3 (Reese)
17. Approval of a new Independent Massage Therapist License, Yu Fu, dba Yu Fu, 4001 Pennwood Ave., #75, Yu Fu, 100% - Ward 1 (M. McDonald)
18. Approval of a new Independent Massage Therapist License, Helen Savard, dba Helen Savard, 7310 Smoke Ranch Road, Suite M, Helen B. Savard, 100% - Ward 4 (Brown)
19. Approval of a new Independent Massage Therapist License, Kathleen Manning, dba Kathleen Manning, 7310 Smoke Ranch Road, Suite M, Kathleen E. Manning, 100% - Ward 4 (Brown)
20. Approval of a new Independent Massage Therapist License, Lisheng Zhang, dba Lisheng Zhang, 4035 West Sahara Ave., Lisheng Zhang, 100% - Ward 5 (Weekly)
21. Preapproval of Bid Number 01.15301.17-LED, Agassi Charter School Parking Lot, to the lowest responsive and responsible bidder; and approve the construction conflicts and contingency reserve set by Finance and Business Services - Department of Public Works (monetary range \$480,000 - \$540,000 - Capital Projects Fund) - Ward 5 (Weekly)
22. Approval of award of Bid Number 01.1730.24-RC, 2000-2001 Street Rehabilitation, Biltmore Neighborhood, Phase 1, and approve the construction conflicts and contingency reserve set by Finance and Business Services - Department of Public Works - Award recommended to: CUSTOM ASPHALT PAVING, INC. (\$433,850.36 - Street Rehabilitation Fund) - Ward 5 (Weekly)
23. Approval of award of Bid Number 01.1730.21-RC, Lone Mountain Detention Basin Offsites, and approve the construction conflicts and contingency reserve set by Finance and Business Services - Department of Public Works - Award recommended to: CUSTOM ASPHALT PAVING, INC., (\$316,013 - Special Improvement District and RTC Funds) - Ward 4 (Brown)
24. Approval of authorization to use Clark County Bid Number 4741-00 (TG) for the purchase of six (6) 2001 model year pickup trucks - Department of Field Operations - Award recommended to: FRIENDLY FORD (\$147,906 - Internal Service Fund)
25. Approval of award of Bid Number 010061-TC, Annual Requirements Contract for Janitorial/Cleaning Supplies - Department of Field Operations - Award recommended to: VARIOUS VENDORS (Estimated annual amount of \$140,000 - General Fund)
26. Approval of authorization to use Regional Transportation Commission of Clark County Bid Number 007-00 for the purchase of one (1) CNG Powered Paratransit Van, model year 2001 (TC) - Field Operations - Award recommended to: CREATIVE BUS SALES (\$48,865 - Internal Service Fund)
27. Approval of award of Bid Number 010047-TC, Furnish and Install Carpet at Reed Whipple Center for the City of Las Vegas - Department of Field Operations - Award recommended to: ALLIED FLOORING (\$29,942.50 - General Fund) - Ward 5 (Weekly)
28. Approval of the substitution of a subcontractor for Bid Number 00.53541.23-RC, Contract 23 - BNR - Department of Public Works - Award recommended to: BRYAN PAINTING AND DECORATING, INC.

NEIGHBORHOOD SERVICES DEPARTMENT - CONSENT

29. Approval of a First Amendment to the Interlocal Agreement with Clark County for demolition of the Metro Substation located at 6208 Hargrove Avenue and the construction of the Mirabelli Senior Center - Ward 1 (M. McDonald)

NEIGHBORHOOD SERVICES DEPARTMENT - CONSENT

30. Approval of an allocation in the amount of \$143,000 in FY2001-2002 Emergency Shelter Grant funds to fifteen nonprofit subrecipients located throughout the city

PUBLIC WORKS DEPARTMENT - CONSENT

31. Approval of a Supplemental Interlocal Contract #330a for construction of Smoke Ranch Road-Jones Boulevard to Buffalo Drive (\$3,617,000 - Regional Transportation Commission - Wards 4 and 6 (Brown and Mack)
32. Approval of a Fifth Supplemental Interlocal Contract #250e to revise the scope of the project and increase the total project funding for construction of Phase II of the Alta Drive - Rancho Drive to UPRR Property (\$350,000 - Regional Transportation Commission) - Ward 5 (Weekly)
33. Approval of a Sixth Supplemental Interlocal Contract between Clark County Regional Transportation Commission and the City of Las Vegas to close the Cheyenne Avenue - Rancho to US-95 project - Ward 6 (Mack)
34. Approval of a Cooperative Agreement between Clark County, Regional Transportation Commission and the City of Las Vegas for construction of Smoke Ranch Road - Jones Boulevard to Buffalo Drive (\$1,575,000 - Clark County) - Wards 4 and 6 (Brown and Mack)
35. Approval to accept a grant through the State of Nevada from the Federal Emergency Management Agency (FEMA) - Hazard Mitigation Grant Program for the Las Vegas Wash Mitigation (HMGP 1281-01) to repair portions of the Las Vegas Wash damaged during the July 8, 1999 flood event (\$326,946 - Federal Emergency Management Agency) - Ward 3 (Reese)
36. Approval of a Quitclaim Deed from Joan Shoofey Brasher Richardson for a portion of the Northeast Quarter (NE 1/4) of Section 4, T21S, R60E, M.D.M., for acquisition of remainder interest for parcels in Buffalo Drive and Del Rey Avenue, located north of Oakey Boulevard (previously recorded in the Office of the Recorder, Clark County Nevada in Book 20010227 as Instrument No. 01338) 163-04-604-002 - Ward 1 (M. McDonald)
37. Approval of a Dedication from the City of Las Vegas, a Municipal Corporation for a portion of the Northeast Quarter (NE 1/4) of Section 4, T21S, R60E, M.D.M., for dedication of rights-of-way on Buffalo Drive, located north of Oakey Boulevard - 163-04-604-002 - Ward 1 (M. McDonald)
38. Approval of a Dedication from the City of Las Vegas, a Municipal Corporation for a portion of the Northwest Quarter (NW 1/4) of Section 7, T20S, R60E, M.D.M., for dedication of rights-of-way to complete the Hualapai alignment, south of Alexander Road - 138-07-101-001 - Ward 4 (Brown)
39. Approval of a Quitclaim Deed to the Nevada Department of Transportation for a portion of the Northeast Quarter (NE 1/4) of Section 17, T19S, R60E, M.D.M., transferring City of Las Vegas remnant parcels lying within the Durango Drive/U.S.95 Interchange, located south of the intersection of Durango Drive and Farm Road - 125-17-699-004 & 125-17-699-005 - Ward 6 (Mack)
40. Approval to file a Right of Way Grant application with the Bureau of Land Management for roadway, sewer and drainage purposes on portions of land lying within the Southeast Quarter (SE 1/4) of Section 24, T19S, R60E, M.D.M., located along Deer Springs Way and Rome Boulevard, east of Thom Boulevard, and Thom Boulevard, south of Deer Springs Way - Ward 6 (Mack)
41. Approval to file a Right of Way Grant application with the Bureau of Land Management for roadway, sewer and drainage purposes on portions of land lying within the Northwest Quarter (NW 1/4) of Section 27, T20S, R60E, M.D.M., located along Braswell Drive, east of Pioneer Way - Ward 2 (L.B. McDonald)
42. Approval of a Professional Services Agreement with Black & Veatch Corporation for design services related to the City's Unlined Reinforced Concrete Pipe (RCP) Evaluation and Rehabilitation Program (\$300,000 - City of Las Vegas Sanitation Funds) - All Wards

PUBLIC WORKS DEPARTMENT - CONSENT

43. Approval of a Professional Services Agreement with Kimley-Horn & Associates, Inc. for the design of traffic signal interconnect on Sahara Avenue from Rainbow Boulevard to Fort Apache Road and on Fort Apache Road from Desert Inn Road to Charleston Boulevard (\$150,000 - Regional Transportation Commission Prior Year Traffic Capacity Safety Improvement Funds) - Wards 1 and 2 (M. McDonald and L. B. McDonald)
44. Approval of a Parks Declaration Agreement allowing the developer to build parks in lieu of paying Residential Construction Taxes in the Spring Mountain Ranch subdivision - Ward 6 (Mack)
45. Approval of an encroachment request from Carina Corporation, owner (northeast corner of Farm Road and Buffalo Drive) - Ward 6 (Mack)

RESOLUTIONS - CONSENT

46. R-22-2001 - Approval of a Resolution Disposing of Protests made at the Hearing on the Provisional Order re: Special Improvement District No. 1482 - Gowan Road (Metro Park) from Hualapai Way to Jenson Street (\$101,170.79 - Capital Projects Fund - Special Assessments) - Ward 4 (Brown)

REAL ESTATE COMMITTEE - CONSENT

47. Approval of an Interlocal Agreement with the Las Vegas Valley Water District for water service at the Andre Agassi Charter School "J" Street Parking Lot (\$8,242 - Capital Improvement Project Fund) - Ward 5 (Weekly)

DISCUSSION / ACTION ITEMS

ADMINISTRATIVE - DISCUSSION

48. Discussion and possible action to award \$20,000 in General Funds to S.V.D.P. Management, Inc. (d.b.a. M.A.S.H. Village), \$26,155 in General Funds to Salvation Army, and \$15,000 in General Funds to Catholic Charities of Southern Nevada, for the provision of additional emergency shelter (City-wide)

ADMINISTRATIVE SERVICES - DISCUSSION

49. Discussion and possible action of a Memorandum of Understanding between the City of Las Vegas and Clark County regarding abandoned shopping carts

BUSINESS DEVELOPMENT - DISCUSSION

50. Report on the Office of Business Development Activities

CITY ATTORNEY - DISCUSSION

51. Discussion and possible action on Appeal of Work Card Denial: Carolyn Ficklin, 1650 North Pecos Road #3014, Las Vegas, NV 89115
52. Discussion and possible action on Appeal of Work Card Denial: Crystal M. Flint, 4550 West Sahara Avenue, Las Vegas, NV 89102

FIELD OPERATIONS DEPARTMENT – DISCUSSION

53. Report on the status of the City of Las Vegas' energy conservation efforts

FINANCE & BUSINESS SERVICES DEPARTMENT - DISCUSSION

54. Discussion and possible action regarding a Two-Year Review of a Locksmith License, A.B.C. Locksmiths, Inc., dba A.B.C. Locksmiths, Inc., 3981 East Sunset Road, Suite E, Rebecka L. Caster, Dir, Pres, Secy, Treas, 100% - (County)

LEISURE SERVICES DEPARTMENT - DISCUSSION

55. Report and possible direction to staff regarding the Community Schools program

PUBLIC WORKS DEPARTMENT - DISCUSSION

56. Report to update Mayor and Council on the current status of the Bonanza Village Security Wall

BOARDS & COMMISSIONS - DISCUSSION

57. ABEYANCE ITEM - PARK & RECREATION ADVISORY COMMISSION – Arthur C. Jordan, Term Expiration 3/24/2003 (Resigned)
58. ABEYANCE ITEM - LAS VEGAS-CLARK COUNTY LIBRARY DISTRICT BOARD OF TRUSTEES – Melvin Pohl, Term Expiration 4-7-2001; Moises Denis, Term Expiration 4-7-2001; Yorbalinda Penton-Dougan, Term Expiration 4-7-2001
59. ABEYANCE ITEM - SENIOR CITIZENS ADVISORY BOARD – Edward V. Power, Term Expiration 6-2003 (Resigned)
60. ETHICS REVIEW BOARD – Earle W. White, Jr., Term Expiration 4-14-2001; Robert J. Fleming, Term Expiration 4-14-2001

REAL ESTATE COMMITTEE - DISCUSSION

61. Discussion and possible action regarding an Agreement with Economic Opportunity Board of Clark County as the developer for the Vegas Heights Single Family Home Mortgage Buy Down Assistance Project Phase III and expenditure of federal HOME funds in the amount of \$210,000 - Ward 5 (Weekly)
62. Discussion and possible action regarding an Agreement for the Purchase and Sale of 1388 Blankenship Avenue to Economic Opportunity Board of Clark County - Ward 5 (Weekly)
63. Discussion and possible action regarding an Agreement for the Purchase and Sale of 1484 Blankenship Avenue to Economic Opportunity Board of Clark County - Ward 5 (Weekly)
64. Discussion and possible action regarding an Agreement for the Purchase and Sale of 1468 Hart Avenue to Economic Opportunity Board of Clark County - Ward 5 (Weekly)
65. Discussion and possible action regarding an Agreement for the Purchase and Sale of 807 Lawry Avenue to Economic Opportunity Board of Clark County - Ward 5 (Weekly)
66. Discussion and possible action regarding an Agreement for the Purchase and Sale of 817 Lawry Avenue to Economic Opportunity Board of Clark County - Ward 5 (Weekly)

REAL ESTATE COMMITTEE - DISCUSSION

- 67. Discussion and possible action regarding an Agreement for the Purchase and Sale of 820 Hassel Avenue to Economic Opportunity Board of Clark County - Ward 5 (Weekly)
- 68. Discussion and possible action regarding an Agreement for the Purchase and Sale of 810 Hassel Avenue to Economic Opportunity Board of Clark County - Ward 5 (Weekly)

RECOMMENDING COMMITTEE REPORTS - DISCUSSION

BILLS ELIGIBLE FOR ADOPTION AT THIS MEETING

- 69. Bill No. 2001-19 – Ordinance Creating Special Improvement District No. 1473 - Ann Road (US-95 Freeway to Allen Lane) Sponsored by: Step Requirement
- 70. Bill No. 2001-20 – Annexation No. A-0012-99(A) – Property Location: On the northwest corner of Fort Apache Road and Gilmore Avenue; Petitioned By: City of Las Vegas; Acreage: Approximately 5.17 acres; Zoned: R-E and PF (County Zoning), U (ML) and C-V (City Equivalents); Sponsored by: Councilman Larry Brown
- 71. Bill No. 2001-21 – Annexation No. A-0019-00(A) – Property Location: On the northwest corner of Ann Road and Durango Drive; Petitioned By: Ann/Durango Holding, LLC; Acreage: 5.39 acres; Zoned: R-E (County Zoning), U (DR) (City Equivalent); Sponsored by: Councilman Michael Mack
- 72. ABEYANCE ITEM - Bill No. 2001-22 – Prohibits the operation of an escort bureau from a residential zone. Sponsored by: Councilwoman Lynette Boggs McDonald
- 73. ABEYANCE ITEM - Bill No. 2001-23 – Prohibits the operation of an outcall entertainment referral service business from a residential zone. Sponsored by: Councilwoman Lynette Boggs McDonald
- 74. Bill No. 2001-24 – Allows additional medical-related uses in the C-PB Zoning District. Sponsored by: Councilman Larry Brown
- 75. Bill No. 2001-25 – Revises the setback requirements for patio covers. Proposed by: Bob Genzer, Acting Director of Planning and Development
- 76. Bill No. 2001-26 – Establishes development standards for accessory structures in commercial and industrial zoning districts. Proposed by: Bob Genzer, Acting Director of Planning and Development
- 77. Bill No. 2001-27 – Amends the Zoning Code to provide for the expiration of Site Development Plans. Sponsored by: Councilman Michael Mack

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. PUBLIC TESTIMONY TAKES PLACE AT THE RECOMMENDING COMMITTEE MEETING HELD FOR THAT PURPOSE.

- 78. Bill No. 2001-28 – Amends the Zoning Code to expand the applicability of the residential adjacency standards. Sponsored by: Councilwoman Lynette Boggs McDonald
- 79. Bill No. 2001-29 – Prohibits the use "Animal Hospital, Clinic, Shelter or Boarding/Kennel with Outside Pens" in the U, R-A and R-E Zoning Districts. Proposed by: Bob Genzer, Acting Director of Planning and Development
- 80. Bill No. 2001-30 – Repeals LVMC 2.09.170, relating to the organization of the Department of Neighborhood Services. Proposed by: Bradford R. Jerbic, City Attorney

NEW BILLS

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.

81. Bill No. 2001-31 – Ordinance Creating Special Improvement District No. 1482 - Gowan Road (Metro Park) from Hualapai Way to Jenson Street. Sponsored by: Step Requirement
82. Bill No. 2001-32 – Annexation No. A-0001-01(A) – Property Location: On the south side of Alexander Road approximately 600 feet east of Durango Drive; Petitioned By: Albert Massi, et. al; Acreage: 16.00 acres; Zoned: R-E (County Zoning), U (L) (City Equivalent); Sponsored by: Councilman Larry Brown
83. Bill No. 2001-33 – Revises certain Municipal Code provisions regarding the stopping, standing and parking of vehicles. Proposed by: Michael Sheldon, Director of Detention and Enforcement
84. Bill No. 2001-34 – Assigns to the Planning Commission the consideration of zoning variances and similar zoning matters. Sponsored by: Councilman Michael Mack
85. Bill No. 2001-35 - Bond ordinance providing for the issuance by the City of Las Vegas of its Special Improvement District No. 808 (Summerlin Area) Local Improvement Bonds, Series 2001, in the amount of \$46,000,000 - Ward 2 (L.B. McDonald)

1:00 P.M. - AFTERNOON SESSION

86. Any items from the afternoon session that the Council, staff, and/or the applicant wishes to be stricken or held in abeyance to a future meeting, may be brought forward and acted upon at this time

PUBLIC HEARINGS - DISCUSSION

87. Public hearing on local improvement district regarding: Special Improvement District No. 1475 - Westcliff Drive from Cimarron Road to Rainbow Boulevard. (\$52,003.45 - Capital Improvement Projects Fund - Levy of Assessments) - Ward 2 (L.B. McDonald)
88. Public hearing to consider the report of expenses to recover costs for abatement of nuisances located at 8200 Windrush Avenue. PROPERTY OWNER: DAYBREAK CHRISTIAN FELLOWSHIP - Ward 1 (M. McDonald)
89. Public hearing to consider the report of expenses to recover costs for abatement of dangerous building located at 713 W. Adams Avenue. PROPERTY OWNER: USA - Ward 5 (Weekly)
90. Public hearing to consider the report of expenses to recover costs for abatement of dangerous building located at 209 Bruin Way. PROPERTY OWNER: DARRYL E. BURNS - Ward 2 (L.B. McDonald)

PLANNING & DEVELOPMENT DEPARTMENT

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 DEPARTMENT – DISCUSSION

91. NOT TO BE HEARD BEFORE 1:00 P.M.: ABEYANCE ITEM - GENERAL PLAN AMENDMENT - PUBLIC HEARING - GPA-0001-01 - SANDRA NORRIS 1990 LIVING TRUST - Request to Amend a portion of the West Las Vegas Plan FROM: LI/R (Light Industry/Research) TO: M (Medium Density Residential) on approximately 32.5 acres located on the northwest corner of the intersection of Washington Avenue and Robin Street (APN: 139-29-612-002), Ward 5 (Weekly). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL
92. NOT TO BE HEARD BEFORE 1:00 P.M.: ABEYANCE ITEM - REZONING RELATED TO GPA-0001-01 - PUBLIC HEARING - Z-0001-01 - SANDRA NORRIS 1990 LIVING TRUST - Request for a Rezoning FROM: C-PB (Planned Business Park) TO: R-3 (Medium Density Residential) on approximately 32.5 acres located on the northwest corner of the intersection of Washington Avenue and Robin Street (APN: 139-29-612-002), PROPOSED USE: RESIDENTIAL SUBDIVISION, Ward 5 (Weekly). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL. The Planning Commission (5-0-1 vote) and staff recommend APPROVAL
93. Report and possible action regarding the amortization of a nonconforming use (beekeeping) at a residence located at 4113 Via Olivero Avenue. PROPERTY OWNER: JOHN P. & KATHLEEN C. MORGAN, Ward 1 (M. McDonald)
94. REVIEW OF CONDITION - PUBLIC HEARING - Z-0058-76(5) - DEJORIA FAMILY LIMITED PARTNERSHIP - Request for a Review of Condition #2 regarding the scope and extent of a revised Site Development Plan Review to be heard at a later date; Condition #3 regarding the mini-storage building height; Condition #9 regarding the submittal of a cross-access agreement; Condition #13 regarding an amended Traffic Impact Analysis; and Condition #14 regarding the contribution of money for drainage improvements on property located on the northeast corner of the intersection of Ann Road and Leggett Road (APN: 125-28-803-001), C-2 (General Commercial) Zone, Ward 6 (Mack). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL
95. REVIEW OF CONDITION - PUBLIC HEARING - Z-0122-97(5) - KIRKLAND DEVELOPMENT - Request for a Review of Condition Number 10 which requires four lanes of paved access along Jones Boulevard prior to the issuance of any building permits beyond thirty percent (30%) of the homes allowed within this project, on the north side of Severance Lane between Decatur Boulevard and Jones Boulevard (APN's: MULTIPLE), R-E (Residence Estates) zone under Resolution of Intent to R-PD3, R-PD5 and R-PD7 (Residential Planned Development - 3, 5 and 7 Units Per Acre), Size: 264.75 Acres, Ward 6 (Mack). Staff recommends APPROVAL
96. WAIVER - PUBLIC HEARING - WVR-0005-00 - LEONCIA AGAPAOA - Request for a Waiver OF THE REQUIRED 660 FOOT SEPARATION BETWEEN GROUP RESIDENTIAL CARE FACILITIES to allow a facility at 3400 Camsore Point Lane, where an existing facility is located at 3412 Camsore Point Lane (APN: 138-07-711-028), R-CL (Single Family Residential - Compact Lot) Zone, Ward 4 (Brown). The Planning Commission (6-0-1 vote) and staff recommend DENIAL
97. SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - Z-0015-98(1) - PARVIZ & SIMIN OMIDVAR ON BEHALF OF CRYSTAL-PACIFIC GROUP - Request for a Site Development Plan Review FOR A PROPOSED 55,250 SQUARE FOOT GROCERY STORE (FOOD 4 LESS), A 14,490 SQUARE FOOT DRUG STORE (WALGREEN'S) AND A 6,000 SQUARE FOOT RESTAURANT on the northwest corner of Stewart Avenue and Nellis Boulevard, (APN: 140-32-601-005), R-E (Residence Estates) Zone under Resolution of Intent to C-1 (Limited Commercial), Ward 3 (Reese). The Planning Commission (7-0 vote) and staff recommend APPROVAL

PLANNING & DEVELOPMENT DEPARTMENT – DISCUSSION

98. SPECIAL USE PERMIT RELATED TO Z-0015-98(1) - PUBLIC HEARING - U-0002-01 - PARVIZ & SIMIN OMDVAR ON BEHALF OF CRYSTAL-PACIFIC GROUP - Request for a Special Use Permit FOR THE SALE OF PACKAGE LIQUOR FOR OFF-PREMISE CONSUMPTION IN CONJUNCTION WITH A GROCERY STORE (FOOD 4 LESS) on the northwest corner of Stewart Avenue and Nellis Boulevard, (APN: 140-32-601-005), R-E (Residence Estates) Zone under Resolution of Intent to C-1 (Limited Commercial), Ward 3 (Reese). The Planning Commission (7-0 vote) and staff recommend APPROVAL
99. SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - Z-0093-00(1) - GT 95, LIMITED LIABILITY COMPANY ON BEHALF OF STANPARK HOMES - Request for a Site Development Plan Review FOR A PROPOSED 266 LOT SINGLE FAMILY RESIDENTIAL SUBDIVISION AND A 384 UNIT MULTI-FAMILY APARTMENT COMPLEX on the northeast corner of Grand Teton Road and the Grand Canyon Drive Alignment (APN's: 125-07-701-001 and 125-07-801-001), R-E (Residence Estates) and C-2 (General Commercial) Zones, PROPOSED: PD (Planned Development), Ward 6 (Mack). The Planning Commission (7-0 vote) and staff recommend APPROVAL
100. SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - Z-0108-00(1) - L.T. ENTERPRISES, LIMITED LIABILITY COMPANY - Request for a Site Development Plan Review FOR A 24,000 SQUARE FOOT OFFICE BUILDING on approximately 1.04 acres located on the west side of Leon Avenue, approximately 400 feet south of Alexander Road (APN: 138-12-110-020), C-2 (General Commercial) and R-E (Residence Estates) Zones under Resolution of Intent to O (Office), Ward 6 (Mack). The Planning Commission (4-1 vote) and staff recommend APPROVAL
101. VARIANCE - PUBLIC HEARING - V-0001-01 - MICHAEL AND ELIZABETH SCHUCHERT - Request for a Variance TO ALLOW AN EXISTING DETACHED ACCESSORY STRUCTURE 18 INCHES FROM THE CORNER SIDE PROPERTY LINE WHERE 10 FEET IS THE MINIMUM SETBACK ALLOWED, 2 FEET 10 INCHES FROM THE REAR PROPERTY LINE WHERE 3 FEET IS THE MINIMUM SETBACK ALLOWED, AND 4 FEET 8 INCHES FROM THE MAIN DWELLING WHERE SIX FEET IS THE MINIMUM SEPARATION ALLOWED at 7601 Eminence Court (APN: 125-16-614-046), R-E (Residential Estates) Zone under Resolution of Intent to R-PD6 (Residential Planned Development - 6 Units Per Acre), Ward 6 (Mack). Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL
102. ABEYANCE ITEM - SPECIAL USE PERMIT - PUBLIC HEARING - U-0203-00 - BRIDGET WONG - Request for Special Use Permit FOR HYPNOTHERAPY IN CONJUNCTION WITH A BUSINESS (AYURVEDA HEALTH INSTITUTE) at 8925 West Sahara Avenue (APN: 163-08-120-034), C-1 (Limited Commercial) Zone, Ward 2 (L.B. McDonald). The Planning Commission (6-0 vote) and staff recommend APPROVAL
103. SPECIAL USE PERMIT - PUBLIC HEARING - U-0205-00 - MAK ENTERPRISES ON BEHALF OF DELIA LAMELA - Request for a Special Use Permit FOR A RESTAURANT SERVICE BAR IN CONJUNCTION WITH AN EXISTING RESTAURANT (CUBA CAFE) at 552-A North Eastern Avenue (APN: 139-36-111-002), C-1 (Limited Commercial) Zone, Ward 3 (Reese). The Planning Commission (7-0 vote) and staff recommend APPROVAL
104. SPECIAL USE PERMIT - PUBLIC HEARING - U-0001-01 - HIPOLITO ANAYA - Request for a Special Use Permit FOR PACKAGED LIQUOR SALES IN CONJUNCTION WITH AN EXISTING GROCERY STORE (MARIANA'S SUPERMARKET) at 3631 West Sahara Avenue (APN: 162-08-101-008), C-1 (Limited Commercial) Zone, Ward 1 (M. McDonald). The Planning Commission (7-0 vote) and staff recommend APPROVAL
105. SPECIAL USE PERMIT - PUBLIC HEARING - U-0005-01 - VERLAS CORPORATION ON BEHALF OF UNITED PARCEL SERVICE - Request for a Special Use Permit FOR A PROPOSED MAJOR AUTO REPAIR GARAGE WITH A WAIVER OF THE CONDITIONAL USE REQUIREMENT FOR SERVICE BAY OPENINGS TO FACE AWAY FROM THE PUBLIC RIGHT-OF-WAY at 740 North Martin L. King Boulevard (APN: 139-28-703-001 and 009), C-M (Commercial/ Industrial) Zone, Ward 5 (Weekly). The Planning Commission (6-0 vote) and staff recommend APPROVAL

PLANNING & DEVELOPMENT DEPARTMENT – DISCUSSION

- 106.ABEYANCE ITEM - REZONING - PUBLIC HEARING - Z-0117-00 - INTERNATIONAL BENEVOLENT PROTECTED ORDER ELKS OF THE WORLD - Request for a Rezoning FROM: R-3 (Medium Density Residential) TO: C-1 (Limited Commercial) on the northeast corner of the intersection of H Street and Jackson Avenue (APN's: 139-27-110-066 and 069), PROPOSED USE: ELKS LODGE, Ward 5 (Weekly). The Planning Commission (5-1 vote) and staff recommend APPROVAL
- 107.SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - Z-0117-00(1) - INTERNATIONAL BENEVOLENT PROTECTED ORDER ELKS OF THE WORLD - Request for a Site Development Plan Review and a Waiver of the Required Landscaping for a PROPOSED 4,500 SQUARE FOOT ELKS LODGE (TOMMY J. STANTON ELKS LODGE #1735) on the northeast corner of H Street and Jackson Avenue (APN's: 139-27-110-066 and 069), R-3 (Medium Density Residential) Zone PROPOSED: C-1 (Limited Commercial), Ward 5 (Weekly). The Planning Commission (5-2 vote) and staff recommend APPROVAL
- 108.GENERAL PLAN AMENDMENT - PUBLIC HEARING - GPA-0037-00 - CITY OF LAS VEGAS - Request to Amend a portion of the Southwest Sector of the General Plan FROM: ROW (Right-of-Way) TO: PF (Public Facility) on 2.5 Acres on the south side of Washington Avenue, approximately 550 feet west of Buffalo Drive, (APN: 138-28-301-002), Ward 2 (L.B. McDonald). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL
- 109.REZONING RELATED TO GPA-0037-00 - PUBLIC HEARING - Z-0114-00 - CITY OF LAS VEGAS - Request for a Rezoning FROM: U (Undeveloped) [ROW (Right-of-way) General Plan Designation] TO: C-V (Civic) and a request for a Site Development Plan Review FOR A FIRE STATION on 2.5 Acres on the south side of Washington Avenue, approximately 550 feet west of Buffalo Drive (APN: 138-28-301-002), Ward 2 (L.B. McDonald). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL
- 110.SET DATE ON ANY APPEALS FILED OR REQUIRED PUBLIC HEARINGS FROM THE CITY PLANNING COMMISSION AND HEARINGS OFFICER MEETINGS AND DANGEROUS BUILDINGS OR NUISANCE/LITTER ABATEMENTS

ADDENDUM

CITIZENS PARTICIPATION

Items raised under this portion of the City Council Agenda cannot be deliberated or acted upon until the notice provisions of the Open Meeting Law have been met. If you wish to speak on a matter not listed on the agenda, please step up to the podium and clearly state your name and address. In consideration of others, avoid repetition, and limit your comments to no more than three (3) minutes. To ensure all persons equal opportunity to speak, each subject matter will be limited to ten (10) minutes.

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

Downtown Transportation Center, City Clerk's Posting Board
Senior Citizen Center, 450 E. Bonanza Road
Clark County Government Center, 500 S. Grand Central Parkway
Court Clerk's Office Bulletin Board, City Hall Plaza
City Hall Plaza, Special Outside Posting Bulletin Board

EXHIBIT B

(Notice of April 4, 2001 City Council Meeting)

CITY COUNCIL AGENDA

APRIL 4, 2001

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(Bills eligible for adoption at this meeting)

Recommending Committee Reports Pg 9
(Bills eligible for adoption at a later meeting)

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conclusion of the Morning Session

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CITY COUNCIL AGENDA

COUNCIL CHAMBERS • 400 STEWART AVENUE • PHONE 229-6011

CITY OF LAS VEGAS INTERNET ADDRESS: <http://www.ci.las-vegas.nv.us>

OSCAR B. GOODMAN, MAYOR (At-Large) • COUNCILMAN GARY REESE, MAYOR PRO TEM (Ward 3)

**COUNCILMEMBERS: MICHAEL J. McDONALD (Ward 1), LARRY BROWN (Ward 4), LYNETTE BOGGS McDONALD (Ward 2),
LAWRENCE WEEKLY (Ward 5), MICHAEL MACK (Ward 6)**

Facilities are provided throughout City Hall for the 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.

APRIL 4, 2001

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 PRESENTED LIVE ON KCLV, CABLE CHANNEL 2. THE PROCEEDINGS WILL BE REBROADCAST ON KCLV CHANNEL 2 THE WEDNESDAY OF THE MEETING AT 8:00 PM AND ARE ALSO REBROADCAST ON FRIDAY AT 4:00 AM, SATURDAY AT 7:00 PM, SUNDAY AT 7:00 AM AND THE FOLLOWING MONDAY AT 10:00 AM.

DUPLICATE AUDIO TAPES ARE AVAILABLE AT A COST OF \$5.00 PER TAPE AND DUPLICATE VIDEO TAPES ARE AVAILABLE AT A COST OF \$10.00 PER TAPE THROUGH THE CITY CLERK'S OFFICE.

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

CEREMONIAL MATTERS

- CALL TO ORDER
- ANNOUNCEMENT RE: COMPLIANCE WITH OPEN MEETING LAW
- INVOCATION - REVEREND MARY BREDLAU, CHRIST CHURCH EPISCOPAL
- PLEDGE OF ALLEGIANCE
- RECOGNITION OF MANNY ARIAS AS CITIZEN OF THE MONTH

BUSINESS ITEMS

1. Any items from the morning session that the Council, staff, and/or the applicant wishes to be stricken or held in abeyance to a future meeting, may be brought forward and acted upon at this time
2. Approval of the Final Minutes by reference of the Regular City Council Meeting of March 7, 2001

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 DEPARTMENT - CONSENT

3. Approval of Service and Material Checks/Payroll Checks/Wire Transfers/Other Checks and Investments
4. Approval of a Special Event Liquor License for St. Anne Catholic School, Location: St. Anne Catholic School Campus, 1813 South Maryland Pkwy., Date: April 28 and 29, 2001, Type: Special Event Beer/Wine, Event: Annual Fun Fair, Responsible Person in Charge: Howard Mann - Ward 3 (Reese)
5. Approval of a Special Event Liquor License for Town Center Lounge, LLC, Location: Las Vegas Art Museum, 9600 West Sahara Ave., Date: April 10 and April 22, 2001, Type: Special Event Beer/Wine, Event: 4/10/01 - World War II History Display; 4/22/01 - Augustus Society Scholarship Award Ceremony; Responsible Person in Charge: Lisa Kolich - Ward 2 (L.B. McDonald)
6. Approval of a Special Event Liquor License for Christ Church Episcopal, Location: 2000 South Maryland Pkwy., Date: May 11, 2001, Type: Special Event Beer/Wine, Event: "You & the Night & the Music" Dinner and Entertainment Fund Raiser, Responsible Person in Charge: John T. Williams - Ward 3 (Reese)
7. Approval of Officer for a Beer/Wine/Cooler On-sale Liquor License, Sizzler USA Restaurants, Inc., dba Sizzler Steak-Seafood-Salad, 307 South Decatur Blvd., Michael B. Green, Dir, VP, Secy - Ward 1 (M. McDonald)
8. Approval of Manager for a Package Liquor License, Albertson's, Inc., dba Albertson's #6011, 1650 North Buffalo Drive, Frank K. Braudrick, Store Dir - Ward 4 (Brown)
9. Approval of Manager for a Tavern Liquor License, Lone Star Steakhouse & Saloon of Las Vegas, Inc., dba Lone Star Steakhouse & Saloon, 1611 South Decatur Blvd., Robert J. Kaskie, Dist Mgr, Ward 1 (M. McDonald)
10. Approval of Manager for a Tavern Liquor License, Lone Star Steakhouse & Saloon of Las Vegas, Inc., dba Lone Star Steakhouse & Saloon, 3131 North Rainbow Blvd., Robert J. Kaskie, Dist Mgr - Ward 4 (Brown)
11. Approval of a new Beer/Wine Cooler Off-sale Liquor License and a new Restricted Gaming License for 7 slots subject to the provisions of the fire codes, Health Dept. regulations and approval by the Nevada Gaming Commission, Leecard Enterprises Corp., dba R & R Station #2, 4708 West Charleston Blvd., Allan D. Silberstang, Dir, Pres, Secy, Treas, 100% - Ward 1 (M. McDonald)
12. Approval of Manager for a Tavern Liquor License and a Restricted Gaming License for 15 slots, Route 66 Lounge, Inc., dba Route 66, 9410 West Sahara Ave., Suite 150A, Ronell C. Curtis, Mgr - Ward 2 (L.B. McDonald)
13. Approval of Change of Ownership and Business Name for a Tavern Liquor License and approval of a new Restricted Gaming License for 15 slots subject to the provisions of the fire codes, Health Dept. regulations and approval of the Nevada Gaming Commission, From: Chen & Chen, dba Rainbow Chinese Cuisine (Non-operational), Cheen-Yow Chen and Seow-eo Chen, 100% jointly as husband and wife, To: JRG Enterprises, dba Coyote's West, 1750 South Rainbow Blvd., Suites 6-8, Jeffrey R. Glouner, Dir, Pres, Secy, Treas, 100% - Ward 1 (M. McDonald)
14. Approval of Manager for a Brew Pub/Tavern Liquor License and a Restricted Gaming License for 15 slots, Chicago Brewing Co., Inc., dba Chicago Brewing Co., 2201 South Fort Apache Road, Carlos I. Ramirez, Gen Mgr - Ward 2 (L.B. McDonald)

FINANCE & BUSINESS SERVICES DEPARTMENT - CONSENT

15. Approval of a new Restricted Gaming License for 4 slots subject to approval by the Nevada Gaming Commission, Barbara Darling, dba 7-Eleven Food Store #15974D, 6950 West Charleston Blvd., Barbara S. Darling, 100% - Ward 1 (M. McDonald)
16. Approval of a new Restricted Gaming License for 10 slots subject to approval by the Nevada Gaming Commission, Pre-Tul Nevada Restaurants Corp., dba Presutti's Tomatoes, 4760 West Sahara Ave., Suite 1, Fausto Presutti, Dir, Pres, Neil J. D. Tulloch, Dir, Secy, Treas, 50%, Cavate Enterprises, Ltd., 50%, Fausto Presutti, Sole Officer, 100% - Ward 1 (M. McDonald)
17. Approval of a new Restricted Gaming License for 7 slots subject to approval by the Nevada Gaming Commission, No Touch Car Wash USA, LLC, dba Craig Rancho Mart, 4371 North Rancho Drive, Joseph Shai, Mmbr, Oprtg Mgr, 100% - Ward 6 (Mack)
18. Approval of Shareholder for a Slot Operator Gaming License subject to approval by the Nevada Gaming Commission, City Stop Gaming, Inc., dba City Stop Gaming, Inc., 4534 West Hacienda Ave., Jon M. Athey, 5% - (County)
19. Approval of a new Hypnotist License subject to the provisions of the planning and fire codes, Bridget Wong, dba Ayurveda Health Institute, 8925 West Sahara Ave., Bridget M. Wong, 100% - Ward 2 (L.B. McDonald)
20. Approval of a new Independent Massage Therapist License, Mary F. Lewis, dba Mary F. Lewis, 72 Belle Essence Ave., Mary F. Lewis, 100% - (County)
21. Approval of a new Independent Massage Therapist License, Marqueta Aiken, dba Marqueta Aiken, 3241 Haven Ridge Court, Unit 103, Marqueta M. Aiken, 100% - Ward 2 (L.B. McDonald)
22. Approval of a new Independent Massage Therapist License, Ann Marie Bussey, dba Ann Marie Bussey, 1708 Cedar Bluffs Way, Ann M. Bussey, 100% - Ward 4 (Brown)
23. Approval of a new Independent Massage Therapist License, Patricia Wolfe, dba Patricia Wolfe, 7310 Smoke Ranch Road, Suite M, Patricia R. Wolfe, 100% - Ward 4 (Brown)
24. Approval of Change of Location for an Independent Massage Therapist License, Janice Manalansan, dba Janice Manalansan, From: 5765 West Rochelle Ave., Unit 206, To: 4554 Flaming Ridge Trail, Janice Manalansan, 100% - (County)
25. Approval of Change of Location and Business Name for an Independent Massage Therapist License subject to the provisions of the fire codes, Tracey M. Singleton, dba From: Tracy M. Singleton, 1201 South Jones Blvd., Suite 102, To: Tracey's Massage Clinic, 1720 West Bonanza Rd., Unit 195, Tracey M. Singleton, 100% - Ward 5 (Weekly)
26. Approval of a new Locksmith License, Ronnel B. Sellars, dba Acme Auto Lockout, 3909 Biddle Street, Ronnel B. Sellars, 100% - (North Las Vegas)
27. Approval of Change of Location for a Massage Establishment subject to the provisions of the planning and fire codes, Xiaoling Tong, dba Hong Yun Massage Therapy, From: 4601 West Sahara Ave., Suite K, To: 4601 West Sahara Ave., Suites F & G, Xiaoling Tong and Sam Madani, 100% jointly as husband and wife - Ward 1 (M. McDonald)
28. Approval of Change of Location for a Class III-B Secondhand Dealer License subject to the provisions of the planning and fire codes, I N D Pallets, dba I N D Pallets, From: 1205 Western Ave., To: 319 Wall Street, Ricardo Acosta, Ptnr, 20%, Juana A. Perez, Ptnr, 80% - Ward 3 (Reese)
29. Approval of Contract Modification Number One of Bid Number 99.53541.06-RC, Contract 21 - Mechanical Dewatering Improvements - Department of Public Works - Award recommended to: ELLSWORTH PECK CONSTRUCTION COMPANY (\$816,135 - Sanitation Fund)
30. Approval of award of Bid Number 01.1730.03-RC, Sahara Avenue Sanitary Sewer-Phase II; and approve the construction conflicts and contingency reserve set by Finance and Business Services - Department of Public Works - Award recommended to: GELCO SERVICES, INC. (\$579,905 - Sanitation Fund) - Ward 1 (M. McDonald)

FINANCE & BUSINESS SERVICES DEPARTMENT - CONSENT

31. Preapproval of award of Bid Number 01.1730.25-RC, Rancho Drive Roadway Improvements - Palace Station to Teddy Drive, to the lowest responsive and responsible bidder; and approve the construction conflicts and contingency reserve set by Finance and Business Services - Department of Public Works (monetary range \$300,000 - \$500,000 - Street Rehabilitation Fund) - Ward 1 (M. McDonald)
32. Approval of the issuance of a purchase order for an annual contract for technical support and maintenance of the Digital software and hardware for the city-wide computer network (JDF) - Department of Information Technologies - Award Recommended to: COMPAQ COMPUTER CORPORATION (Annual amount of \$143,088.48)
33. Approval of award of Bid Number 010062-TC, for the purchase of: Lot I, Two 1 1/2 Ton Dump Trucks and Lot II, One Semi-Truck Tractor - Department of Field Operations - Award recommended to: Lot I - FAIRWAY CHEVROLET (\$59,702 - Capital Fund) and Lot II - MCCANDLESS INTERNATIONAL TRUCKS (\$77,380 - Capital Fund)
34. Approval of award of Contract for Pool Repairs at Northwest Recreational Center, and approve the construction conflicts and contingency reserve set by Finance and Business Services - Department of Public Works - Award recommended to: M&H BUILDING SPECIALISTS, INC. (\$50,919.38) - Ward 4 (Brown)
35. Approval to award Request For Proposal Number 010032-LED, Coin Operated Telephone Service - Award recommended to: NEVADA PAY PHONE (Annual Guarantee Revenue Amount \$18,200)

FIRE AND RESCUE DEPARTMENT - CONSENT

36. Approval of EBS Productions to feature Las Vegas Fire & Rescue for a proposed reality-based television show
37. Approval of a Professional Services Agreement with Westar Architectural Group for the design services of improvements to existing Fire Stations #2, #7 and #9 located at 900 South Durango Boulevard, 10101 West Banbury Cross Drive, and 4747 North Rainbow Boulevard, respectively (\$85,890 + contingency reserve - Fire Initiative 2000 bonds) - Wards 2 and 6 (L.B. McDonald and Mack)

NEIGHBORHOOD SERVICES DEPARTMENT - CONSENT

38. Approval of an Interlocal Agreement with Clark County in the amount of \$183,345 (CDBG) to construct an expansion of Opportunity Village's Work Center Area, 6300 W. Oakey, which supersedes the agreements with Opportunity Village approved by the City Council on March 8, 1999 and April 5, 2000 - Ward 1 (M. McDonald)
39. Approval of an annual reduction of \$25,823.90 for the U.S. Department of Housing and Urban Development (HUD) Deferred Rental Rehab Loan for the property Sunrise View Apartments, 504-520 North 13th Street and 505-521 North 14th Street - Ward 5 (Weekly)

PUBLIC WORKS DEPARTMENT - CONSENT

40. Approval of a Supplemental Interlocal Contract #330b for construction of Smoke Ranch Road - Jones Boulevard to Buffalo Drive (\$60,000 - Regional Transportation Commission) - Wards 4 and 6 (Brown and Mack)
41. Approval of a Professional Services Agreement with Consultant JVC Associates for Architectural and Civil Engineering design services for East Yard Refuse Storage area located at the northwest corner of B-Farris Avenue and Haugsness Boulevard (\$44,000-Capital Projects Fund-Enterprise Fund) - Ward 3 (Reese)

PUBLIC WORKS DEPARTMENT - CONSENT

42. Approval of a Sanitary Sewer oversizing agreement with Southwest Communities Inc. for Lynbrook On Site Sewer (\$69,056 - Sanitation Funds) - Ward 6 (Mack)
43. Approval of an encroachment request from Kimley-Horn & Associates, Inc. on behalf of Weingarten Nostate, Inc., owner (Decatur Boulevard south of Charleston Boulevard and the southwest corner of Charleston Boulevard and Arville Street) - Ward 1 (M. McDonald)
44. Approval of an encroachment request from G. C. Wallace, Inc. on behalf of Farm & Alexander Properties, LLC, owner (Alexander Road between Tenaya Way and Dalecrest Drive) - Ward 4 (Brown)
45. Approval of Amendment Number 1 to the Interlocal Contract with Clark County for the Department of Social Services to assist in evaluating City-designated special improvement district hardship applications (\$35 an hour/estimated \$1,000 a year) - (Revolving Special Improvement District Fund) - All Wards
46. Approval of First Amendment to the Professional Services Agreement with Post Buckley Schuh & Jernigan (PBS&J) for the design of the Gowan North Channel Phase 3 (\$20,000 - Regional Flood Control District Funds and \$4,000 - Las Vegas Valley Water District Funds) - Ward 4 (Brown)

RESOLUTIONS - CONSENT

47. R-23-2001 - Approval of a Resolution awarding the contract to the responsible bidder submitting the lowest and best bid upon proper terms for Special Improvement District No. 1469 - 4th Street from Washington Avenue to Adams Avenue (\$66,390 - Revolving Fund - Special Assessments) - Ward 5 (Weekly)
48. R-24-2001 - Approval of a Resolution overruling complaints, protests and objections and confirming the final assessment roll for Special Improvement District No. 1475 - Westcliff Drive (Cimarron Road to Rainbow Boulevard) (\$52,003.45 - Capital Projects Fund - Levy Assessments) - Ward 2 (L.B. McDonald)
49. R-25-2001 - Approval of a Resolution directing the City Treasurer to prepare the Sixtieth Assessment Lien Apportionment Report regarding: Special Improvement District No. 707 Summerlin Area (Levy Assessments) - Ward 2 (L.B. McDonald)
50. R-26-2001 - Approval of a Resolution approving the Sixtieth Assessment Lien Apportionment Report regarding: Special Improvement District No. 707 Summerlin Area (Levy Assessments) - Ward 2 (L.B. McDonald)
51. R-27-2001 - Approval of a Resolution directing the City Treasurer to prepare the Sixty-First Assessment Lien Apportionment Report regarding: Special Improvement District No. 707 Summerlin Area (Levy Assessments) - Ward 2 (L.B. McDonald)
52. R-28-2001 - Approval of a Resolution approving the Sixty-First Assessment Lien Apportionment Report regarding: Special Improvement District No. 707 Summerlin Area (Levy Assessments) - Ward 2 (L.B. McDonald)
53. R-29-2001 - Approval of a Resolution directing the City Treasurer to prepare the First Assessment Lien Apportionment Report re: Special Improvement District No. 808 Summerlin Area (Levy Assessments) - Ward 2 (L.B. McDonald)
54. R-30-2001 - Approval of a Resolution approving the First Assessment Lien Apportionment Report regarding: Special Improvement District No. 808 Summerlin Area (Levy Assessments) - Ward 2 (L.B. McDonald)
55. R-31-2001 - Approval of a Resolution adopting procedure for the protest of a proposed award of contract - Department of Finance and Business Services

REAL ESTATE COMMITTEE – CONSENT

56. Approval of a First Amendment to Interlocal Contract for the Lease of Property at Fifth Street School (400 Las Vegas Boulevard South) for University of Nevada Las Vegas (UNLV) Continuing Education (approximately \$336 annual revenue - General Fund) - Ward 3 (Reese)
57. Approval to enter into negotiations for a Land Lease Renewal with the Episcopal Diocese, for a modular unit located on Parcel Number 138-19-613-001, located at 2002 Spring Gate Lane, to provide recreational programs during "Track Breaks" for the Department of Leisure Services - Ward 4 (Brown)
58. Approval of a lease agreement with the Urban Chamber of Commerce for 1,600 square feet of office space in the City owned portion of Nucleus Plaza, located at 1048 West Owens Avenue - Ward 5 (Weekly)
59. Approval of an Easement between the City of Las Vegas and the Las Vegas Valley Water District for the purposes of providing water services for irrigation purposes associated with the parking lot to be built by the City at the Charter School Development Foundation, located on Parcel Number 139-21-702-005 - Ward 5 (Weekly)
60. Approval to enter into negotiations with multiple cellular companies for land lease agreements for cellular towers to be located on City controlled properties throughout the City - All Wards

DISCUSSION / ACTION ITEMS

ADMINISTRATIVE - DISCUSSION

61. Report and possible action concerning the status of 2001 legislative issues and take any necessary action
62. Discussion of the City's policy on mobile vendors and other matters related thereto with possible action to direct staff as deemed appropriate

CITY ATTORNEY - DISCUSSION

63. ABEYANCE ITEM - Discussion and possible action on Appeal of Work Card Denial: Held in Abeyance from March 21, 2001. Crystal Flint, 4550 West Sahara Avenue, Las Vegas, NV 89102
64. Discussion and possible action on Appeal of Work Card Denial: Yvonne Carol Morrow, 4701 Lawrence Street, Apt. 2186, North Las Vegas, Nevada 89131
65. Discussion and possible action on Appeal of Work Card Denial: Monica Lynn Whiting, 2451 North Rainbow Boulevard, Bldg. #24, Apt. #1159, Las Vegas, Nevada 89108
66. Discussion and possible action on Appeal of Work Card Denial: Joseph Thomas Monscvitz, Jr., 515 Utah, Boulder, Nevada 89005
67. Discussion and possible action on Appeal of Work Card Denial: Approved October 4, 2000 subject to six-month review: Brian James O'Hara, 5337 Corbett Street, Las Vegas, Nevada 89130
68. Discussion and possible action on Appeal of Work Card Denial: Approved April 5, 2000 subject to one-year review: Darren James Bacon, 5704 West Mossman Avenue, Las Vegas, Nevada 89108

FINANCE & BUSINESS SERVICES DEPARTMENT - DISCUSSION

69. ABEYANCE ITEM - Discussion and possible action regarding a One Year Review of a Beer/Wine/Cooler Off-sale Liquor License, Rageh Hashem, dba Food Fair Market, 632 H Street, Rageh H. Hashem, 100% - Ward 5 (Weekly)

FINANCE & BUSINESS SERVICES DEPARTMENT - DISCUSSION

70. Discussion and possible action regarding Temporary Approval of a Change of Ownership and Business Name for a Package Liquor License subject to the provisions of the fire codes and Health Dept. regulations, From: Smith's Food & Drug Centers, Inc., dba Price Rite, #793, Russell J. Dispense, Pres, Kenneth Thrasher, Dir, EVP, Raymond J. Woolston, VP, Robert B. Dimond, VP, Treas, Mary Z. Hicks, Liquor Supervisor, To: Ralphs Grocery Company, dba Food 4 Less #793, 1941 North Decatur Blvd., Sammy K. Duncan, Pres, Patrick Barber, SVP, Asst Secy, Lloyd S. Compton, VP, Asst Treas, Mary L. Kasper, VP, Asst Secy - Ward 5 (Weekly)
71. Discussion and possible action regarding Temporary Approval of a Change of Ownership and Business Name for a Package Liquor License subject to the provisions of the fire codes and Health Dept. regulations, From: Smith's Food & Drug Centers, Inc., dba Price Rite #792, Russell J. Dispense, Pres, Kenneth Thrasher, Dir, EVP, Raymond J. Woolston, VP, Robert B. Dimond, VP, Treas, Mary Z. Hicks, Liquor Supervisor, To: Ralphs Grocery Company, dba Food 4 Less #792, 3602 East Bonanza Rd., Sammy K. Duncan, Pres, Patrick Barber, SVP, Asst Secy, Lloyd S. Compton, VP, Asst Treas, Mary L. Kasper, VP, Asst Secy - Ward 3 (Reese)

NEIGHBORHOOD SERVICES DEPARTMENT - DISCUSSION

72. Discussion and possible action on an allocation of \$4,228,000 in Community Development Block Grant (CDBG) funds
73. Discussion and possible action on an allocation of \$803,000 in Housing Opportunities For Persons With Aids (HOPWA) grant funds
74. Discussion and possible action on an allocation of an estimated \$2,567,429 in FY2001 Federal and State Home Investment Partnership (HOME) funds and Low Income Housing Trust Funds (LIHTF) from the Clark County Consortium
75. Discussion and possible action on an agreement with Economic Opportunity Board Child Care Assistance Division granting Neighborhood Services certified match funding in the amount of \$281,174 for the Child Care Improvement Grant Program

PLANNING & DEVELOPMENT DEPARTMENT - DISCUSSION

76. Discussion and possible action on a Cooperative Agreement between the City of Las Vegas and the Bureau of Land Management for the expenditure of Southern Nevada Public Lands Management Act (SNPLMA) funds as approved by the Secretary of the Interior
77. Discussion and possible action on the recommendation of lands to be disposed of by the Bureau of Land Management in the Spring 2002 public sale - Wards 4, 6 and Clark County (Brown, Mack and County)
78. Discussion and possible action regarding revisions to the BLM Leases/Reservations map to reflect additional school sites as identified by the Clark County School District, and a new police substation site as identified by the Las Vegas Metropolitan Police Department - Wards 4, 6 and Clark County (Brown, Mack and County)
79. Report and possible action on the design of and budget for the Lewis Street Corridor pedestrian and streetscape enhancement project in the Office Core District of the Downtown Centennial Plan area (\$1,824,000 - TEA-21 Grant/\$101,000 - Capital Projects Fund) - Ward 3 (Reese)

PUBLIC WORKS DEPARTMENT - DISCUSSION

- 80. Discussion and possible action on a request to close Bell Drive at Las Vegas Boulevard - Ward 5 (Weekly)
- 81. Discussion and possible action regarding Sewer Connection and Interlocal Contract with Clark County Sanitation District - Baughman & Turner, Inc. on behalf of NW Land, L.L.C., owner (Southwest corner of Stange Avenue and Riley Street-Queens Brook Estates, APN's 138-05-601-009, 138-05-601-010, 138-05-601-011, and 138-05-601-012) - (County)

RESOLUTIONS - DISCUSSION

- 82. R-32-2001 - Discussion and possible action on a Resolution in opposition to Assembly Bill 457

BOARDS & COMMISSIONS - DISCUSSION

- 83. ABEYANCE ITEM - PARK & RECREATION ADVISORY COMMISSION – Arthur C. Jordan, Term Expiration 3-24-2003 (Resigned)
- 84. ABEYANCE ITEM - LAS VEGAS-CLARK COUNTY LIBRARY DISTRICT BOARD OF TRUSTEES – Melvin Pohl, Term Expiration 4-7-2001; Moises Denis, Term Expiration 4-7-2001; Yorbailinda Penton-Dougan, Term Expiration 4-7-2001
- 85. ABEYANCE ITEM - ETHICS REVIEW BOARD – Earle W. White, Jr., Term Expiration 4-14-2001; Robert J. Fleming, Term Expiration 4-14-2001
- 86. ETHICS REVIEW BOARD – Linda Young, Term Expiration 5-12-2001
- 87. AUDIT OVERSIGHT COMMITTEE – Michael J. Novick, Term Expiration 7-19-2002 (Resigned)

RECOMMENDING COMMITTEE REPORTS - DISCUSSION

BILLS ELIGIBLE FOR ADOPTION AT THIS MEETING

- 88. Bill No. 2001-28 – Amends the Zoning Code to expand the applicability of the residential adjacency standards. Sponsored by: Councilwoman Lynette Boggs McDonald
- 89. Bill No. 2001-30 – Repeals LVMC 2.09.170, relating to the organization of the Department of Neighborhood Services. Proposed by: Bradford R. Jerbic, City Attorney
- 90. Bill No. 2001-35 - Bond ordinance providing for the issuance by the City of Las Vegas of its Special Improvement District No. 808 (Summerlin Area) Local Improvement Bonds, Series 2001, in the amount of \$46,000,000 - Ward 2 (L.B. McDonald)

RECOMMENDING COMMITTEE REPORTS - DISCUSSION

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. PUBLIC TESTIMONY TAKES PLACE AT THE RECOMMENDING COMMITTEE MEETING HELD FOR THAT PURPOSE.

91. Bill No. 2001-31 – Ordinance Creating Special Improvement District No. 1482 - Gowan Road (Metro Park) from Hualapai Way to Jensen Street. Sponsored by: Step Requirement
92. Bill No. 2001-32 – Annexation No. A-0001-01(A) – Property Location: On the south side of Alexander Road approximately 600 feet east of Durango Drive; Petitioned By: Albert Massi, et. al; Acreage: 16.00 acres; Zoned: R-E (County Zoning), U (L) (City Equivalent); Sponsored by: Councilman Larry Brown
93. Bill No. 2001-33 – Revises certain Municipal Code provisions regarding the stopping, standing and parking of vehicles. Proposed by: Michael Sheldon, Director of Detention and Enforcement
94. Bill No. 2001-34 – Assigns to the Planning Commission the consideration of zoning variances and similar zoning matters. Sponsored by: Councilman Michael Mack

NEW BILLS

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.

95. Bill No. 2001-36 – Levies Assessment re: Special Improvement District No. 1475 - Westcliff Drive (Cimarron Road to Rainbow Boulevard) (\$52,003.45 - Capital Projects Fund - Levy Assessments) - Ward 2 (L.B. McDonald). Sponsored by: Step Requirement
96. Bill No. 2001-37 – Annexation No. A-0016-99(A) – Property Location: On the east side of U. S. Highway 95 and the west side of Hualapai Way; Petitioned By: City of Las Vegas; Acreage: Approximately 7.66 acres; Zoned: H-2 (County Zoning), U(PCD) (City Equivalent); Sponsored by: Councilman Michael Mack
97. Bill No. 2001-38 – Annexation No. A-0017-99(A) – Property Location: On the northwest corner of Torrey Pines Drive and Horse Drive; Petitioned By: City of Las Vegas; Acreage: Approximately 175.38 acres; Zoned: R-E (County Zoning), U(P) (City Equivalent); Sponsored by: Councilman Michael Mack
98. Bill No. 2001-39 – Annexation No. A-0020-00(A) – Property Location: Approximately 330 feet north of the Gilmore Avenue alignment on the east side of the Marla Street alignment; Petitioned By: Albert and Marilyn Schouten Trust; Acreage: Approximately 2.59 acres; Zoned: R-U (County Zoning), U(PCD) (City Equivalent); Sponsored by: Councilman Larry Brown
99. Bill No. 2001-40 – Annexation No. A-0021-00(A) – Property Location: On the northeast corner of the intersection of the Marla Street and Gilmore Avenue alignments; Petitioned By: William and Grace Berk, et al; Acreage: Approximately 2.59 acres; Zoned: R-U (County Zoning), U(PCD) (City Equivalent); Sponsored by: Councilman Larry Brown
100. Bill No. 2001-41 – Requires persons who work as escorts to obtain a health card. Sponsored by: Mayor Oscar B. Goodman
101. Bill No. 2001-42 – Requires persons who work as outcall entertainers to obtain a health card. Sponsored by: Mayor Oscar B. Goodman

CLOSED SESSION – TO BE HELD AT CONCLUSION OF MORNING SESSION

Upon a duly carried Motion, a closed meeting is called in accordance with NRS 288.220 to discuss the following items:

- A. IAFF Contract
- B. PPA Contract

1:00 P.M. - AFTERNOON SESSION

102. Any items from the afternoon session that the Council, staff, and/or the applicant wishes to be stricken or held in abeyance to a future meeting, may be brought forward and acted upon at this time

PUBLIC HEARINGS - DISCUSSION

103. Public hearing to consider the report of expenses to recover costs for abatement of dangerous building/demolition located at 709 Madison Avenue. PROPERTY OWNER: ELMER & DOLORES COTTON - Ward 5 (Weekly)

PLANNING & DEVELOPMENT DEPARTMENT

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 DEPARTMENT – 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.

104. EXTENSION OF TIME - REZONING - Z-0045-94(6) - JIM AND KATHLEEN VILLANI - Request for an Extension of Time on an approved Rezoning FROM: U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial) on 1.05 acres of property located on the north side of Lake Mead Boulevard, approximately 640 feet west of Torrey Pines Drive (APN: 138-23-201-003), PROPOSED USE: 16,560 SQUARE FOOT COMMERCIAL CENTER, Ward 6 (Mack). The Planning Commission (7-0 vote) and staff recommend APPROVAL

PLANNING & DEVELOPMENT DEPARTMENT – DISCUSSION

105. LONE MOUNTAIN WEST MASTER DEVELOPMENT PLAN MINOR MODIFICATION - Z-0024-99(19) - FALLING ROCK, LIMITED LIABILITY COMPANY - Request for a Minor Modification to the Lone Mountain West Master Development Plan to add approximately five acres to the plan on property located on the west side of the Siegfried and Roy Parkway alignment, approximately 650 feet south of the Gowan Road alignment (APN: 137-12-301-012), Ward 4 (Brown). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL

PLANNING & DEVELOPMENT DEPARTMENT – DISCUSSION

106. SITE DEVELOPMENT PLAN REVIEW - Z-0033-97(21) - PERMA-BILT ON BEHALF OF JOHN LAING HOMES - Request for a Site Development Plan Review FOR A PROPOSED 278 LOT SINGLE-FAMILY RESIDENTIAL SUBDIVISION on 22.47 acres on the northwest corner of Gowan Road and Shadow Peak Street (APN: 137-12-601-001, portion of 137-12-601-014), U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] under Resolution of Intent to PD (Planned Development), Ward 4 (Brown). Staff recommends DENIAL. The Planning Commission (4-0-1 vote) recommends APPROVAL
107. ABEYANCE ITEM - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - Z-0108-00(1) - L.T. ENTERPRISES, LIMITED LIABILITY COMPANY - Request for a Site Development Plan Review FOR A 24,000 SQUARE FOOT OFFICE BUILDING on approximately 1.04 acres located on the west side of Leon Avenue, approximately 400 feet south of Alexander Road (APN: 138-12-110-020), C-2 (General Commercial) and R-E (Residence Estates) Zones [PROPOSED: C-1 (Limited Commercial)], Ward 6 (Mack). The Planning Commission (4-1 vote) and staff recommend APPROVAL
108. SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - Z-0136-94(8) - CITY OF LAS VEGAS ON BEHALF OF THE LAS VEGAS METROPOLITAN POLICE DEPARTMENT - Request for a Site Development Plan Review FOR A PROPOSED 17,235 SQUARE FOOT POLICE SUBSTATION on the west side of Stella Lake Road, south of Mount Mariah Drive (APN: 139-21-416-005), R-E (Residence Estates) Zone under Resolution of Intent to C-PB (Planned Business Park), Ward 5 (Weekly). The Planning Commission (4-0 vote) and staff recommend APPROVAL
109. SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - Z-0020-97(30) - FRANK HAWKINS - Request for a Site Development Plan Review FOR A PROPOSED 3,667 SQUARE FOOT PROFESSIONAL OFFICE AND FOR A WAIVER OF THE LANDSCAPING REQUIREMENTS on 0.43 acres located at 2008 Hamilton Lane (APN: 139-33-301-013), PD (Planned Development), Ward 5 (Weekly). The Planning Commission (5-0 vote) and staff recommend APPROVAL
110. VARIANCE - PUBLIC HEARING - V-0003-01 - CBC FINANCIAL CORPORATION - Request for a Variance TO ALLOW AN EIGHT-FOOT TALL SOLID BLOCK WALL WHERE A SIX FOOT TALL WALL WITH THE TOP FOUR FEET OPEN IS THE MAXIMUM HEIGHT ALLOWED WITHIN THE FRONT YARD AREA at 1001 McWilliams Avenue (APN: 139-28-703-005), R-3 (Medium Density Residential) Zone, Ward 5 (Weekly). The Planning Commission (5-1 vote) and staff recommend APPROVAL
111. REQUIRED ONE YEAR REVIEW - SPECIAL USE PERMIT - PUBLIC HEARING - U-0188-91(3) - LYNN DePAULIS ON BEHALF OF MILO C. HURST - Required One Year Review on an approved Special Use Permit Review of Condition which allowed 24-hour service of alcohol where such is not allowed prior to 11 A.M. at 7770 West Ann Road (Bogey's Bar & Grill) (APN: 125-28-803-002), C-2 (General Commercial) Zone, Ward 6 (Mack). Staff recommends APPROVAL
112. REQUIRED ONE YEAR REVIEW - SPECIAL USE PERMIT - PUBLIC HEARING - U-0296-94(2) - K & J PARTNERSHIP ON BEHALF OF ELLER OUTDOOR ADVERTISING - Appeal from the Denial by the Planning Commission of a request by K & J Partnership on behalf of Eller Outdoor Advertising of a Required One Year Review for an approved Special Use Permit WHICH ALLOWED A 14 FOOT X 48 FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 820 South Valley View Boulevard (APN: 139-31-801-002), C-1 (Limited Commercial) Zone, Ward 1 (M. McDonald). The Planning Commission (5-0-1 vote) and staff recommend DENIAL
113. REQUIRED ONE YEAR REVIEW - SPECIAL USE PERMIT - PUBLIC HEARING - U-0136-99(1) - RAINBOW OAKLEY HOLDINGS LIMITED ON BEHALF OF NATIONAL DIVERSIFIED BROKERS, INC. - Required One Year Review on an approved Special Use Permit WHICH ALLOWED A SECONDHAND DEALER (JEWELRY, COINS AND COLLECTIBLES) IN CONJUNCTION WITH AN EXISTING 32,400 SQUARE FOOT RETAIL CENTER (PHOENIX PLAZA) at 1725 South Rainbow Boulevard (APN: 163-03-603-011), C-1 (Limited Commercial) Zone, Ward 1 (M. McDonald). The Planning Commission (6-0 vote) and staff recommend APPROVAL

PLANNING & DEVELOPMENT DEPARTMENT – DISCUSSION

114. SPECIAL USE PERMIT - PUBLIC HEARING - U-0006-01 - CENTENNIAL 95, LIMITED PARTNERSHIP AND CENTENNIAL RANCH, LIMITED LIABILITY COMPANY - Request for a Special Use Permit FOR GAMING (RESTRICTED) IN CONJUNCTION WITH A PROPOSED GROCERY STORE located approximately 200 feet west of Tenaya Way and 320 feet north of Azure Drive (APN: 125-27-101-027), TC (Town Center) Zone, Ward 6 (Mack). The Planning Commission (5-0 vote) and staff recommend APPROVAL
115. SPECIAL USE PERMIT - PUBLIC HEARING - U-0007-01 - CENTENNIAL 95, LIMITED PARTNERSHIP AND CENTENNIAL RANCH, LIMITED LIABILITY COMPANY - Request for a Special Use Permit FOR A SUPPER CLUB located approximately 600 feet west of Tenaya Way and 340 feet north of Azure Drive (APN: 125-27-101-027), TC (Town Center) Zone, Ward 6 (Mack). The Planning Commission (5-0 vote) and staff recommend APPROVAL
116. SPECIAL USE PERMIT - PUBLIC HEARING - U-0008-01 - CENTENNIAL 95, LIMITED PARTNERSHIP AND CENTENNIAL RANCH, LIMITED LIABILITY COMPANY - Request for a Special Use Permit FOR A RESTAURANT WITH DRIVE-UP located approximately 1,050 feet west of Tenaya Way and adjacent to the north side of Azure Drive (APN: 125-27-101-027), TC (Town Center) Zone, Ward 6 (Mack). The Planning Commission (5-0 vote) and staff recommend APPROVAL
117. SPECIAL USE PERMIT - PUBLIC HEARING - U-0009-01 - CENTENNIAL 95, LIMITED PARTNERSHIP AND CENTENNIAL RANCH, LIMITED LIABILITY COMPANY - Request for a Special Use Permit FOR A SUPPER CLUB located approximately 800 feet west of Tenaya Way and adjacent to the north side of Azure Drive (APN: 125-27-101-027), TC (Town Center) Zone, Ward 6 (Mack). The Planning Commission (5-0 vote) and staff recommend APPROVAL
118. SPECIAL USE PERMIT - PUBLIC HEARING - U-0010-01 - CENTENNIAL 95, LIMITED PARTNERSHIP AND CENTENNIAL RANCH, LIMITED LIABILITY COMPANY - Request for a Special Use Permit FOR A SUPPER CLUB located approximately 650 feet west of Tenaya Way and adjacent to the north side of Azure Drive (APN: 125-27-101-027), TC (Town Center) Zone, Ward 6 (Mack). The Planning Commission (5-0 vote) and staff recommend APPROVAL
119. SPECIAL USE PERMIT - PUBLIC HEARING - U-0011-01 - CENTENNIAL 95, LIMITED PARTNERSHIP AND CENTENNIAL RANCH, LIMITED LIABILITY COMPANY - Request for a Special Use Permit FOR A RESTAURANT SERVICE BAR located on the northwest corner of the intersection of Tenaya Way and Azure Drive (APN: 125-27-101-027), TC (Town Center) Zone, Ward 6 (Mack). The Planning Commission (5-0 vote) and staff recommend APPROVAL
120. SPECIAL USE PERMIT - PUBLIC HEARING - U-0012-01 - CENTENNIAL 95, LIMITED PARTNERSHIP AND CENTENNIAL RANCH, LIMITED LIABILITY COMPANY - Request for a Special Use Permit FOR A SUPPER CLUB located on the south side of Azure Drive approximately 1,120 feet east of Rancho Drive/US 95 (APN: 125-27-202-010), TC (Town Center) Zone, Ward 6 (Mack). The Planning Commission (5-0 vote) and staff recommend APPROVAL
121. SPECIAL USE PERMIT - PUBLIC HEARING - U-0013-01 - CENTENNIAL 95, LIMITED PARTNERSHIP AND CENTENNIAL RANCH, LIMITED LIABILITY COMPANY - Appeal filed by Kummer Kaempfer Bonner & Renshaw from the Denial by the Planning Commission of a Request for a Special Use Permit FOR A SUPPER CLUB located on the south side of Azure Drive approximately 1,500 feet west of Tenaya Way (APN: 125-27-202-010), TC (Town Center) Zone, Ward 6 (Mack). Staff recommends APPROVAL. The Planning Commission (5-0 vote) recommends DENIAL
122. SPECIAL USE PERMIT - PUBLIC HEARING - U-0014-01 - CENTENNIAL 95, LIMITED PARTNERSHIP AND CENTENNIAL RANCH, LIMITED LIABILITY COMPANY - Appeal filed by Kummer Kaempfer Bonner & Renshaw from the Denial by the Planning Commission of a Request for a Special Use Permit FOR A SUPPER CLUB located on the south side of Azure Drive approximately 1,100 feet west of Tenaya Way (APN: 125-27-202-009), TC (Town Center) Zone, Ward 6 (Mack). Staff recommends APPROVAL. The Planning Commission (5-0 vote) recommends DENIAL

PLANNING & DEVELOPMENT DEPARTMENT – DISCUSSION

123. SPECIAL USE PERMIT - PUBLIC HEARING - U-0015-01 - CENTENNIAL 95, LIMITED PARTNERSHIP AND CENTENNIAL RANCH, LIMITED LIABILITY COMPANY - Request for a Special Use Permit FOR GAMING (RESTRICTED) IN CONJUNCTION WITH A PROPOSED DRUG STORE located on the south side of Azure Drive approximately 350 feet west of Tenaya Way (APN: 125-27-202-009), TC (Town Center), Ward 6 (Mack). The Planning Commission (5-0 vote) and staff recommend APPROVAL
124. SPECIAL USE PERMIT - PUBLIC HEARING - U-0016-01 - CENTENNIAL 95, LIMITED PARTNERSHIP AND CENTENNIAL RANCH, LIMITED LIABILITY COMPANY - Request for a Special Use Permit FOR A SUPPER CLUB located adjacent to the southwest corner of the intersection of Tenaya Way and Azure Drive (APN: 125-27-202-009), TC (Town Center) Zone, Ward 6 (Mack). The Planning Commission (5-0 vote) and staff recommend APPROVAL
125. SPECIAL USE PERMIT - PUBLIC HEARING - U-0019-01 - CENTENNIAL 95 LIMITED PARTNERSHIP AND CENTENNIAL RANCH LIMITED LIABILITY COMPANY - Request for a Special Use Permit FOR A LIQUOR ESTABLISHMENT (OFF-PREMISE CONSUMPTION) IN CONJUNCTION WITH A PROPOSED GROCERY STORE located approximately 200 feet west of Tenaya Way and 320 feet north of Azure Drive (APN: 125-27-101-027), TC (Town Center) Zone, Ward 6 (Mack). The Planning Commission (5-0 vote) and staff recommend APPROVAL
126. SPECIAL USE PERMIT - PUBLIC HEARING - U-0020-01 - CENTENNIAL 95 LIMITED PARTNERSHIP AND CENTENNIAL RANCH LIMITED LIABILITY COMPANY - Request for a Special Use Permit FOR A SUPPER CLUB located approximately 800 feet west of Tenaya Way and 340 feet north of Azure Drive (APN: 125-27-101-027), TC (Town Center) Zone, Ward 6 (Mack). The Planning Commission (5-0 vote) and staff recommend APPROVAL
127. SPECIAL USE PERMIT - PUBLIC HEARING - U-0022-01 - CENTENNIAL 95 LIMITED PARTNERSHIP AND CENTENNIAL RANCH LIMITED LIABILITY COMPANY - Appeal filed by Kummer Kaempfer Bonner & Renshaw from the Denial by the Planning Commission of a Request for a Special Use Permit FOR A RESTAURANT SERVICE BAR located on the northwest corner of the intersection of Tenaya Way and Azure Drive (APN: 125-27-101-027), TC (Town Center) Zone, Ward 6 (Mack). Staff recommends APPROVAL. The Planning Commission (5-0 vote) recommends DENIAL
128. SPECIAL USE PERMIT - PUBLIC HEARING - U-0023-01 - CENTENNIAL 95 LIMITED PARTNERSHIP AND CENTENNIAL RANCH LIMITED LIABILITY COMPANY - Request for a Special Use Permit FOR A LIQUOR ESTABLISHMENT (OFF-PREMISE CONSUMPTION) IN CONJUNCTION WITH A PROPOSED DRUG STORE located on the south side of Azure Drive approximately 350 feet west of Tenaya Way (APN: 125-27-202-009), TC (Town Center) Zone, Ward 6 (Mack). The Planning Commission (5-0 vote) and staff recommend APPROVAL
129. SITE DEVELOPMENT PLAN REVIEW RELATED TO SPECIAL USE PERMITS U-0006-01 THROUGH U-0016-01, AND U-0019-01, U-0020-01, U-0022-01 AND U-0023-01 - PUBLIC HEARING - Z-0076-98(20) - CENTENNIAL 95, LIMITED PARTNERSHIP AND CENTENNIAL RANCH, LIMITED LIABILITY COMPANY - Request for a Site Development Plan Review FOR A PROPOSED 138,000 SQUARE FOOT COMMERCIAL DEVELOPMENT on 14.16 acres at the northwest corner of the intersection of Tenaya Way and Azure Drive, and FOR A PROPOSED 110,000 SQUARE FOOT COMMERCIAL DEVELOPMENT on 16.66 acres on the south side of Azure Drive between Tenaya Way and approximately 520 feet east of Rancho Drive/ US 95 (APN: 125-27-101-025, 027; 125-27-202-009 and 010), TC (Town Center) Zone, Ward 6 (Mack). The Planning Commission (5-0 vote) and staff recommend APPROVAL
130. SPECIAL USE PERMIT - PUBLIC HEARING - U-0003-01 - KRISHNA, INC. ON BEHALF OF HAMID ROUHANI - Request for a Special Use Permit FOR THE SALE OF BEER AND WINE FOR OFF-PREMISE CONSUMPTION IN CONJUNCTION WITH AN EXISTING MARKET at 124 South Sixth Street (APN: 139-34-611-051), C-2 (General Commercial) Zone, Ward 5 (Weekly). The Planning Commission (3-0-1 vote) and staff recommend APPROVAL

PLANNING & DEVELOPMENT DEPARTMENT – DISCUSSION

131. SPECIAL USE PERMIT - PUBLIC HEARING - U-0018-01 - CAPTIVES FREE CHRISTIAN CENTER - Request for a Special Use Permit and Site Development Plan Review FOR THE 2,430 SQUARE FOOT EXPANSION OF AN EXISTING RELIGIOUS FACILITY AND FOR PROPOSED COUNSELING OFFICES on 0.46 acres on the north side of Lawry Avenue, approximately 50 feet west of Lexington Street (APN: 139-21-610-329), R-2 (Medium-Low Density Residential) Zone, Ward 5 (Weekly). The Planning Commission (5-0 vote) and staff recommend APPROVAL
132. ABEYANCE ITEM - REZONING - PUBLIC HEARING - Z-0115-00 - JOSEPH & SALLY WARPINSKI ON BEHALF OF NEVADA LANDSCAPE CORPORATION - Request for a Rezoning FROM: R-E (Residence Estates) and C-2 (General Commercial) TO: C-2 (General Commercial); and a request for a Site Development Plan Review and a Waiver of the required perimeter landscaping FOR A PROPOSED LANDSCAPE MATERIAL YARD at 5232 Ricky Road (APN: 138-12-710-052), Ward 6 (Mack). Staff recommends APPROVAL. The Planning Commission (5-0-1 vote) recommends DENIAL
133. REZONING - PUBLIC HEARING - Z-0104-00 - JAMES JACOBS - Request for a Rezoning FROM: R-1 (Single-Family Residential) TO: C-1 (Limited Commercial) on 0.62 acres at 1309 West Owens Avenue (APN: 139-28-502-005), PROPOSED USE: RETAIL, Ward 5 (Weekly). The Planning Commission (6-0 vote) and staff recommend APPROVAL
134. VARIANCE RELATED TO Z-0104-00 - PUBLIC HEARING - V-0082-00 - JAMES JACOBS - Request for a Variance TO ALLOW A ZERO FOOT SIDE YARD SETBACK WHERE 10 FEET IS THE MINIMUM SIDE YARD SETBACK ALLOWED, TO ALLOW A 15 FOOT FRONT YARD SETBACK WHERE 25 FEET IS THE MINIMUM FRONT YARD SETBACK ALLOWED, AND TO ALLOW A 6 FOOT REAR YARD SETBACK WHERE 25 FEET IS THE MINIMUM REAR YARD SETBACK ALLOWED; TO ALLOW 32 PARKING SPACES WHERE 38 PARKING SPACES ARE THE MINIMUM ALLOWED; AND TO ALLOW ZERO LOADING SPACES WHERE ONE LOADING SPACE IS THE MINIMUM ALLOWED on 0.62 acres at 1309 West Owens Avenue (APN: 139-28-502-005), R-1 (Single Family Residential) Zone [PROPOSED: C-1 (Limited Commercial)], Ward 5 (Weekly). The Planning Commission (6-0 vote) and staff recommend DENIAL
135. SITE DEVELOPMENT PLAN REVIEW RELATED TO Z-0104-00 AND V-0082-00 - PUBLIC HEARING - Z-0104-00(1) - JAMES JACOBS - Request for a Site Development Plan Review FOR A PROPOSED 9,355 SQUARE FOOT COMMERCIAL CENTER AND A WAIVER OF REQUIRED LANDSCAPING on 0.62 acres at 1309 West Owens Avenue (APN: 139-28-502-005), R-1 (Single Family Residential) Zone, [PROPOSED: C-1 (Limited Commercial)], Ward 5 (Weekly). The Planning Commission (6-0 vote) and staff recommend APPROVAL
136. REZONING - PUBLIC HEARING - Z-0003-01 - PECCOLE 1982 TRUST - Request for a Rezoning FROM: U (Undeveloped) [GC (General Commercial) General Plan Designation] TO: C-1 (Limited Commercial) on approximately 28.69 acres located on the northeast corner of the intersection of Alta Drive and Rampart Boulevard (APN: 138-32-601-003), PROPOSED USE: ATHLETIC CLUB AND TENNIS CLUB, Ward 2 (L.B. McDonald). The Planning Commission (6-0 vote) and staff recommend APPROVAL
137. SPECIAL USE PERMIT RELATED TO Z-0003-01 - PUBLIC HEARING - U-0017-01 - PECCOLE 1982 TRUST - Request for a Special Use Permit FOR A RESTAURANT SERVICE BAR IN CONJUNCTION WITH A PROPOSED ATHLETIC CLUB AND TENNIS CLUB at the northeast corner of the intersection of Alta Drive and Rampart Boulevard (APN: 138-32-601-003), U (Undeveloped) Zone [GC (General Commercial) General Plan Designation], [PROPOSED: C-1 (Limited Commercial)], Ward 2 (L.B. McDonald). The Planning Commission (6-0 vote) and staff recommend APPROVAL
138. REZONING - PUBLIC HEARING - Z-0004-01 - FALLING ROCK, LIMITED LIABILITY COMPANY - Request for a Rezoning FROM: U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] TO: PD (Planned Development) on approximately 5.0 acres located on the west side of the Siegfried and Roy Parkway alignment, approximately 650 feet south of the Gowan Road alignment (APN: 137-12-301-012), PROPOSED USE: APARTMENTS, Ward 4 (Brown). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL

PLANNING & DEVELOPMENT DEPARTMENT – DISCUSSION

139. REZONING - PUBLIC HEARING - Z-0005-01 - DJI, LIMITED LIABILITY COMPANY - Request for a Rezoning FROM: R-E (Residence Estates) TO: R-PD3 (Residential Planned Development - 3 Units Per Acre) on 19.8 acres at the southwest corner of the intersection of Decatur Boulevard and Elkhorn Road (APN: 125-24-502-001 and 004), PROPOSED USE: 60-LOT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT, Ward 6 (Mack). The Planning Commission (4-2 vote) and staff recommend APPROVAL
140. VARIANCE RELATED TO Z-0005-01 - PUBLIC HEARING - V-0004-01 - DJI, LIMITED LIABILITY COMPANY - Request for a Variance TO ALLOW 30,492 SQUARE FEET OF OPEN SPACE WHERE 43,124 SQUARE FEET IS THE MINIMUM OPEN SPACE REQUIRED FOR A 60-LOT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT on 19.8 acres at the southwest corner of the intersection of Decatur Boulevard and Elkhorn Road (APN: 125-24-502-001 and 004), R-E (Residence Estates) Zone, [PROPOSED: R-PD4 (Residential Planned Development - 4 Units Per Acre)], Ward 6 (Mack). The Planning Commission (6-0 vote) and staff recommend DENIAL
141. SITE DEVELOPMENT PLAN REVIEW RELATED TO Z-0005-01 AND V-0004-01 - PUBLIC HEARING - Z-0005-01(1) - DJI, LIMITED LIABILITY COMPANY - Request for a Site Development Plan Review FOR A PROPOSED 60-LOT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT on 19.8 acres at the southwest corner of the intersection of Decatur Boulevard and Elkhorn Road (APN: 125-24-502-001 and 004), R-E (Residence Estates) Zone, [PROPOSED: R-PD4 (Residential Planned Development - 4 Units Per Acre)], Ward 6 (Mack). Staff recommends APPROVAL. The Planning Commission (5-1 vote) recommends DENIAL
142. GENERAL PLAN AMENDMENT - PUBLIC HEARING - GPA-0038-00 - CITY OF LAS VEGAS - Request to Amend Map 4 of the Northwest Sector Plan to expand the limits of Town Center to the limits of the "Future Town Center Expansion Area"; FROM: L (Low Density Residential) TO: L-TC (Low Residential), MLA (Medium-Low Attached), ML (Medium-Low), and M-TC (Medium Residential), approximately 405 acres, generally bounded by El Capitan Way and Campbell Road on the east, Elkhorn Road and Grand Teton Drive on the north, Tee Pee Lane on the west, and the Beltway alignment on the south (APN: Multiple), Ward 6 (Mack). Staff has no recommendation for this item. The Planning Commission (5-0-1 vote) recommends APPROVAL
143. GENERAL PLAN AMENDMENT - PUBLIC HEARING - GPA-0039-00 - CITY OF LAS VEGAS - Request to Amend a portion of the Northwest Sector Plan FROM: L (Low Density Residential) and DR (Desert Rural) TO: M (Medium Density Residential), ML (Medium-Low Density Residential), L (Low Density Residential), R (Rural Density Residential), TC (Town Center) and MLA (Medium-Low Attached) on property located generally north of Centennial Parkway, between Campbell Road and Grand Canyon Drive and south of Grand Teton Drive (APN: Multiple), Ward 6 (Mack). Staff has no recommendation for this item. The Planning Commission (6-0 vote) recommends APPROVAL
144. ABEYANCE ITEM - GENERAL PLAN AMENDMENT - PUBLIC HEARING - GPA-0001-01 - SANDRA NORRIS 1990 LIVING TRUST - Request to Amend a portion of the West Las Vegas Plan FROM: LI/R (Light Industry/Research) TO: M (Medium Density Residential) on approximately 32.5 acres located on the northwest corner of the intersection of Washington Avenue and Robin Street (APN: 139-29-612-002), Ward 5 (Weekly). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL
145. ABEYANCE ITEM - REZONING RELATED TO GPA-0001-01 - PUBLIC HEARING - Z-0001-01 - SANDRA NORRIS 1990 LIVING TRUST - Request for a Rezoning FROM: C-PB (Planned Business Park) TO: R-3 (Medium Density Residential) on approximately 32.5 acres located on the northwest corner of the intersection of Washington Avenue and Robin Street (APN: 139-29-612-002), PROPOSED USE: RESIDENTIAL SUBDIVISION, Ward 5 (Weekly). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL
146. SET DATE ON ANY APPEALS FILED OR REQUIRED PUBLIC HEARINGS FROM THE CITY PLANNING COMMISSION AND HEARINGS OFFICER MEETINGS AND DANGEROUS BUILDINGS OR NUISANCE/LITTER ABATEMENTS

ADDENDUM

CITIZENS PARTICIPATION

Items raised under this portion of the City Council Agenda cannot be deliberated or acted upon until the notice provisions of the Open Meeting Law have been met. If you wish to speak on a matter not listed on the agenda, please step up to the podium and clearly state your name and address. In consideration of others, avoid repetition, and limit your comments to no more than three (3) minutes. To ensure all persons equal opportunity to speak, each subject matter will be limited to ten (10) minutes.

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

Downtown Transportation Center, City Clerk's Posting Board
Senior Citizen Center, 450 E. Bonanza Road
Clark County Government Center, 500 S. Grand Central Parkway
Court Clerk's Office Bulletin Board, City Hall Plaza
City Hall Plaza, Special Outside Posting Bulletin Board

EXHIBIT C

(Attach Affidavit of Publication of Notice of Deposit of the Bond Ordinance)

RECEIVED
CITY CLERK

2001 APR -2 A 10:52

AFFP DISTRICT COURT
Clark County, Nevada
AFFIDAVIT OF PUBLICATION

STATE OF NEVADA)
COUNTY OF CLARK) SS:

Donna Stark, 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
1642815

2296311LV

was continuously published in said Las Vegas Review Journal and/or Las Vegas Sun in 1 edition(s) of said newspaper issued from 03/24/01 to 03/24/2001, on the following days: MARCH 24, 2001

Signed: _____

Donna Stark

SUBSCRIBED AND SWORN BEFORE ME THIS THE _____

27

day of March 2001

Mary B. Sheffield

Notary Public

BILL NO. 2001-35

AN ORDINANCE CONCERNING THE CITY OF LAS VEGAS, NEVADA SPECIAL IMPROVEMENT DISTRICT NO. 808 (SUMMERLIN AREA) AND AUTHORIZING THE ISSUANCE OF LOCAL IMPROVEMENT BONDS, SERIES 2001 FOR THE CITY OF LAS VEGAS, NEVADA SPECIAL IMPROVEMENT DISTRICT NO. 808 (SUMMERLIN AREA) IN THE AGGREGATE PRINCIPAL AMOUNT OF \$46,000,000 TO FINANCE THE ACQUISITION AND IMPROVEMENT OF A STREET PROJECT, STORM SEWER PROJECT, AND WATER PROJECT.

PUBLIC NOTICE IS HEREBY GIVEN, and that an adequate number of type-written copies of the above-numbered and entitled proposed Ordinance are available for public inspection and distribution at the office of the City Clerk of the City of Las Vegas, at her office in City Hall, 400 Stewart Avenue, Las Vegas, Nevada, and that such Ordinance was proposed on March 21, 2001, and will be considered for adoption at a regular meeting of the City Council of the City of Las Vegas held on April 4, 2001.

/s/ Barbara Jo Ronemus
City Clerk
PUB: March 24, 2001
LV Review-Journal

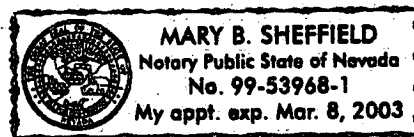


EXHIBIT D

(Attach Affidavit of Publication of Adoption of Bond Ordinance)

RECEIVED
CITY CLERK

2001 APR 13 A 10:23

AFFP DISTRICT COURT
Clark County, Nevada

AFFIDAVIT OF PUBLICATION

STATE OF NEVADA)
COUNTY OF CLARK) SS:

Donna Stark, 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
1666050

was continuously published in said Las Vegas Review Journal and/or Las Vegas Sun in 1 edition(s) of said newspaper issued from 04/07/01 to 04/07/2001, on the following days: APRIL 7, 2001

ORDINANCE NO. 5316
(of Las Vegas, Nevada)
FIRST AMENDMENT

AN ORDINANCE CONCERNING THE CITY OF LAS VEGAS, NEVADA SPECIAL IMPROVEMENT DISTRICT NO. 808 (SUMMERLIN AREA) AND AUTHORIZING THE ISSUANCE OF LOCAL IMPROVEMENT BONDS, SERIES 2001 FOR THE CITY OF LAS VEGAS, NEVADA SPECIAL IMPROVEMENT DISTRICT NO. 808 (SUMMERLIN AREA) IN THE AGGREGATE PRINCIPAL AMOUNT OF \$46,000,000 TO FINANCE THE ACQUISITION AND IMPROVEMENT OF A STREET PROJECT, STORM SEWER PROJECT, AND WATER PROJECT.

PUBLIC NOTICE IS HEREBY GIVEN, and that such Ordinance was proposed on March 21, 2001, and was passed at the meeting held on April 4, 2001, by the following vote of the City Council:

Those Voting Aye: Oscar B. Goodman
Gary Reese
Michael J. McDonald
Larry Brown
Lynette Boggs-McDonald
Lawrence Weekly
Those Voting Nay: None
Those Absent: None
Those Not Voting: Michael Mack

This Ordinance shall be in full force and effect from and after the 8th day of April, 2001, i.e., the day after the publication of such Ordinance by its title only.

IN WITNESS WHEREOF, the City Council of the City of Las Vegas, Nevada, has caused this Ordinance to be published by title only.
DATED this April 4, 2001.

/s/ Oscar B. Goodman
Mayor
Attest:
/s/ Barbara Jo Ronemus
City Clerk
PUB: April 7, 2001
LV Review-Journal

Signed: Donna Stark

SUBSCRIBED AND SWORN BEFORE ME THIS THE 9

day of April 2001

Mary B. Sheffield
Notary Public

