

Summary - An ordinance authorizing the issuance by the City of Las Vegas, Nevada, of its General Obligation (Limited Tax) Medium-Term Public Safety Bonds, Series 2001 and providing other matters relating thereto.

**BILL NO. 2001-10  
ORDINANCE NO. 5296**

**AN ORDINANCE DESIGNATED BY THE SHORT TITLE "2001 MEDIUM-TERM PUBLIC SAFETY BOND ORDINANCE"; PROVIDING FOR THE ISSUANCE BY THE CITY OF LAS VEGAS OF ITS GENERAL OBLIGATION (LIMITED TAX) MEDIUM-TERM PUBLIC SAFETY BONDS, SERIES 2001, FOR THE PURPOSE OF ACQUIRING, CONSTRUCTING AND IMPROVING A FIRE PROTECTION PROJECT FOR THE CITY; PROVIDING COVENANTS, AGREEMENTS AND OTHER DETAILS CONCERNING THE BONDS, THE PROJECT AND GENERAL TAX PROCEEDS; PROVIDING OTHER MATTERS RELATING THERETO.**

**WHEREAS**, the City of Las Vegas in the County of Clark and State of Nevada (the "City," the "County" and the "State," respectively) is a political subdivision of the State duly organized and operating as a city under the provisions of Nevada Revised Statutes ("NRS") chapter 268 and an act entitled "AN ACT incorporating the City of Las Vegas in Clark County, Nevada, under a charter; defining the boundaries thereof; and providing other matters properly relating thereto," cited as chapter 517, Statutes of Nevada, 1983, as amended (the "Charter"); and

**WHEREAS**, pursuant to Section 7.020 of the Charter, the City, acting through the City Council (the "Council" or the "Governing Body") is authorized to borrow money for any municipal purpose and for such purpose may issue bonds or other securities, and pursuant to Nevada Revised Statutes ("NRS") §§ 268.672 to 268.740 (the "City Bond Law"), the City is authorized to issue bonds to finance the cost of acquiring, constructing and improving a fire protection project in the City as defined in NRS 268.688, including fire and emergency equipment and facilities (the "Project"); and

**WHEREAS**, pursuant to Nevada Revised Statutes ("NRS") §§ 350.085 through 350.095, inclusive (the "Act"), the City is authorized to enter into a medium-term financing to finance the Project and to issue, as evidence thereof, negotiable medium-term notes or bonds which shall not be paid in whole or in part from a levy of a special tax exempt from the limitations on the

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levy of ad valorem tax, but which shall be paid from other legally available funds of the County (subject to certain Constitutional and statutory tax limitations), which must mature not later than 10 years after the date of issuance and must bear interest at a rate or rates which do not exceed by more than 3 percent the "Index of Twenty Bonds" which was most recently published before bids for their purchase are received; and

**WHEREAS**, pursuant to NRS § 350.087 and pursuant to a resolution adopted by the Council, the Council determined to publish a notice (the "Notice") of its intention to authorize and to issue medium-term bonds in the maximum principal amount of \$25,000,000 in a newspaper of general circulation in the City and an affidavit of such publication is on file in the office of the City Clerk; and

**WHEREAS**, the Board adopted by at least a two-thirds majority a resolution authorizing medium-term obligations in the maximum principal amount of \$25,000,000 to finance the Project (the "Authorizing Resolution") which contained a finding by the Council that the public interest requires medium-term obligations and a statement of the facts upon which the finding was based, which vote was taken at least 10 days after the publication of the Notice; and

**WHEREAS**, pursuant to NRS § 350.089 and relevant provisions of the Nevada Administrative Code, the Council caused a certified copy of the Authorizing Resolution and supporting documents to be submitted to the Executive Director of the Department of Taxation of the State of Nevada (the "Department of Taxation") for his approval; and

**WHEREAS**, the City received the approval of the Executive Director of the Department of Taxation for such medium-term obligations, a copy of such approval being attached to the following page as follows:

(Attach Approval of Department of Taxation)



KENNY C. GUINN  
Governor

DAVID P. PURSELL  
Executive Director

STATE OF NEVADA  
DEPARTMENT OF TAXATION

1550 E. College Parkway  
Suite 115  
Carson City, Nevada 89706-7937

Phone: (775) 687-4820 • Fax: (775) 687-5981

In-State Toll Free: 800-992-0900

Web Site: <http://tax.state.nv.us>

LAS VEGAS OFFICE

Grant Sawyer Office Building  
Suite 1300  
555 E. Washington Avenue  
Las Vegas, Nevada 89101  
Phone: (702) 486-2300  
Fax: (702) 486-2373

RENO OFFICE

4600 Kietzke Lane  
Building O, Suite 263  
Reno, Nevada 89502  
Phone: (775) 688-1295  
Fax: (775) 688-1303

February 9, 2001

Mr. Mark Vincent, Finance Director  
City of Las Vegas  
400 Stewart Avenue  
Las Vegas, NV 89101

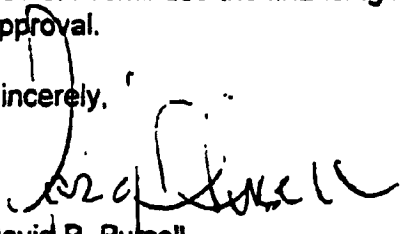
Re: Medium-Term Obligation Request

Dear Mr. Vincent:

The request by the City of Las Vegas for approval of a medium-term obligation has been received. The purpose of the obligation is to finance the cost of acquiring, constructing and improving a fire protection project in the City, up to a maximum principal amount of \$25,000,000. The request has been reviewed as required by NRS 350.089 and is approved.

Pursuant to NRS 350.089, the approval must be recorded in the minutes of the governing body. You are reminded the financing must be secured within eighteen months of receipt of this approval.

Sincerely,

  
David P. Pursell  
Executive Director

DPP:wra

cc: Andrew Artusa, Howarth & Associates  
Kendra Follett, Swendseid & Stern

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Submitted after final agenda

Date 2/13/01 Item #84

**WHEREAS**, the approval of the Department of Taxation as set forth in the preambles hereof is hereby recorded in the minutes of the Council as required by § 350.089; and

**WHEREAS**, the City has not previously utilized any of the authority so approved by the Department of Taxation; and

**WHEREAS**, pursuant to the Authorizing Resolution, the Council ordered the medium-term obligations to be publicly offered for sale in the form of medium-term bonds, authorized the City Director of Finance and Business Services (the "Finance Director") to arrange for the sale of the such medium-term bonds; and

**WHEREAS**, the Council hereby determines that the bonds herein authorized to be issued shall be designated the "City of Las Vegas, Nevada, General Obligation (Limited Tax) Medium-Term Public Safety Bonds, Series 2001" in the maximum aggregate principal amount of \$25,000,000 (the "Bonds"); and

**WHEREAS**, the Council has determined and hereby declares and determines that legally available funds of the City will at least equal the amount required in each year for the payment of interest on and the principal of the Bonds; and

**WHEREAS**, pursuant to NRS § 350.091, the Council has determined and hereby determines that the maximum term of the Bonds does not exceed the estimated useful life of the Project financed with the proceeds of the Bonds; and

**WHEREAS**, the Council elects to and hereby determines to issue the Bonds in accordance with the provisions of NRS §§ 350.500 through 350.720, and all laws amendatory thereof, designated in § 350.500 thereof by the short title "Local Government Securities Law" (the "Bond Act"); and

**WHEREAS**, the Council is not authorized to levy general ad valorem taxes (the "General Taxes") to pay the principal of or interest on the Bonds exempt from the limitations of any statutes of the State; any General Taxes levied for the purpose of paying principal or interest on the Bonds will be subject to the limitations contained in the Constitution and the statutes of the State, including, without limitation, the limitations on ad valorem taxes contained in NRS §§ 354.59811, 354.59813, 354.59815, 354.5982 and 361.453; and

**WHEREAS**, the Council is therefore authorized and empowered by the Charter, the City Bond Law, by the Act, by the approval of the Executive Director of the Department of Taxation, and by the Bond Act, without any further preliminaries:

- A. To issue and sell the City's Bonds; and
- B. To exercise the incidental powers provided in the Bond Act in connection with the powers authorized therein or as otherwise expressly provided therein; and

**WHEREAS**, after public advertisement the Council caused to be received and to be opened publicly sealed bids for the purchase of all of the Bonds herein authorized; and

**WHEREAS**, the Council in the Authorizing Resolution authorizing the City Finance Director or his designee to arrange for the issuance and sale of the Bonds, subject to, among other conditions, adoption by the City of this Ordinance specifying the Bond terms and details and approving their sale; and

**WHEREAS**, after notice inviting bids for their purchase, the Finance Director, as the chief financial officer of the City, or the City Manager, as the chief administrative officer of the City, is hereby authorized to receive and publicly open bids and sell the Bonds to the best bidder therefor (the "Purchaser") and the Finance Director or the City Manager is hereby authorized to accept a binding bid for the Bonds, the Bonds to bear interest at the rates per annum provided in the bond purchase proposal submitted by the Purchaser (the "Bond Purchase Proposal"), such rates not to exceed 3 percent over the Index of Twenty Bonds most recently published in The Bond Buyer prior to the time bids were received for the Bonds, at a price equal to the principal amount thereof plus accrued interest to the date of delivery of the Bonds plus a premium or less a discount not to exceed 9 percent of the principal amount of the Bonds, all as specified by the Finance Director or the City Manager in a certificate dated on or before the date of delivery of the Bonds (the "Certificate of the Finance Director"); and

**WHEREAS**, the Council hereby elects to have the provisions of Chapter 348 of NRS (the "Supplemental Bond Act") apply to the Bonds; and

**WHEREAS**, the Council has determined and hereby declares that each of the limitations and other conditions to the issuance of the Bonds in the Charter, the City Bond Law, the

Act, the Bond Act, the Supplemental Bond Act, and in any other relevant act of the State or the Federal Government, has been met; and pursuant to § 350.708, Bond Act, this determination of the Council that the limitations in the Bond Act have been met shall be conclusive in the absence of fraud or arbitrary or gross abuse of discretion.

**WHEREAS**, the Board has determined and does hereby declare:

(i) This Ordinance pertains to the sale, issuance and payment of the Bonds; and

(ii) Such declaration shall be conclusive in the absence of fraud or gross abuse of discretion in accordance with the provisions of subsection 2, § 350.579, Bond Act.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES ORDAIN:**

SECTION 1. **Short Title.** This Ordinance shall be known and may be cited as the "2001 Medium-Term Public Safety Bond Ordinance" (this "Ordinance").

SECTION 2. **Acceptance of Purchase Proposal.** The City Manager or the City Finance Director is hereby authorized to accept the Purchase Proposal submitted by the Purchaser for the purchase of the Bonds as set forth in the preambles hereof.

SECTION 3. **Ratification.** All action heretofore taken by the Council and the officers and employees of the City directed toward the Project and toward the issuance, sale and delivery of the Bonds is ratified, approved and confirmed including, without limitation, the Official Notice of Bond Sale, and the distribution of the preliminary and final official statements for the Bonds.

SECTION 4. **Necessity of Project and Bonds.** It is necessary and in the best interests of the Council, its officers, and the inhabitants of the City, that the City effect the Project and defray wholly or in part the cost thereof by the issuance of the Bonds therefor; and it is hereby so determined and declared.

SECTION 5. **Authorization of Project.** The Council hereby authorizes the Project.

SECTION 6. **Authorization of Bonds.** For the purpose of providing funds to pay all or a portion of the cost of the Project, the City shall issue the "City of Las Vegas, Nevada, General Obligation (Limited Tax) Medium-Term Public Safety Bonds, Series 2001" in the aggregate principal amount set forth in the Certificate of the Finance Director (not to exceed \$25,000,000). The Bonds shall be in the form substantially as set forth in § 24 hereof.

SECTION 7. **Ordinance to Constitute Contract.** In consideration of the purchase and the acceptance of the Bonds by those who shall own the same from time to time, the provisions hereof shall be deemed to be and shall constitute a contract between the City and the registered owners from time to time of the Bonds.

SECTION 8. **Bonds Equally Secured.** The covenants and agreements herein set forth to be performed shall be for the equal benefit, protection and security of the owners of any and all of the outstanding Bonds, all of which, regardless of the time or times of their maturity, shall be of equal rank without preference, priority or distinction except as otherwise expressly provided in or pursuant to this Ordinance.

SECTION 9. **General Obligations.** All of the Bonds, as to the principal thereof and the interest thereon (the "Bond Requirements") shall constitute general obligations of the City, which hereby pledges its full faith and credit for their payment.

SECTION 10. **Payment of the Bonds.** The Bond Requirements of the Bonds shall be payable from any monies legally available therefor, and provision for the payment of the Bond Requirements of the Bonds shall be made as provided in the Act, provided, however, that ad valorem taxes levied for the purpose of paying the principal of or interest on the Bonds shall be subject to the limitations contained in the Constitution and statutes of the State, including, without limitation, the limitations on the levy of ad valorem taxes imposed by NRS §§ 354.59811, 354.59813, 354.59815, 354.5982 and 361.453. The City is not authorized to levy ad valorem taxes exempt from the limitations of any of said statutes to pay the Bond Requirements of the Bonds. The City hereby irrevocably covenants with the registered owners of the Bonds from time to time that it will make sufficient provisions annually in its budget to pay the Bond Requirements of the Bonds, when due.

SECTION 11. **Limitations upon Security.** The payment of the Bonds is not secured by an encumbrance, mortgage or other pledge of property of the City, except for the

proceeds of General Taxes and any other moneys pledged for the payment of the Bonds. No property of the City, subject to such exception, shall be liable to be forfeited or taken in payment of the Bonds.

SECTION 12. **No Recourse Against Officers and Agents.** No recourse shall be had for the payment of the Bond Requirements of the Bonds or for any claim based thereon or otherwise upon this Ordinance authorizing their issuance or any other instrument relating thereto, against any individual member of the Council or any officer or other agent of the Council or City, past, present or future, either directly or indirectly through the Council or the City, or otherwise, whether by virtue of any constitution, statute or rule of law, or by the enforcement of any penalty or otherwise, all such liability, if any, being by the acceptance of the Bond and as a part of the consideration of its issuance specially waived and released.

SECTION 13. **Bond Details.** The Bonds shall be issued in fully registered form. The Bonds shall be dated initially as of the 1<sup>st</sup> day of the month preceding the date of delivery of the Bonds or if the date of delivery is the 1<sup>st</sup> day of the month then such date, and except as otherwise provided in Section 17 hereof, shall be issued in denominations of \$5,000 or any integral multiple thereof (provided that no Bond may be in a denomination which exceeds the principal coming due on the maturity date, and no individual Bond will be issued with more than one maturity). The Bonds shall bear interest from their date until their maturity date at the rates set forth in the Certificate of the Finance Director, payable on the 1<sup>st</sup> day of the month of the date of delivery of the Bonds and the 1<sup>st</sup> day of the month 6 months thereafter of each year commencing on such interest payment date which is at least 5 months but no more than 6 months after the date of delivery of the Bonds; provided that those Bonds which are reissued upon transfer, exchange or other replacement shall bear interest at the rates set forth in the Certificate of the Finance Director from the most recent interest payment date to which interest has been paid or duly provided for, or if no interest has been paid, from the date of the Bonds. The Bonds shall mature in the designated amounts of principal and on the dates (not to exceed ten years from the date of the Bonds) as designated in the Certificate of the Finance Director. The principal of any Bond shall be payable to the owner thereof as shown on the registration records kept by the City Treasurer in Las Vegas, Nevada, as registrar for the Bonds (the "Registrar"), upon maturity and upon presentation and surrender at the office of the City

Treasurer, in Las Vegas, Nevada, as paying agent for the Bonds (the "Paying Agent"). If any Bond shall not be paid upon such presentation and surrender at or after maturity, it shall continue to draw interest at the interest rate borne by said Bond until the principal thereof is paid in full.

SECTION 14. A. **Payment of Interest.** Except as otherwise provided in Section 17 hereof, payment of interest on any Bond shall be made to the owner thereof by check or draft mailed by 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 owner thereof, at his or her address as shown on the registration records kept by the Registrar as of the close of business on the fifteenth day of the calendar month next preceding each interest payment date (other than a special interest payment date hereafter fixed for payment of defaulted interest) (the "Regular Record Date"); but any such interest not so timely paid or duly provided for shall cease to be payable to the owner thereof as shown on the registration records of the Registrar as of the close of business on the Regular Record Date and shall be payable to the owner thereof, at his or her address, as shown on the registration records of the Registrar as of the close of business on a date fixed to determine the names and addresses of owners for the purpose of paying defaulted interest (the "Special Record Date"). Such Special Record Date and the date for payment of defaulted interest shall be fixed by the Registrar whenever moneys become available for payment of the defaulted interest, and notice of the Special Record Date and the date for payment of defaulted interest shall be given to the owners of the Bonds not less than ten days prior thereto by first-class mail to each such owner as shown on the Registrar's registration records as of a date selected by the Registrar, 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 between the owner of such Bond and the Paying Agent. All such payments of principal and interest shall be made in lawful money of the United States of America without deduction for any service charges of the Paying Agent or Registrar.

B. **No Prior Redemption.** Bonds, or portions thereof, are not subject to redemption prior to their respective maturities.

SECTION 15. **Negotiability.** Subject to the registration provisions herein provided, the Bonds shall be fully negotiable within the meaning of and for the purpose of the

Uniform Commercial Code - Investment Securities and each owner shall possess all rights enjoyed by holders of negotiable instruments under the Uniform Commercial Code - Investment Securities.

SECTION 16. **Registration, Transfer and Exchange of Bonds.** Except as otherwise provided in Section 17 hereof:

A. Records for the registration and transfer of the Bonds shall be kept by the Registrar. Upon the surrender of any Bond at the Registrar, duly endorsed for transfer or accompanied by an assignment in form satisfactory to the Registrar duly executed by the 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 and of the same maturity, bearing a number or numbers not previously assigned. Bonds may be exchanged at the Registrar for an equal aggregate principal amount of Bonds of the same maturity of other authorized denominations, as provided in § 13 hereof. The Registrar shall authenticate and deliver a Bond or Bonds which the owner making the exchange is entitled to receive, bearing a number or numbers not previously assigned. For every exchange or transfer of Bonds requested by the owner thereof, the Registrar may make a sufficient charge to reimburse it for any tax, fee or other governmental charge required to be paid with respect to such exchange or transfer and may charge a sum sufficient to pay the cost of preparing and authenticating a new Bond.

B. The person in whose name any Bond shall be registered, on the registration records kept by the Registrar, shall be deemed and regarded as the absolute owner thereof for the purpose of payment and for all other purposes (except to the extent otherwise provided in § 13 hereof with respect to interest payments); and payment of or on account of either principal or interest on any Bond shall be made only to or upon the written order of the owner thereof or his or her legal representative. 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.

C. If any Bond shall be lost, stolen, destroyed or mutilated, the Registrar shall, upon receipt of such evidence, information or indemnity relating thereto as it or the City may reasonably require, and upon payment of all expenses in connection therewith, authenticate and deliver a replacement Bond or Bonds of a like aggregate principal amount and of the same maturity, bearing a number or numbers not previously assigned. If such lost, stolen, destroyed or mutilated Bond shall have matured, the Registrar may direct that such Bond be paid by the Paying Agent in lieu of replacement.

D. Whenever any Bond shall be surrendered to the Paying Agent upon payment thereof, or to the Registrar for transfer, exchange or replacement as provided herein, such Bond shall be promptly canceled by the Paying Agent or Registrar, and counterparts of a certificate of such cancellation shall be furnished by the Paying Agent or Registrar to the Council upon request.

**SECTION 17. Book Entry.**

A. Notwithstanding the foregoing provisions of Sections 13 to 16 hereof, the Bonds shall initially be evidenced by one Bond for the year in which the 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, the securities depository for the Bonds. The Bonds may not thereafter be transferred or exchanged except:

(1) to any successor of The Depository Trust Company 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

(2) upon the resignation of The Depository Trust Company or a successor or new depository under clause (1) or this clause (2) of this Subsection A, or a determination by the Council that The Depository

Trust Company or such successor or new depository is no longer able to carry out its functions, and the designation by the Council of another depository institution acceptable to the Council and 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 The Depository Trust Company or such successor or new depository; or

(3) upon the resignation of The Depository Trust Company or a successor or new depository under clause (1) or clause (2) of this Subsection A, or a determination of the Council that The Depository Trust Company or such successor or new depository is no longer able to carry out its functions, and the failure by the Council, after reasonable investigation, to locate another qualified depository institution under clause (2) to carry out such depository functions.

B. In the case of a transfer to a successor of The Depository Trust Company or its nominee as referred to in clause (1) of Subsection A hereof or designation of a new depository pursuant to clause (2) of Subsection A hereof, upon receipt of the outstanding Bonds by the Registrar, together with written instructions for transfer satisfactory to the Registrar, a new Bond for each maturity of the Bonds then outstanding 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 clause (3) of Subsection A hereof and the failure after reasonable investigation to locate another qualified depository institution for the bonds as provided in clause (3) of Subsection A hereof, and upon receipt of the outstanding 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 or any integral multiple thereof, as provided in any subject to the limitations of Section 13 hereof,

registered in the names of such persons, and in such denominations as are requested in such written transfer instructions; 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.

C. The Council, the Registrar and the Paying Agent shall be entitled to treat the registered owner of any Bond as the absolute owner thereof for all purposes hereof and any applicable laws, notwithstanding any notice to the contrary received by any or all of them and the Council, the Registrar and the Paying Agent shall have no responsibility for transmitting payments to the beneficial owners of the Bonds held by The Depository Trust Company or any successor or new depository named pursuant to Subsection A hereof.

D. The Council, the Registrar and the Paying Agent shall endeavor to cooperate with The Depository Trust Company or any successor or new depository named pursuant to clause (1) or (2) of Subsection A hereof in effectuating payment of the Bond Requirements of 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.

#### **SECTION 18. Execution and Authentication.**

A. Prior to the execution of any Bonds and pursuant to § 350.638, Bond Act, to the act known as the Uniform Facsimile Signatures of Public Officials Act, cited as Chapter 351, NRS, and to the Supplemental Bond Act, the Mayor of the City of Las Vegas (the "Mayor"), the City Treasurer (the "Treasurer") and the City Clerk (the "Clerk") shall have each filed with the Secretary of State of Nevada his or her manual signature certified by him or her under oath.

B. The Bonds shall be approved, signed and executed in the name of and on behalf of the City with the manual or facsimile signature of the Mayor, shall be signed and executed with the manual or facsimile signature of the Treasurer, and shall bear a manual impression or a facsimile of an impression of the official seal of the City attested with the manual or facsimile signature of the Clerk.

C. No Bond shall be valid or obligatory for any purpose unless the certificate of authentication thereon, substantially in the form hereinafter provided, has been duly manually executed by the Registrar. The Registrar's certificate of authentication shall be deemed to have been duly executed by it if manually signed by an authorized officer or employee of the Registrar, but it shall not be necessary that the same officer sign the certificate of authentication on all of the Bonds issued hereunder. By authenticating any of the Bonds initially delivered pursuant to this Ordinance, the Registrar shall be deemed to have assented to all of the provisions of this Ordinance.

D. The Mayor, the Treasurer and the Clerk are hereby authorized and directed to prepare and to execute the Bonds as herein provided.

SECTION 19. **Use of Predecessor's Signature.** The Bonds bearing the signatures of the officers in office at the time of the execution of the Bonds shall be valid and binding obligations of the City, notwithstanding that before their delivery any or all of the persons who executed them shall have ceased to fill their respective offices. The Mayor, the Treasurer, and the Clerk, at the time of the execution of a signature certificate relating to the Bonds, may each adopt as and for his own facsimile signature, the facsimile signature of his predecessor in office if such facsimile signature appears upon any of the Bonds.

SECTION 20. **Incontestable Recital.** Pursuant to § 350.628 of the Bond Act, the Bonds shall contain a recital that they are issued pursuant to the Bond Act, which recital shall be conclusive evidence of the validity of the Bonds and the regularity of their issuance.

SECTION 21. **State Tax Exemption.** Pursuant to § 350.710, Bond Act, the Bonds, their transfer and the income therefrom shall forever be and remain free and exempt from taxation by the State or any subdivision thereof, except for the tax on estates imposed pursuant to Chapter 375A of NRS and the tax on generation-skipping transfers imposed pursuant to Chapter 375B of NRS.

SECTION 22. **Initial Registration.** The Registrar shall maintain separate registration records of the City for the Bonds, showing the name and address of the owner of each

Bond authenticated and delivered, the date of authentication, the maturity of the Bond, and its interest rate, principal amount, and bond number.

SECTION 23. **Bond Delivery.** After such registration by the Registrar and after their execution and authentication as provided herein, the Treasurer shall cause the Bonds to be delivered to the Purchaser, upon payment being made in accordance with the terms of their sale.

SECTION 24. **Bond Form.** 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 and 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)

TRANSFER OF THIS BOND OTHER THAN BY REGISTRATION IS NOT EFFECTIVE

**CITY OF LAS VEGAS, NEVADA  
GENERAL OBLIGATION (LIMITED TAX)  
MEDIUM-TERM PUBLIC SAFETY BONDS  
SERIES 2001**

No. \_\_\_\_\_

\$ \_\_\_\_\_

Interest Rate

Maturity Date

Dated As of

CUSIP

\_\_\_\_\_%

\_\_\_\_\_, 1, \_\_\_\_

**REGISTERED OWNER: CEDE & CO.**

**PRINCIPAL AMOUNT:**

The City of Las Vegas, Clark County, in the State of Nevada (the "City", the "County" and the "State", respectively) for value received, hereby acknowledges itself to be indebted and promises to pay to the registered owner specified above, or registered assigns, the principal amount specified above, on the maturity date specified above, and to pay interest thereon on \_\_\_\_\_ 1 and \_\_\_\_\_ 1 of each year, commencing on \_\_\_\_\_ 1, 20\_\_, at the interest rate per annum specified above, until the principal sum is paid or payment has been provided for. 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. The principal of this Bond is payable upon presentation and surrender hereof at the principal office of the City's paying agent for the Bonds (the "Paying Agent"), presently the City Treasurer in Las Vegas, Nevada, who is also now acting as the City's Registrar for the Bonds (the "Registrar"). Interest on this Bond will be paid on each interest payment date (or, if such date is not a business day, on the next succeeding business day) by check or draft mailed by first class mail to the person in whose name this Bond is registered (the "registered owner") in the registration records of the City maintained by the Registrar, at the address appearing thereon, as of the close of business on the fifteenth day of the calendar month next preceding such interest payment date (the "Regular Record Date"). Any such interest not so timely paid or duly provided for shall cease to be payable to the person who is the registered owner as of the close of business on the Regular Record Date and shall be payable to the person who is the registered owner as of the close of business on a special record date for the payment of any defaulted interest (the "Special Record Date"). Such Special Record Date and the date for payment of defaulted interest shall be fixed by the Registrar whenever moneys become available for payment of the defaulted interest, and notice of the Special Record Date and the date for payment of defaulted

interest shall be given to the registered owner not less than ten (10) days prior thereto. Alternative means of payment of interest may be used if mutually agreed to by the registered owner and the Paying Agent, as provided in the ordinance of the City Council of the City of Las Vegas (the "Council") authorizing the issuance of the Bonds (the "Bonds") and designated in § 1 thereof as the "2001 Medium-Term Public Safety Bond Ordinance" (the "Ordinance"), duly adopted by the Council on February 21, 2001. All such payments shall be made in lawful money of the United States of America without deduction for any service charges of the Paying Agent or Registrar.

\*The Bonds are issuable solely as fully registered Bonds in denominations of \$5,000 each or (subject to certain conditions) any integral multiple thereof, and are exchangeable for fully registered Bonds of the same maturity in equivalent aggregate principal amounts and in authorized denominations at the aforesaid office of the Registrar but only in the manner, subject to the limitations, and on payment of charges provided in the Ordinance.\*

\*This Bond is fully transferable by the registered owner 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. Upon such transfer a new fully registered Bond of authorized denomination or denominations of the same aggregate principal amount and maturity will be issued to the transferee in exchange for this Bond, on payment of the charges and subject to the terms and conditions as set forth in the Ordinance.\*

\*\*Unless this Bond is presented by an authorized representative of The Depository Trust Company, a New York corporation ("DTC"), to the County or its agent for registration of transfer, exchange, or payment, and any Bond 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.\*\*

This Bond must be registered in the name of the owner as to both principal and interest on the registration records kept by the Registrar in conformity with the provisions stated herein and endorsed hereon and subject to the terms and conditions set forth in the Ordinance. No transfer of this Bond shall be valid unless made on the registration records maintained at the principal office of the Registrar by the registered owner or his or her attorney duly authorized in writing.

The City and the Registrar and Paying Agent may deem and treat the person in whose name this Bond is registered as the absolute owner hereof for the purpose of payment and for all other purposes, except to the extent otherwise provided hereinabove and in the Ordinance with respect to Regular and Special Record Dates for the payment of interest.

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

This Bond is one of a series of Bonds issued by the City upon its behalf and upon the credit thereof, for the purpose of defraying wholly or in part the cost of acquiring, constructing and improving a fire protection project in the City as defined in NRS 268.688, including fire and emergency equipment and facilities, under the authority of and in full compliance with the Constitution and laws of the State, and pursuant to the Ordinance.

This Bond is issued pursuant to Chapter 517, Statutes of Nevada, 1983, as amended (the "Charter") pursuant to Nevada Revised Statutes ("NRS") §§ 268.672 to 268.740, inclusive (the "City Bond Law"), pursuant to NRS §§ 350.085 to 350.095, inclusive (the "Act"), pursuant to NRS §§ 350.500 through 350.720, and all laws amendatory thereof, designated in § 350.500 thereof as the "Local Government Securities Law" (the "Bond Act"), and pursuant to the Ordinance; pursuant to § 350.628 of the Bond Act, this recital is conclusive evidence of the validity of the Bonds and the regularity of their issuance; and pursuant to § 350.710 of the Bond Act, the Bonds, their transfer, and the income therefrom shall forever be and remain free and exempt from taxation by the State or any subdivision thereof, except for the tax on estates imposed pursuant to Chapter 375A of NRS and the tax on generation-skipping transfers imposed pursuant to Chapter 375B of NRS.

The Bonds, as to all Bond Requirements, shall be payable from any moneys of the City legally available for the purpose of making such payment and the full faith and credit of the City are hereby irrevocably pledged for making such payment. Provision for the payment of the Bonds shall be made as provided in §§ 350.093 and 350.095 of the Act, provided, however, that ad valorem taxes levied for the purpose of paying the principal of and interest on the Bonds are subject to the limitations contained in the Constitution and the statutes of the State, including, without limitation, the limitations on ad valorem taxes contained in NRS §§ 354.59811, 354.5913, 354.59815, 354.5982 and 361.453. The City is not authorized to levy ad valorem taxes to pay the principal of or interest on the Bonds exempt from the limitations of any such statutes, but the City has covenanted in the Ordinance to make sufficient provision annually in its budget to pay the Bond Requirements of the Bonds, when due.

The City covenants and agrees with the owner of this Bond and with each and every person who may become the owner hereof that it will keep and will perform all of the covenants of the Ordinance.

No recourse shall be had for the payment of the Bond Requirements of this Bond or for any claim based thereon or otherwise in respect to the Ordinance or other instrument pertaining thereto against any individual member of the Council, or any officer or other agent of the City, past, present, or future, either directly or indirectly through the Council or otherwise, whether by virtue of any constitution, statute or rule of law, or by the enforcement of any penalty or otherwise, all such liability, if any, being by the acceptance of this Bond and as a part of the consideration of its issuance specially waived and released.



(Form of Registrar's Certificate of Authentication for Bonds)

Date of authentication  
and registration \_\_\_\_\_

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

CITY OF LAS VEGAS TREASURER  
as Registrar

By \_\_\_\_\_ Manual Signature  
Authorized Officer or Employee

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

[STATEMENT OF INSURANCE]  
add statement of insurance, if applicable

(Form of Assignment for Bonds)

For value received, the undersigned hereby sells, assigns and transfers unto \_\_\_\_\_ the within Bond and hereby irrevocably constitutes and appoints \_\_\_\_\_ attorney, to transfer the same on the records kept for registration of the within Bond, with full power of substitution in the premises.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Signature Guaranteed:  
\_\_\_\_\_

Name of Transferee:

\_\_\_\_\_

Address of Transferee:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Social Security or other tax  
identification number of  
Transferee:

\_\_\_\_\_

NOTE: The signature to this Assignment must correspond with the name as written on the face of the within Bond in every particular, without alteration or enlargement or any change whatsoever.

NOTICE: TRANSFER FEES MUST BE PAID TO THE REGISTRAR IN ORDER TO TRANSFER OR EXCHANGE THIS BOND AS PROVIDED IN THE WITHIN-MENTIONED ORDINANCE.

(End of Form of Assignment for Bonds)

**SECTION 25. Use of Bond Proceeds.** Upon the issuance of the Bonds, the Treasurer shall cause the proceeds of the Bonds to be applied as follows:

A. First, pursuant to § 350.648, Bond Act, the proceeds received from the sale of the Bonds as accrued interest on the Bonds, if not needed to defray the cost of the Project, shall be deposited into the Medium-Term Debt Service Fund, hereinafter created.

B. Except as provided in the following subsection C, the balance of the proceeds received from the sale of the Bonds shall be deposited into a special account hereby created and designated as the "City of Las Vegas, Nevada, General Obligation (Limited Tax) Medium-Term Public Safety Bonds, Series 2001, Construction Account" (the "Construction Account") to be held by the City. Moneys in the Construction Account shall be used solely to defray wholly or in part the cost of the Project including, without limitation, as provided in § 350.516, Bond Act, all costs of issuing the Bonds, and the costs of rebates to the United States under § 148 of the Internal Revenue Code of 1986, as amended (the "Tax Code"), which the Council hereby determines are necessary and desirable and pertain to the Project. After the Project is complete and after all expenses have been paid or adequate provision therefor is made, pursuant to § 350.650 Bond Act, any unexpended balance of Bond proceeds (or, unless otherwise required by law, any other moneys) remaining in the Construction Account shall be deposited into the Medium-Term Debt Service Fund hereinafter created to be used to pay the principal of and interest on the Bonds.

C. Pursuant to NRS § 354.6105, the City shall deposit an amount equal to one-half of one percent of the aggregate principal amount of the Bonds into one or more separate accounts in the fund for the extraordinary maintenance, repair or improvement of capital projects. Available moneys of the City or Bond proceeds shall be used for such purpose.

**SECTION 26. Use of Investment Gain.** Pursuant to § 350.658, any gain from any investment and any reinvestment of any proceeds of the Bonds, if needed to defray the cost of the Project, shall be deposited promptly upon the receipt of such gain at any time or from time to time

into the Construction Account, and if not needed to defray the cost of the Project, shall be deposited promptly into the Medium-Term Debt Service Fund, hereinafter created, for the respective payment of the principal of or interest on the Bonds or any combination thereof. As provided in § 35 hereof, any annual General Taxes for the payment of the principal of or interest on the Bonds levied after such deposits of any such investment or reinvestment gain, may be diminished to the extent of the availability of such deposit for the payment of such principal or interest.

SECTION 27. **Completion of Project.** The City, with the proceeds derived from the sale of the Bonds, shall proceed to complete the Project without delay and with due diligence to the best of the City's ability, as hereinabove provided.

SECTION 28. **Prevention of Bond Default.** Subject to the provisions of §§ 31 and 35 hereof, the Treasurer shall use any Bond proceeds credited to the Construction Account, without further order or warrant, to pay the Bond Requirements of the Bonds as the same become due whenever and to the extent moneys otherwise available therefor are insufficient for that purpose, unless such Bond proceeds shall be needed to defray obligations accrued and to accrue under any contracts then existing and relating to the Project. The Treasurer shall promptly notify the Council of any such use.

SECTION 29. **Purchaser Not Responsible.** The validity of the Bonds shall not be dependent on nor be affected by the validity or regularity of any proceedings relating to the Project, or any part thereof, or to the completion of the Project. The Purchaser, any associate thereof, and any subsequent owner of any Bond shall in no manner be responsible for the application or disposal by the City or by any of its officers, agents and employees of the moneys derived from the sale of the Bonds or of any other moneys herein designated.

SECTION 30. **General Tax Levies.** Pursuant to § 350.596, Bond Act, any sums coming due on the Bonds at any time when there are not on hand in the Medium-Term Debt Service Fund sufficient funds to pay same shall be promptly paid when due out of the Construction Account or out of a general fund of the City or out of any other funds that may be available for such purpose, including, without limitation, any proceeds of General Taxes legally available therefor. For the purpose of repaying any moneys so paid from any such fund or funds (other than any moneys available without replacement for the payment of such Bond Requirements on other than a

temporary basis), and for the purpose of creating funds for the payment of the Bond Requirements, there is hereby created a separate account designated as the "City of Las Vegas, Nevada, General Obligation (Limited Tax) Medium-Term Public Safety Bonds, Series 2001, Medium-Term Debt Service Fund" (the "Medium-Term Debt Service Fund"). Pursuant to §§ 350.592 and 350.594, Bond Act, and §§ 350.093 and 350.095 of the Act, except to the extent other funds are legally available therefor, there shall be duly levied immediately after the issuance of the Bonds and annually thereafter, until all of the Bond Requirements shall have been fully paid, satisfied and discharged, a General Tax on all property, both real and personal, subject to taxation within the boundaries of the City, including the net proceeds of mines, fully sufficient to reimburse such fund or funds for any such amounts temporarily advanced to pay such initial installment of interest, and to pay the interest on the Bonds becoming due after such initial installment, and to pay and retire the Bonds as they thereafter become due at maturity as herein provided, after there are made due allowances for probable delinquencies. The proceeds of such annual levies shall be duly credited to the Medium-Term Debt Service Fund for the payment of such Bond Requirements. In the preparation of the annual budget or appropriation resolution or ordinance for the City, the Council shall first make proper provisions through the levy of sufficient General Taxes for the payment of the interest on and the retirement of the principal of the bonded indebtedness of the City, including, without limitation, the Bonds, subject to the limitation imposed by NRS §§ 354.59811, 354.59813, 354.59815, 354.5982 and 361.453, and Section 2, art. 10, State Constitution, and the amount of money necessary for this purpose shall be a first charge against all such revenues received by the City.

**SECTION 31. Priorities for Bonds.** In any year in which the total General Taxes levied against the property in the City by all overlapping units within the boundaries of the City exceeds the limitation imposed by NRS § 361.453, or a lesser or greater amount fixed by the State Board of Examiners in any fiscal year, and it becomes necessary by reason thereof to reduce the levies made by any and all such units, the reductions so made shall be in General Taxes levied by such unit or units (including, without limitation, the City and the State) for purposes other than the payment of their bonded indebtedness, including interest thereon. The General Taxes levied for the payment of such bonded indebtedness and the interest thereon shall always enjoy a priority over General Taxes levied by each such unit (including, without limitation, the City and the State) for all

other purposes where reduction is necessary in order to comply with the limitations of NRS §§ 361.453, 354.59811, 354.59813 and 354.5982.

SECTION 32. **Correlation of Levies.** Such General Taxes shall be levied and collected in the same manner and at the same time as other taxes are levied and collected, and the proceeds thereof for the Bonds herein authorized shall be kept in the Medium-Term Debt Service Fund, which accounts shall be used for no other purpose than the payment of principal and interest, respectively, as the same fall due.

SECTION 33. **Use of General Fund.** Any sums becoming due on the Bonds at any time when there are on hand from such General Taxes (and any other legally available moneys) insufficient funds to pay the same shall be promptly paid when due from general funds on hand belonging to the City, reimbursement to be made for such general funds in the amounts so advanced when the General Taxes herein provided for have been collected, pursuant to § 350.596, Bond Act.

SECTION 34. **Use of Other Funds.** Nothing in this Ordinance prevents the City from applying any funds (other than General Taxes) that may be available for that purpose to the payment of the Bond Requirements as the same, respectively, mature, and upon such payments, the levy or levies herein provided may thereupon to that extent be diminished, pursuant to § 350.598, Bond Act.

SECTION 35. **Legislative Duties.** In accordance with § 350.592, Bond Act, it shall be the duty of the Council annually, at the time and in the manner provided by law for levying other General Taxes of the City, if such action shall be necessary to effectuate the provisions of this Ordinance, to ratify and carry out the provisions hereof with reference to the levy and collection of General Taxes; and the Council shall require the officers of the City to levy, extend and collect such General Taxes in the manner provided by law for the purpose of creating funds for the payment of the principal of the Bonds and the interest thereon. Such General Taxes, when collected shall be kept for and applied only to the payment of the principal of and the interest on the Bonds as hereinbefore specified.

SECTION 36. **Appropriation of General Taxes.** In accordance with § 350.602, Bond Act, there is hereby specially appropriated the proceeds of such General Taxes to the payment of such principal of and interest on the Bonds; and such appropriations will not be repealed nor the

General Taxes postponed or diminished (except as herein otherwise expressly provided) until the Bond Requirements the Bonds have been wholly paid or provided for.

SECTION 37. **Protective Covenants.** The City covenants and agrees with each and every owner from time to time of the Bonds, that:

- A. The Project shall be completed without delay; and
- B. The City will make the principal and interest payments on the Bonds at the place, on the date, and in the manner specified according to the true intent and meaning hereof.

SECTION 38. **Tax Covenant.** The City covenants for the benefit of the 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 § 103 of the Tax Code, or (ii) would cause interest on the Bonds to lose its exclusion from alternative minimum taxable income as defined in § 55(b)(2) of the Tax Code except to the extent such interest is required to be included in the adjusted current earnings adjustment applicable to corporations under § 56 of the Tax 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 Tax Code have been met.

SECTION 39. **Defeasance.** When all Bond Requirements of any Bond has been duly paid, the pledge, the lien, and all obligations hereunder shall thereby be discharged as to that Bond and the Bond shall no longer be deemed to be outstanding within the meaning of this Ordinance. There shall be deemed to be such due payment when the City has placed in escrow or in trust with a trust bank located within or without the State, an amount sufficient (including the known minimum yield available for such purpose from bills, certificates of indebtedness, notes, bonds or similar securities which are direct obligations of, or the principal of and interest on which are unconditionally guaranteed by the United States ("Federal Securities") in which such amount may be initially invested wholly or in part) to meet all Bond Requirements of the Bond, as the same become due. The Federal Securities shall become due before the respective times on which the proceeds

thereof shall be needed, in accordance with a schedule established and agreed upon between the City and the bank at the time of the creation of the escrow or trust, or the Federal Securities shall be subject to redemption at the option of the holders thereof to assure availability as needed to meet the schedule. For the purpose of this section "Federal Securities" shall include only Federal Securities which are not callable for redemption prior to their maturities except at the option of the owner thereof.

SECTION 40. **Continuing Disclosure Undertaking.** The City covenants for the benefit of the holders and beneficial owners of the Bonds to comply with the provisions of the final Continuing Disclosure Certificate in substantially the form now on file with the Clerk and is hereby authorized to be executed by the Treasurer and delivered in connection with the delivery of the Bonds.

SECTION 41. **Replacement of Registrar or Paying Agent.** 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 owner of any Bond 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 serve as both Registrar and Paying Agent hereunder, but the City shall have the right to have the same institution serve as both Registrar and Paying Agent.

SECTION 42. **Delegated Powers.** The officers and employees of the City are hereby authorized and directed to take all action necessary or appropriate to effectuate the provisions of this Ordinance, including, without limitation:

A. The printing of the Bonds, including, without limitation, and if appropriate, a statement of insurance, if any;

B. The execution of such certificates as may be reasonably required by the Purchaser, relating, inter alia,

(1) the signing of the Bonds and the Depository  
Trust Company Letter of Representations,

(2) the tenure and identity the officials of the City,

(3) the assessed valuation of the taxable property in and the indebtedness of the City,

(4) the rate of General Taxes levied against taxable property in the City,

(5) the exclusion from gross income for federal income tax purposes of interest on the Bonds,

(6) the delivery of the Bonds and the receipt of the Bond purchase price,

(7) the accuracy and completeness of any information provided in connection with the Bonds, including information contained in the preliminary and final official statements for the Bonds,

(8) if it is in accordance with the fact, the absence of litigation, pending or threatened, affecting the validity of the Bonds; and

C. The assembly and dissemination of financial and other information concerning the City and the Bonds.

**SECTION 43. Ordinance Irrepealable.** After any of the Bonds are issued, this Ordinance shall constitute an irrevocable contract between the City and the owner or owners of the Bonds; and this Ordinance, if any Bonds are in fact issued, shall be and shall remain irrepealable until the Bonds, as to all Bond Requirements, shall be fully paid, canceled and discharged, as herein provided.

**SECTION 44. Implied Repealer.** All ordinances, resolution bylaws and orders, or parts thereof, inconsistent herewith are hereby repealed to the extent only of such inconsistency. This repealer shall not be construed to revive any ordinance, resolutions, bylaw or order, or part hereof, heretofore repealed.

**SECTION 45. Publication of Proposed Ordinance.** When first proposed, this Ordinance must be read to the Council by title and referred to a committee for consideration, after which an adequate number of copies of this Ordinance must be deposited with the City Clerk for

public examination and distribution upon request. Notice of the deposit must be published once in a newspaper printed and published in the City at least 10 days before the adoption of the ordinance, such publication to be in substantially the following form:

(Form for Publication of Notice of Deposit of an Ordinance)

**BILL NO.** \_\_\_\_\_

**AN ORDINANCE DESIGNATED BY THE SHORT TITLE "2001 MEDIUM-TERM PUBLIC SAFETY BOND ORDINANCE"; PROVIDING FOR THE ISSUANCE BY THE CITY OF LAS VEGAS OF ITS GENERAL OBLIGATION (LIMITED TAX) MEDIUM-TERM PUBLIC SAFETY BONDS, SERIES 2001, FOR THE PURPOSE OF ACQUIRING, CONSTRUCTING AND IMPROVING A FIRE PROTECTION PROJECT FOR THE CITY; PROVIDING COVENANTS, AGREEMENTS AND OTHER DETAILS CONCERNING THE BONDS, THE PROJECT AND GENERAL TAX PROCEEDS; PROVIDING OTHER MATTERS RELATING THERETO.**

**PUBLIC NOTICE IS HEREBY GIVEN**, that an adequate number of typewritten copies of the above 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 February 7, 2001, and will be considered for adoption at a regular meeting of the City Council of the City of Las Vegas on February 21, 2001.

/s/ Barbara Jo Ronemus  
City Clerk

(End of Form for Publication)

Section 46. **Effective Date.** This Ordinance shall be in effect on the day after its publication as hereinafter provided, and after this Ordinance is signed by the Mayor and attested by the Clerk, this Ordinance shall be published by 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 printed, published and of general circulation in the City, pursuant to the provisions of Section 2.110 of the Charter, such publication to be in substantially the following form:

(Form of Publication of Adoption of Ordinance)

**BILL NO.**

**ORDINANCE NO.**

**(of the City of Las Vegas, Nevada)**

**AN ORDINANCE DESIGNATED BY THE SHORT TITLE "2001 MEDIUM-TERM PUBLIC SAFETY BOND ORDINANCE"; PROVIDING FOR THE ISSUANCE BY THE CITY OF LAS VEGAS OF ITS GENERAL OBLIGATION (LIMITED TAX) MEDIUM-TERM PUBLIC SAFETY BONDS, SERIES 2001, FOR THE PURPOSE OF ACQUIRING, CONSTRUCTING AND IMPROVING A FIRE PROTECTION PROJECT FOR THE CITY; PROVIDING COVENANTS, AGREEMENTS AND OTHER DETAILS CONCERNING THE BONDS, THE PROJECT AND GENERAL TAX PROCEEDS; PROVIDING OTHER MATTERS RELATING THERETO.**

PUBLIC NOTICE IS HEREBY GIVEN, and that such Ordinance was proposed on February 7, 2001, and was passed and adopted at a meeting held on February 21, 2001, by the following vote of the City Council:

Those Voting Aye:

Oscar Goodman  
Michael J. McDonald  
Gary Reese  
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 February 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 February 21, 2001.

Attest:

/s/ Oscar Goodman  
Mayor

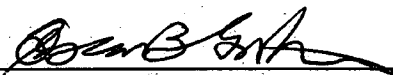
/s/ Barbara Jo Ronemus  
City Clerk

(End of Form of Publication)

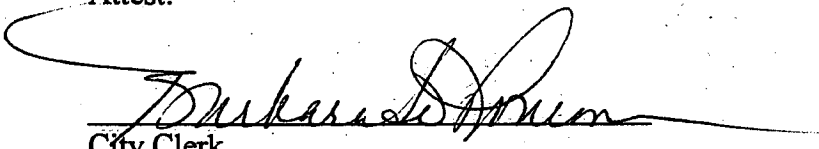
SECTION 47. Severability. If any section, paragraph, clause or provision of this Ordinance shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this Ordinance.

Adopted February 21, 2001.

(SEAL)

  
\_\_\_\_\_  
Mayor

Attest:

  
\_\_\_\_\_  
City Clerk

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

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

1. The foregoing pages constitute a true, correct, complete and compared copy of an ordinance which was introduced at the meeting of the Council on February 7, 2001 and finally adopted and approved on February 21, 2001.

2. The following members of the Council were present at the February 7, 2001 Council meeting:

|                   |                 |                        |
|-------------------|-----------------|------------------------|
| Those Voting Aye: | Mayor:          | Oscar Goodman          |
|                   | Councilmembers: | Gary Reese             |
|                   |                 | Michael J. McDonald    |
|                   |                 | Larry Brown            |
|                   |                 | Lynette Boggs-McDonald |
|                   |                 | Lawrence Weekly        |
|                   |                 | Michael Mack           |
| Those Voting Nay: |                 | NONE                   |
| Those Absent:     |                 | NONE                   |

3. The foregoing Ordinance was first proposed and read by title to the City Council on February 7, 2001, and referred to a committee composed of Councilmembers Weekly and Mack for recommendation; thereafter the said committee reported favorably on said Ordinance on February 21, 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 February 21, 2001 meeting and voted upon the adoption of the Ordinance as follows:

|                   |                 |                        |
|-------------------|-----------------|------------------------|
| Those Voting Aye: | Mayor:          | Oscar Goodman          |
|                   | Councilmembers: | 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 February 7, 2001 and February 21, 2001. Pursuant to § 241.020, Nevada Revised Statutes, written notice of the meetings was given no later than 9:00 a.m. on the third working day before the meetings including in the notice the time, place, location, and agenda of the meeting:

(a) By posting a copy of the notice by 9:00 a.m. at least three working days before the meetings 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

(3) other separate, prominent places within the jurisdiction of the Council, to wit:

- (i) Court Clerk's Office Bulletin Board  
City Hall Plaza  
Las Vegas, Nevada
- (ii) City Hall Plaza  
Special Outside Posting Bulletin Board  
Las Vegas, Nevada
- (iii) Senior Citizens Center  
Las Vegas, Nevada
- (iv) Clark County Government Center  
500 South Grand Central Parkway  
Las Vegas, Nevada

(v) Downtown Transportation Center  
Las Vegas, Nevada

and

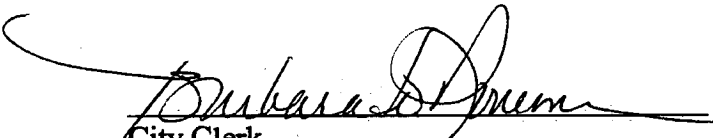
(b) By mailing a copy of the notice by 9:00 a.m. no later than three working days before the meetings to each person, if any, who has requested notice of the meetings of the Council in the same manner in which notice is required to be mailed to a member of the Council.

6. A copy of such notice so given of the meeting of the Council on February 7, 2001 is attached to this certificate as Exhibit A and a copy of the notice so given of the meeting of the Council on February 21, 2001 is attached to this certificate as Exhibit B.

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

IN WITNESS WHEREOF, I have hereunto set my hand on this February 21, 2001.

(SEAL)

  
City Clerk

**EXHIBIT A**

**(Attach Copy of Notice of February 7, 2001 Meeting)**

# CITY COUNCIL AGENDA

FEBRUARY 7, 2001  
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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)**

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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.

**FEBRUARY 7, 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 JON IERLEY, CELEBRATION UNITED METHODIST CHURCH
- PLEDGE OF ALLEGIANCE
- RECOGNITION OF THE CITIZEN OF THE MONTH
- ACKNOWLEDGEMENT OF BLACK HISTORY MONTH
- RECOGNITION OF HISPANIC COMMUNITY CENSUS OUTREACH
- SPECIAL PRESENTATION BY MAYOR GOODMAN

### **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 January 3, 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 Special Event Liquor License, Applicant: The Solidarity Generation Foundation, Inc., Location: 2900 Stewart Avenue, Date: February 24, 2001, Type: Special Event General, Event: Charitable Event - Carnival, Responsible Person in Charge: Anna Niezgoda - Ward 3 (Reese)
5. Approval of new Tavern Liquor License, Race Rock of Las Vegas, LLC, dba Race Rock, 495 Fremont Street, Race Rock Holdings, Inc., Mmbr, 100%, Andrew E. Newman, COB, Asst Secy, Lawrence M. Scott, 10%, Andrew E. Newman Trust, 31.7%, Andrew E. Newman, Trustee, Craig E. Tribus, Gen Mgr - Ward 3 (Reese)
6. Approval of new Package Liquor License subject to the provisions of the fire codes and Health Dept. regulations, Albertson's, Inc., dba Albertson's #6011, 1650 North Buffalo Drive, Kaye L. O'Riordan, Secy, John F. Boyd, Treas - Ward 4 (Brown)
7. Approval of Change of Ownership/Change of Business Name for a Beer/Wine/Cooler On-sale Liquor License, From: Tammy Vuu, dba Xinh Xinh Restaurant, Tammy Vuu, 100%, To: Can Quach, dba Xinh Xinh, 220 West Sahara Ave., Can N. Quach, 100% - Ward 3 (Reese)
8. Approval of Officer/Stockholder for a Beer/Wine/Cooler On-sale Liquor License, Chicago Joe's, Ltd., dba Chicago Joe's, 820 South 4th Street, Mary S. Collura, Secy, Treas, 40% - Ward 3 (Reese)
9. Approval of Manager for a Supper Club Liquor License, Buca (Nevada), Inc., dba Buca Di Beppo, 7690 West Lake Mead Blvd., Steven A. Peate, Mgr - Ward 4 (Brown)
10. Approval of Key Employee for a Beer/Wine/Cooler On-sale Liquor License, Pizza Hut of Las Vegas, dba Pizza Huts of Las Vegas #104001, 825 N. Rancho Dr.; Pizza Huts of Las Vegas #104011, 3001 W. Sahara Ave.; Pizza Huts of Las Vegas #104014, 7000 W. Charleston Blvd., Gary M. Egelin, Key Employee - Ward 1 (M. McDonald)
11. Approval of Officer for a Tavern Liquor License and a Non-restricted Gaming License subject to approval by the Nevada Gaming Commission, Arizona Charlie's, Inc., dba Arizona Charlie's Hotel & Casino, 740 South Decatur Blvd., Ronald P. Lurie, EVP, Asst Secy, Gen Mgr - Ward 1 (M. McDonald)
12. Approval of Change of Ownership/Change of Business Name for a Tavern Liquor License and a new Restricted Gaming License for 15 slots subject to Health Dept. regulations and approval by the Nevada Gaming Commission, From: Cassell-Friedman, Inc., dba King of Clubs, Richard F. Ferrara, Dir, Pres, Secy, Treas, 100%, To: Clavir, Inc., dba King of Clubs Tavern, 1401 North Decatur Blvd., Leslie M. Clavir, Dir, Pres, Secy, Treas, 100% - Ward 5 (Weekly)
13. Approval of Change of Business Name for a Tavern Liquor License and a Non-restricted Limited Gaming License for 35 slots, NSLN, Inc., dba From: Castaways Casino, To: Alibi Casino, 1690 North Decatur Blvd., Ronald T. Coury, Dir, Pres, 40%, Daniel T. Hughes, Dir, Secy, Treas, 40%, Arthur S. Coury, Dir, VP, 20% - Ward 5 (Weekly)
14. Approval of a Slot Operator Space Lease Location Restricted Gaming License for 15 slots subject to approval by the Nevada Gaming Commission, Cardivan Company db at Albertson's #6011, 1650 North Buffalo Drive - Ward 4 (Brown)

## FINANCE & BUSINESS SERVICES DEPARTMENT - CONSENT

15. Approval of a new Liquor Caterer License, Gustav International Chartered, dba Speidini Ristorante, 221 North Rampart Blvd., Suite 7136, Gustav E. Mauler, Dir, Pres, and Denise M. Mauler, 50% jointly as husband and wife, Paul C. Steelman, Dir, Treas, and Maryann T. Steelman, Dir, Secy, 50% jointly as husband and wife - Ward 2 (L.B. McDonald)
16. Approval of Change of Location for a Burglar Alarm License subject to the provisions of the fire codes, Ultimate Alarm, dba Ultimate Alarm, From: 3401 Sirius Ave., Suite 5, To: 6532 Alta Dr., Angel J. Yumart, Ptnr, 37 1/2 %, Idalberto Yumart, Ptnr, 37 1/2 %, David J. Montgomery, Ptnr, 25% - Ward 1 (M. McDonald)
17. Approval of a new Independent Massage Therapist License, Lucy Wojcik, dba Desert Escape, 5158 South Jones Blvd., Unit 108, Lucy M. Wojcik, 100% - (County)
18. Approval of a new Independent Massage Therapist License, Eunice Stets, dba Eunice Stets, 6220 Parsifal Place, Eunice K. Stets, 100% - Ward 1 (M. McDonald)
19. Approval of a new Independent Massage Therapist License, Brian Potter, dba Brian Potter, 1000 East Sahara Ave., Suite 108, Brian K. Potter, 100% - Ward 3 (Reese)
20. Approval of a new Independent Massage Therapist License, Merly P. Justice, dba Better Body & Soul, 4480 East Charleston Blvd., Merly P. Justice, 100% - Ward 3 (Reese)
21. Approval of a new Independent Massage Therapist License, Dan C. Williams, dba Dan C. Williams, 2325 Homeland Street, Daniel C. Williams, 100% - Ward 4 (Brown)
22. Approval of a new Independent Massage Therapist License, Larry Gloyd, dba Larry Gloyd, 2228 Steinke Lane, Larry A. Gloyd, 100% - Ward 6 (Mack)
23. Approval of Change of Location for an Independent Massage Therapist License subject to the provisions of the planning and fire codes, Hans Zimmer, dba Hands by Hans Massage Therapy, From: 8600 Starboard Drive, Unit 1020, To: 4480 East Charleston Blvd., Hans J. Zimmer, 100% - Ward 3 (Reese)
24. Approval of Change of Location for an Independent Massage Therapist License, Xiu Chun Qi, dba Xiu Chun Qi, From: 3909 West Sahara Ave., Suite 6, To: 3552 Wynn Road, Xiu Chun Qi, 100% - (County)
25. Approval of a new Locksmith License, Jeffrey Thomas Kelly, dba Guardian Locksmith Service, 7928 Thorne Pine Ave., Jeffrey T. Kelly, 100% - Ward 6 (Mack)
26. Approval of Change of Location for a Locksmith License, Vegas Valley Locking Systems, Inc., dba Vegas Valley Locking Systems, From: 2969 Highland Drive, To: 6207 Industrial Road, Bruce D. Gwin, Dir, Pres, Secy, Treas, 100% - (County)
27. Approval of Change of Location for a Locksmith License subject to the provisions of the planning and fire codes, Tere Shannon-Robertson, dba Keyman, From: 3001 East Charleston Blvd., Suite H, To: 3001 East Charleston, Suite A, Tere S. Robertson, 100% - Ward 3 (Reese)
28. Approval of Change of Ownership and Change of Business Name for a Martial Arts Instruction Business License, From: Thomas Griffin, dba International Martial Arts & Boxing of Las Vegas, Nevada, Thomas M. Griffin, 100%, To: Robb & Robb, dba Bird's Super Kids Karate, 450 South Buffalo Drive, Suite 111 - Ward 2 (L.B. McDonald)
29. Approval of a new Psychic Art and Science License, Lisa A. Fiocco, dba Lisa A. Fiocco, 6848 West Charleston Blvd., Lisa A. Fiocco, 100% - Ward 1 (M. McDonald)
30. Approval of the substitution of a subcontractor for Bid Number 01.1739.02-RC, Stewart Avenue Parking Garage - Department of Public Works - Award recommended to: Triple J Trenching - Ward 5 (Weekly)
31. Approval of award of Bid Number 010013-DAR, annual requirements contract for air filter service-Department of Field Operations- Award recommended to: AFC AIR FILTER & FIRE EQUIPMENT (Estimated annual amount of \$100,000 - General Fund)

## **FINANCE & BUSINESS SERVICES DEPARTMENT - CONSENT**

32. Approval of the rejection of bids and award of bid number 010031-TG, End Dump Trailer-Field Operations-Award recommended to: Blaine Equipment Company Inc. (\$29,570-Internal Service Fund)
33. Approval of the award of bid number 010033-TG, annual requirements contract for street light poles & masts-Department of Public Works-Award recommended to: Crescent Electric Supply Company (Estimated annual amount of \$300,000-General Fund)
34. Approval of revision number two to Purchase Order 209288(TG) for Firefighters Laboratory Medical Testing-Department of Fire & Rescue-Award recommended to: Associated Pathologists Labs (\$31,000-General Fund)
35. Approval of revision number one to purchase order number 209932, annual requirements contract for fire fighting tools and equipment-Department of Fire Services-Award recommended to: L.N. CURTIS & SONS (\$40,000-General Fund)
36. Approval of revision number one to purchase order number 209953, annual requirements contract for original equipment manufacturer parts-Department of Fire Services-Award recommended to: FIRST IN INC. (Estimated annual amount of \$40,000-General Fund)
37. Approval of the issuance of a purchase order for the purchase of two (2) LifePak 12 defibrillator/monitors with 3D biphasic technology (TG)-Department of Fire Services-Award recommended to: MEDTRONIC PHYSIO-CONTROL (\$40,777.34-General Fund)
38. Approval of award of Annual Requirements Contract Bid Number 010002-TC (Lot I), to furnish playground equipment; and to reject Lot II - Department of Field Operations - Award for Lot I recommended to: BOYCE RECREATION (\$60,000 - General Fund)
39. Approval of award of Annual Requirements Contract Bid Number 010021-TC, to furnish park amenities to the City of Las Vegas - Department of Field Operations - Award recommend to: Lot I - MIRACLE PLAYGROUND (\$20,000 - General Fund); Lot II through V - BOYCE RECREATION (\$24,000 - General Fund)
40. Preapproval of award for the purchase of asphalt and paving material for work to be performed on "H Street - Owens to Lake Mead, to the lowest responsible bidder; and approve the construction conflicts and contingency reserve set by Finance and Business Services - Field Operations (Engineers Estimate - \$90,000)

## **HUMAN RESOURCES DEPARTMENT - CONSENT**

41. Approval of Arthur Andersen Consultant Services to conduct an analysis of the City's health care coverage (\$35,000 - General Fund)

## **PUBLIC WORKS DEPARTMENT - CONSENT**

42. 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 28, and the Northeast Quarter (NE 1/4) of Section 29, T19S, R60E, M.D.M., located along Tropical Parkway, east of Bonita Vista Street; Durango Drive, north of Tropical Parkway; and Durango Drive "S" Curve alignment between Tropical Parkway and Centennial Parkway - Ward 6 (Mack)
43. Approval to appraise and purchase or condemn right-of-way and easement parcels for the Vegas Drive/Owens Avenue Improvements Project between Rancho Drive and I-15 Freeway (\$55,000 - Regional Transportation Commission and Clark County Regional Flood Control ) - Ward 5 (Weekly)

## **PUBLIC WORKS DEPARTMENT - CONSENT**

44. Approval of a Joint-Use Agreement with the State of Nevada, Department of Transportation that will allow use of State right-of-way for City of Las Vegas drainage facilities, as well as access to and maintenance of the facilities lying within the Southwest Quarter (SW 1/4) of Section 27, the Southeast Quarter (SE 1/4) of Section 28 and the Northeast Quarter (NE 1/4) of Section 33, T20S, R61E, M.D.M. along the east side of the I-15 Freeway, north of Alta Drive/Bonneville Avenue and on the south side of the I-15 Freeway between the I-15 Freeway and the Union Pacific Railroad main line tracks - Ward 5 (Weekly)
45. Approval of a Second Supplemental Interlocal Contract #236b to increase funding and reallocate line items for Gowan Road - US 95 to Decatur Boulevard (\$127,500 - Regional Transportation Commission) - Ward 6 (Mack)
46. Approval of a Third Supplemental Interlocal Contract #238c to increase total funding for Washington Avenue - Martin L. King Boulevard to I-15 (\$820,000 - Regional Transportation Commission) - Ward 5 (Weekly)
47. Approval of a Second Supplemental Interlocal Contract #296b to increase total project funding for Jones Boulevard - Rancho to Centennial Parkway (\$912,000 - Regional Transportation Commission) - Ward 6 (Mack)
48. Approval of a Supplemental Interlocal Contract to expand the scope of the project and increase total project funding for Sound Walls at I-15/Sahara Avenue and US 95/Ann Road (\$100,000 - Regional Transportation Commission) - Wards 1 and 6 (M. McDonald and Mack)
49. Approval of Contract Modification #2 with Wells Cargo, Inc. for additional work necessary to complete the Gowan Road - US 95 to Decatur Boulevard Project (\$270,000 - Regional Transportation Commission) - Wards 4 and 6 (Brown and Mack)
50. Approval of an Engineering Design Services Agreement with Montgomery Watson America, Inc. in conjunction with the Jones Boulevard Sewer from Centennial Parkway to Farm Road (\$180,000 - Sanitation Fund) - Ward 6 (Mack)
51. Approval of Interlocal Contracts with Clark County Sanitation District and Sewer Connection Agreements requested by Glen D. Hickey, owner (Southwest Corner of Haley Avenue and Tenaya Way) - (County)
52. Approval of an encroachment request from Kenneth J. Erlanger on behalf of Las Vegas Partners, LLC, owner (southwest corner of Garces Avenue and Casino Center Boulevard) - Ward 3 (Reese)

## **RESOLUTIONS - CONSENT**

53. R-11-2001 - Approval of a Resolution Making Provisional Order and Directing that Notice of Hearing thereon be given regarding: Special Improvement District No. 1482 - Gowan Road (Metro Park) from Hualapai Way to Jenson Street (\$101,170.79 - Levy Assessments) - Ward 4 (Brown)

## **REAL ESTATE COMMITTEE - CONSENT**

54. Approval authorizing staff to enter into negotiations with Lloyd M. Nelson to purchase Parcel Number 138-28-214-001, approximately .38 acres, located in the vicinity of Cimarron and Westcliff Drives - Ward 2 (L.B. McDonald)

## **DISCUSSION / ACTION ITEMS**

## **ADMINISTRATIVE - DISCUSSION**

55. Discussion and possible action concerning requested changes to the Operating Agreement between the City of Las Vegas and the YMCA (\$135,500 annually - General Fund)

## **ADMINISTRATIVE - DISCUSSION**

56. Discussion and possible ratification of Robert S. Genzer as Director of Planning & Development (\$97,000 + executive benefits - General Fund)
57. Discussion and possible action regarding potential impacts to the City's operating budget
58. Discussion and possible action to direct staff to enter into an agreement with Peccole Little League for the programming of fields, construction of a batting cage and other matters pertaining thereto at Rainbow Family Park - Ward 1 (M. McDonald)

## **BUSINESS DEVELOPMENT - DISCUSSION**

59. Discussion and possible action to approve the engagement of Urban Land Institute for services in conjunction with 100 South Grand Central Parkway (\$35,000 - Land Fund) - Ward 5 (Weekly)

## **CITY ATTORNEY - DISCUSSION**

60. Discussion and possible action to authorize the City Attorney to evaluate the filing of a lawsuit to enjoin the transportation of high level nuclear waste through Las Vegas to Yucca Mountain and to take any other appropriate legal action to protect the citizens of the City of Las Vegas from the transportation of high level nuclear waste
61. ABEYANCE ITEM - Discussion and possible action on Appeal of Work Card Denial: Held in Abeyance from January 17, 2001. Charles Edward Hipsak, 1399 S. Green Valley Parkway #621, Henderson, NV 89052
62. Discussion and possible action on Appeal of Work Card Denial: Adam Leslie Croom, 1724 Ryan, Las Vegas, NV 89101
63. Discussion and possible action on Appeal of Work Card Denial: Donald Russell Kelly Jr., 438 Don Pedro Circle, North Las Vegas, NV 89031
64. Discussion and possible action on Appeal of Work Card Denial: Rosemary Chirstina Payne, 2631 South Durango Drive #102, Las Vegas, NV 89117
65. Discussion and possible action on Appeal of Work Card Denial: Patsy Pitrello, 5815 West Oakey Boulevard, Las Vegas, NV 89146

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

66. Public hearing regarding the issuance of General Obligation (Limited Tax) Sewer and Flood Control Bonds (Additionally Secured by Pledged Revenues) in the maximum aggregate principal amount of \$55,000,000 for the purpose of financing improvements to the City's sewer and drainage system. Sewer portion to benefit entire city; flood control project to be located in Ward 5 (Weekly)
67. Public hearing regarding the issuance of General Obligation (Limited Tax) Golf Course Bonds (Additionally Secured by Pledged Revenues), Series 2001, in the amount of \$12,000,000, for the purpose of constructing a municipal golf course - Ward 4 (Brown)
68. Public hearing regarding the intent of the Las Vegas - Clark County Library District to seek Debt Management Commission approval and voter approval of a proposal to issue general obligations and levy a special elective tax (\$.0469) for library purposes

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

69. ABEYANCE ITEM - Discussion and possible action regarding Change of Ownership and Business Name for a Tavern Liquor License subject to the provisions of the fire codes and Health Dept. regulations, From: Ranger Building Corporation, dba Ranger Building Corporation, Jonna S. Foresta, Pres, Secy, Treas, Sigmund A. Rogich, Dir, Rogich Family Trust, 100%, Sigmund A. Rogich, Grantor, Trustee, To: D. Westwood, Inc., dba The Board Room, 2801 Westwood Drive, Ali Davari, Dir, Pres, Treas, 50%, Hassan Davari, Dir, Secy, 50% - Ward 3 (Reese)
70. Discussion and possible action regarding a Two-year Review for an Independent Massage Therapist License, Kathy Pearson Woods, dba Relax That Body, 6436 Plumcrest Road, Kathy P. Woods, 100% - Ward 6 (Mack)

## **LEISURE SERVICES DEPARTMENT - DISCUSSION**

71. Discussion and possible action on the 2001 Community Schools Report and a request for fee increases for Community Schools classes, Track Break, Safekey, and Kids Kamp programs

## **PLANNING & DEVELOPMENT DEPARTMENT - DISCUSSION**

72. Public hearing, discussion and possible action to ratify the Southern Nevada Regional Policy Plan

## **PUBLIC WORKS DEPARTMENT - DISCUSSION**

73. Report on the status of projects for the Environmental Division
74. Discussion and possible action on a request to install speed bumps on Saylor Way between Washington Boulevard and Carmen Boulevard (\$7,000 - Neighborhood Traffic Management Program) - Ward 5 (Weekly)

## **RESOLUTIONS - DISCUSSION**

75. R-12-2001 – Discussion and possible action regarding a Resolution supporting legislation that would allow for the extension of the terms of office for Municipal Court Judges

## **RECOMMENDING COMMITTEE REPORTS - DISCUSSION**

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

76. Bill No. 2001-5 – Provides for the removal and disposition of abandoned shopping carts. Sponsored by: Councilman Michael J. McDonald
77. Bill No. 2001-6 – Ordinance Creating Special Improvement District No. 808 (Summerlin Area) Sponsored By: Step Requirement
78. Bill No. 2001-7 – Levies Assessment regarding: Special Improvement District No. 808 (Summerlin Area) Sponsored By: Step Requirement

## **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.**

79. Bill No. 2001-8 – Allows for the expansion of certain types of nonconforming uses under limited circumstances.  
Sponsored by: Councilman Michael J. McDonald
80. Bill No. 2001-9 – Amends the Zoning Code to allow auto brokers as a conditional use in certain zoning districts.  
Proposed by: Bob Genzer, Acting Director of Planning and Development

## **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. 2001-10 - Bond ordinance providing for the issuance by the City of Las Vegas of its General Obligation (limited tax) Medium-Term Public Safety Bonds, Series 2001, in the amount of \$25,000,000, for the purpose of acquiring, constructing and improving fire protection projects of the City - Wards 2, 4 and 6 (L.B. McDonald, Brown and Mack)
82. Bill No. 2001-11 - Bond ordinance providing for the issuance by the City of Las Vegas of its General Obligation (Limited Tax) Golf Course Bonds (Additionally Secured by Pledged Revenues), Series 2001, in the amount of \$12,000,000, for the purpose of constructing a municipal golf course - Ward 4 (Brown)
83. Bill No. 2001-12 – Requires that a pawnbroker's description of pledged property contain manufacturer's as well as other inscribed markings of identification. Proposed by: Mark Vincent, Director of Finance and Business Services
84. Bill No. 2001-13 – Annexation No. A-0012-00(A) – Property Location: 330 feet east of Puli Road and 660 feet south of Lone Mountain Road; Petitioned By: Sierra Madre Visions; Acreage: Approximately 16.40 acres; Zoned: R-U (County Zoning), U (PCD) (City Equivalent). Sponsored by: Councilman Larry Brown
85. Bill No. 2001-14 – Replaces the Central Business District Overlay District with the Downtown Overlay District, and adopts design standards related thereto. Proposed by: Bob Genzer, Acting Director of Planning and Development
86. Bill No. 2001-15 – Amends the Zoning Code to establish standards for the placement and buffering of certain utility boxes and other utility installations. Sponsored by: Councilman Michael Mack
87. Bill No. 2001-16 – Transfers to the City's Zoning Code (Title 19A) various zoning provisions contained in Title 19. Proposed by: Bob Genzer, Acting Director of Planning and Development
88. Bill No. 2001-17 – Designates certain investigators of the Department of Fire and Rescue as peace officers. Proposed by: Virginia Valentine, City Manager
89. Bill No. 2001-18 - Bond ordinance providing for the issuance of General Obligation (Limited Tax) Sewer and Flood Control Bonds (Additionally Secured by Pledged Revenues) in the maximum aggregate principal amount of \$55,000,000 for the purpose of financing improvements to the City's sewer and drainage system. Sewer portion to benefit entire city; the flood control project to be located in Ward 5 (Weekly)

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

90. 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**

91. Public hearing on proposed local improvement district regarding: Special Improvement District No. 1473 - Ann Road (US-95 Freeway to Allen Lane) - (\$421,517.83 - Levy of Assessments Capital Projects Fund - Special Assessments) - Ward 6 (Mack)
92. Public hearing to consider the report of expenses to recover costs for abatement of dangerous building located at 1712 Lamplighter Lane. PROPERTY OWNER: MARIA DOLORES AND ROMEO J. FERRER - Ward 3 (Reese)
93. Public hearing to consider the report of expenses to recover costs for abatement of dangerous building located at 3520 Miramar Drive. PROPERTY OWNER: BERT GERALD - Ward 6 (Mack)
94. Public hearing to consider the report of expenses to recover costs for abatement of dangerous building located at 917 Hart Ave. PROPERTY OWNER: GLADYS L. REED - 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 - DISCUSSION**

95. DEVELOPMENT AGREEMENT - DA-0001-01 - TRIAD DEVELOPMENT, LIMITED LIABILITY COMPANY - Request for a review of a Development Agreement pertaining to a parcel of land located on the southeast corner of Village Center Circle and Trails Center Drive (APN: 138-19-811-004), Wards 2 and 4 (L.B. McDonald and Brown). Staff recommends APPROVAL
96. SITE DEVELOPMENT PLAN REVIEW - Z-0068-85(55) - CITY OF LAS VEGAS ON BEHALF OF SWISHER & HALL - Request for a Site Development Plan Review FOR A PROPOSED 32,983 SQUARE FOOT OFFICE BUILDING on the southeast corner of Peak Drive and Crimson Canyon Drive (APN: 138-15-310-010), C-PB (Planned Business Park) Zone, Ward 4 (Brown). The Planning Commission (6-0 vote) and staff recommend APPROVAL
97. VACATION - PUBLIC HEARING - VAC-0038-00 - JOHN MILK, LIMITED LIABILITY COMPANY - Petition for a Vacation to vacate a portion of the east half of Sunny Place, north of Bonanza Road, Ward 5 (Weekly). The Planning Commission (5-0 vote) and staff recommend APPROVAL
98. ABEYANCE ITEM - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - SD-0066-00 - CHURCH GOD CHRIST EBENEZER - Request for a Site Development Plan Review and a Waiver of the Required Landscaping FOR A PROPOSED 10,864 SQUARE FOOT ADDITION TO AN EXISTING CHURCH at 1072 West Bartlett Avenue (APN's: 139-21-510-162, 163, 204 and 205), R-2 (Medium-Low Density Residential) Zone, Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend APPROVAL

## **PLANNING & DEVELOPMENT DEPARTMENT – DISCUSSION**

99. **SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - Z-0026-92(4) - LAS VEGAS VALLEY WATER DISTRICT** - Request for a Site Development Plan Review of the Master Plan FOR A PROPOSED PUBLIC USE FACILITY (LAS VEGAS SPRINGS PRESERVE), INCLUDING APPROXIMATELY 266,100 SQUARE FEET OF BUILDING AREA FOR A VISITOR CENTER, INTERPRETIVE CENTER, MUSEUM, RESEARCH AREA, GARDEN SUPPORT, AND ADMINISTRATIVE OFFICES, on 175.58 acres located on the east side of Valley View Boulevard, between Alta Drive on the south and the US 95 Highway on the north (APN: 139-29-401-001, 139-30-804-001, 139-32-101-001, 139-31-602-003 and 004), C-V (Civic) Zone, Ward 1 (M. McDonald). The Planning Commission (4-0-1 vote) and staff recommend APPROVAL
100. **ABEYANCE ITEM - REQUIRED REVIEW - PUBLIC HEARING - Z-0100-97(2) - CITY OF LAS VEGAS** - Required Review for 13 EXISTING OFF-PREMISE ADVERTISING (BILLBOARD) SIGNS on property bounded by U.S.-95, I-15, and Grand Central Parkway (APN: 139-33-710-001, 139-33-610-002, 139-33-511-002, and 139-33-410-002), PD (Planned Development) Zone, Ward 5 (Weekly). The Planning Commission (5-0-2 vote) and staff recommend APPROVAL
101. **REQUIRED TWO YEAR REVIEW - SPECIAL USE PERMIT - PUBLIC HEARING - U-0109-98(1) - OXFORD TECHNOLOGY, INC. ON BEHALF OF PACIFIC BELL MOBILE SERVICES** - Required Two Year Review on an approved Special Use Permit at 2310 Las Vegas Boulevard South (APN: 162-04-813-069) which allowed a 50 foot high communication tower, R-4 (High Density Residential) Zone under Resolution of Intent to C-2 (General Commercial), Ward 3 (Reese). Staff recommends DENIAL. The Planning Commission (4-0-1 vote) recommends APPROVAL
102. **REQUIRED TWO YEAR REVIEW - REZONING - PUBLIC HEARING - Z-0095-91(3) - BUREAU OF LAND MANAGEMENT** - Required Two Year Review on an approved Review of Condition for 20 acres on the northwest corner of the intersection of Decatur Boulevard and Iron Mountain Road (APN: 125-01-701-001) which allowed the delay of the installation of the required landscaping, C-V (Civic) Zone, Ward 6 (Mack). The Planning Commission (5-0 vote) and staff recommend APPROVAL
103. **REQUIRED FIVE YEAR REVIEW - SPECIAL USE PERMIT - PUBLIC HEARING - U-0035-93(2) - FLETCHER JONES ON BEHALF OF LARSEN ELECTRIC SIGN COMPANY** - Required Five Year Review on an approved Special Use Permit on the southeast corner of the intersection of Rancho Drive and Ann Road (APN: 125-34-501-003) which allowed a 40 foot high, 12 foot 6 inch x 17 foot 6 inch off-premise advertising (billboard) sign, C-2 (General Commercial) Zone, Ward 6 (Mack). The Planning Commission (5-0 vote) and staff recommend APPROVAL
104. **SPECIAL USE PERMIT - PUBLIC HEARING - U-0192-00 - WILD WEST II, LIMITED LIABILITY COMPANY** - Request for a Special Use Permit FOR A PROPOSED RESTAURANT at 2650 Tenaya Way (APN: 138-15-710-024), C-PB (Planned Business Park) Zone, Ward 4 (Brown). The Planning Commission (5-0 vote) and staff recommend APPROVAL
105. **SPECIAL USE PERMIT - PUBLIC HEARING - U-0193-00 - GILDAY TRUST** - Request for a Special Use Permit FOR PACKAGED LIQUOR SALES IN CONJUNCTION WITH AN EXISTING CONVENIENCE STORE at 7010 West Charleston Boulevard (APN: 138-34-402-001), C-1 (Limited Commercial) Zone, Ward 1 (M. McDonald). The Planning Commission (5-0 vote) and staff recommend APPROVAL
106. **SPECIAL USE PERMIT - PUBLIC HEARING - U-0195-00 - SMITH-ENGLAND TRUST** - Request for a Special Use Permit FOR A 270-UNIT MULTI-FAMILY RESIDENTIAL DEVELOPMENT located at 440 Hoover Avenue (APN: 139-34-410-141 and 163), C-2 (General Commercial) Zone, Ward 5 (Weekly). The Planning Commission (5-0 vote) and staff recommend APPROVAL
107. **VACATION RELATED TO U-0195-00 - PUBLIC HEARING - VAC-0037-00 - SMITH-ENGLAND TRUST** - Request for a Petition to vacate the public sewer easement generally located between Las Vegas Boulevard and 4th Street, south of Hoover Avenue, Ward 5 (Weekly). The Planning Commission (5-0 vote) and staff recommend APPROVAL

## **PLANNING & DEVELOPMENT DEPARTMENT – DISCUSSION**

108. SITE DEVELOPMENT PLAN REVIEW RELATED TO U-0195-00 & VAC-0037-00 - PUBLIC HEARING - Z-0100-64(176) - SMITH-ENGLAND TRUST - Request for a Site Development Plan Review FOR A PROPOSED 120,330 SQUARE FOOT, 270 UNIT MIXED-USE MULTI-FAMILY RESIDENTIAL DEVELOPMENT; FOR A WAIVER OF THE DOWNTOWN CENTENNIAL PLAN STREETScape DESIGN AND LANDSCAPE STANDARDS; AND FOR A WAIVER OF THE OFF-STREET PARKING REQUIREMENTS on 0.70 acres located at 440 Hoover Avenue (APN:139-34-410-141 and 163), C-2 (General Commercial) Zone, Ward 5 (Weekly). The Planning Commission (5-0 vote) and staff recommend APPROVAL
109. REZONING - PUBLIC HEARING - Z-0108-00 - L. T. ENTERPRISES, LIMITED LIABILITY COMPANY - Request for a Rezoning FROM: R-E (Residence Estates) and C-2 (General Commercial) TO: C-1 (Limited Commercial) on 1.04 acres located on the west side of Leon Avenue, approximately 400 feet south of Alexander Road (APN: 138-12-110-020), PROPOSED USE: OFFICE, Ward 6 (Mack). The Planning Commission (5-0 vote) and staff recommend APPROVAL
110. GENERAL PLAN AMENDMENT - PUBLIC HEARING - GPA-0031-00 - JESUS AND DALIA SANCHEZ - Request to Amend a portion of the Southeast Sector of the General Plan FROM: L (Low Density Residential) TO: O (Office) on 0.15 acres at 2412 East Ogden Avenue (APN: 139-35-718-009), Ward 3 (Reese). The Planning Commission (5-0 vote) and staff recommend APPROVAL
111. REZONING RELATED TO GPA-0031-00 - PUBLIC HEARING - Z-0089-00 - JESUS AND DALIA SANCHEZ - Request for a Rezoning FROM: R-2 (Medium-Low Density Residential) TO: P-R (Professional Office and Parking) on 0.15 acres at 2412 East Ogden Avenue (APN: 139-35-718-009), PROPOSED USE: OFFICE, Ward 3 (Reese). The Planning Commission (5-0 vote) and staff recommend APPROVAL
112. GENERAL PLAN AMENDMENT - PUBLIC HEARING - GPA-0043-00 - CLARK COUNTY SCHOOL DISTRICT - Request to Amend a portion of the Southeast Sector of the General Plan FROM: P (Park) TO: PF (Public Facility) of 13.65 Acres on the southwest corner of 28th Street and Stewart Avenue, (APN's: 139-36-302-001 and 002), Ward 3 (Reese). Staff recommends APPROVAL. The Planning Commission (4-0-2 vote) failed to obtain a super-majority vote on a motion for approval which is tantamount to DENIAL
113. SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-0043-00 - PUBLIC HEARING - SD-0071-00 - CLARK COUNTY SCHOOL DISTRICT - Request for a Site Development Plan Review FOR A PROPOSED 62,500 SQUARE FOOT ELEMENTARY SCHOOL AND 4.5 ACRE CITY PARK on 13.65 acres at the southwest corner of the intersection of Stewart Avenue and 28th Street (APN: 139-36-302-001 and 002), C-V (Civic) Zone, Ward 3 (Reese). The Planning Commission (4-0-2 vote) and staff recommend APPROVAL
114. 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.

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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**

**(Attach Copy of Notice of February 21, 2001 Meeting)**

# CITY COUNCIL AGENDA

FEBRUARY 21, 2001  
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*(Bills eligible for adoption at this meeting)*

Recommending Committee Reports Pg 8  
*(Bills eligible for adoption at a later meeting)*

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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)**

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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.

**FEBRUARY 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 CATHY GRIMES, FIRST CHRISTIAN CHURCH
- PLEDGE OF ALLEGIANCE
- EMPLOYEE OF THE MONTH
- RECOGNITION OF READING ACROSS AMERICA
- PROCLAMATION FOR TAXI DRIVER AWARENESS DAY
- PRESENTATION OF MEDAL OF HONOR

### **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 January 17, 2001 and Special City Council Meeting (Strategic Planning Session) of January 29, 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. Acceptance of a report by the City Treasurer of the January 30, 2001 sale of properties subject to the lien of a delinquent assessment in certain districts
5. Approval of a new Child Care Center/Preschool subject to the provisions of the fire and planning codes, Health Dept. and Licensing regulations, Maria Estela Saenz, dba Montessori and Child Care of Nevada, Inc., 2300 Canosa Avenue, Maria E. Saenz, Owner, 100% - Ward 3 (Reese)
6. Approval of a new Family Child Care Home License, Lena Kerr, dba Lena Kerr, 6717 Accent Court, Lena Kerr, 100% - Ward 6 (Mack)
7. Approval of a new Family Child Care Home License, Jayantha Wickramatillake, dba Montessori House of Children, 125 Clifton Heights Drive, Jayantha Wickramatillake, 100% - Ward 2 (L.B. McDonald)
8. Approval of Change of Licensee/License Holder, Calvary Church Day Care Center, 2929 Cedar Avenue, From: Elaine Brown, Dir, To: Donald Polaski, Administrator - Ward 3 (Reese)
9. Approval of Change of Licensee/License Holder, Bright Horizons Family Solutions, dba Citibank Child Care Center, 2720 Crystal Water Way, From: Marguerite Sallee, Pres, CEO, Dave Gleason, VP, To: Richard Garceau, Regional Mgr - Ward 2 (L.B. McDonald)
10. Approval of Change of Licensee/License Holder, Nevada Association of Latin America (NALA), 323 North Maryland Pkwy, From: Zulliete Franco, Pres, To: Charlotte Eason, Center Dir, Roberta Prince, Dir of Finance - Ward 5 (Weekly)
11. Approval of a new Child Care Center/Nursery/Preschool/III Children's Center subject to the provisions of the fire and planning codes, Health Dept. and Licensing regulations, Children's Choice Nevada Corporation, dba Children's Choice Learning Center, 2750 South Rancho Drive, Cheryl Smith, Licensee/License Holder, Pres of Center Operations, Frances Jackson VP of Center Operations - Ward 1 (M. McDonald)
12. Approval of a new Family Child Care Home License, Cynthia Smith, 7713 Beach Falls Court, Cynthia Smith, 100% - Ward 6 (Mack)
13. Approval of Corporate Restructuring, Southwest Ambulance - Las Vegas, Inc., dba Southwest Ambulance, 4640 Arville Street, Suite G, From: Sharon K. Henry, Dir, Pres, 9.95%, John R. Wilson, Dir, Treas, 9.95%, William R. Crowell, Dir, Secy, Barry D. Landon, Dir, Patrick E. Cantelme, 16%, Rural/Metro of Nevada, Inc., 64.1%, Barry D. Landon, Pres, William Crowell, Secy, Treas, Rural/Metro Corporation, a publicly traded corporation, 100%, Barry D. Landon, Regional Pres, Southwest Division, William Crowell, SVP, Finance, To: Sharon K. Henry, Dir, Pres, 9.95%, John R. Wilson, Dir, Treas, Asst Secy, 9.95%, Robert E. Ramsey, Jr., Dir, Secy, Patrick E. Cantelme, Dir, Rural/Metro of Nevada, Inc., 80.1%, Robert E. Ramsey, Dir, Pres, Patrick E. Cantelme, Dir, Secy, Treas, SWA, LLC, 100%, Robert E. Ramsey, Jr., Mgr, Mmbr, 95%, Patrick E. Cantelme, Mgr, Mmbr, 5% - (County)
14. Approval of Change of Ownership for a Tavern Liquor License, From: E & M Enterprises, Inc., Murray L. Petersen, Dir, Pres, Secy, Treas, 100%, To: Lightman-Gourmet, LLC, dba The Gourmet Café, 330 South 3rd Street, Suite 100, Harold A. Lightman, Jr., Mmbr, 100% - Ward 3 (Reese)

## FINANCE & BUSINESS SERVICES DEPARTMENT - CONSENT

15. Approval of Manager for a Package Liquor License, Longs Drug Stores California, Inc., dba Longs Drug Store #409, 1950 Village Center Circle, William G. Maihen, Asst Mgr - Ward 4 (Brown)
16. Approval of Manager for a Package Liquor License, Costco Wholesale Corporation, dba Costco Wholesale, 222 South Martin L. King Blvd., Thomas G. Burba, Gen Mgr - Ward 5 (Weekly)
17. Approval of Manager for a Package Liquor License, Longs Drug Stores California, Inc., dba Longs Drug Store #406, 9430 Del Webb Blvd., Antonio F. Ruiz, II, Asst Mgr - Ward 4 (Brown)
18. Approval of Change of Business Name for a Tavern Liquor License and a Restricted Gaming License for 15 slots, Gaggly, Inc., dba From: Kooter's Klub, To: Gino's II, 1511 South Main Street, Gene Gagliardi, Pres, Secy, Treas, 100% - Ward 3 (Reese)
19. Approval of Change of Location for an Independent Massage Therapist License subject to the provisions of the fire codes, Marion Sharp, dba Marion Sharp, From: 5650 West Charleston Blvd., Suite 9, To: 2213 Grier Woods Court, Marion C. Sharp, 100% - Ward 4 (Brown)
20. Approval of Change of Location for an Independent Massage Therapist License, Doug Stevens, dba Doug Stevens, From: 7310 Smoke Ranch Road, Suite M, To: 6345 South Pecos Road, #103, Douglas M. Stevens, 100% - (County)
21. Approval of Change of Location for an Independent Massage Therapist License, Brent Vanderpool, dba This Is It Massage, From: 600 Oakmont Drive, #3404, To: 3458 Pecos Way, Brent A. Vanderpool, 100% - (County)
22. Approval of a new Massage Establishment License, Rosemarie Arroyo, dba Chair Massage of Southern Nevada, 1 South Main Street, Rosemarie Arroyo, 100% - Ward 3 (Reese)
23. Approval of a new Massage Establishment, Deborah Kay Hooker, dba Amethyst Salon & Spa, 8871 West Sahara Ave., Suite 100, Deborah K. Hooker, 100% - Ward 2 (L.B. McDonald)
24. Approval of the issuance of a purchase order for a single purchase requirement for SCBA air packs, masks and cylinders for Fire Services personnel (JDF) - Department of Fire Services - Award recommended to: BAUER COMPRESSORS (Estimated amount of \$979,199.75 - Bond Proceeds)
25. Approval of award of Bid Number 01.1730.04-RC, Mesquite Avenue Sanitary Sewer Reconstruction; and approve the construction conflicts and contingency reserve set by Finance and Business Services - Department of Public Works - Award recommended to: INSITUFORM TECHNOLOGIES, INC. (\$529,855 - Sanitation Fund) - Wards 5 and 3 (Weekly and Reese)
26. Approval of the revision of the award to allow the usage of Western States Contracting Alliance (WSCA) Master Price Agreement #92-00151 to include HP Printers - Department of Information Technologies - Award recommended to: DELL MARKETING L.P. (Estimated amount of \$275,000 - General Fund)
27. Approval of authorization to use Clark County Bid Number 3728.96 (KF) for an Annual Requirements Contract for Cellular Telecommunications for the period December 1, 2000, through November 30, 2001, with one (1) one-year option to renew - Department of Information Technologies - Award recommended to: SOUTHWEST CO. WIRELESS, LIMITED PARTNERSHIP, DBA VERIZON WIRELESS (Estimated annual amount of \$200,000 - General & Communications Enterprise Funds)
28. Approval of Revision Number Two of Purchase Order Number 209991, annual requirements contract for firefighter turnout gear - Department of Fire Services - Award recommended to: FIRST IN, INC. (\$123,307.40 - General Fund)
29. Approval of award of Bid Number 010040-DAR, Annual Requirements Contract for Miscellaneous Lock Supplies - Department of Detention and Enforcement - Award recommended to: VARIOUS SUPPLIERS (Estimated annual aggregate amount of \$71,750 - General Fund)
30. Approval of award of bid number 010044-TC, for the purchase of : Lot I, a 1-Ton Flat Bed Truck and Lot II, a 1-Ton Cab and Chassis- Department of Field Operations - Award recommended to: Lot I - FRIENDLY FORD (\$32,000 - Capital Fund) and Lot II - ST. GEORGE FORD (\$21,000 - Capital Fund)

## **FINANCE & BUSINESS SERVICES DEPARTMENT - CONSENT**

31. 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

## **HUMAN RESOURCES DEPARTMENT - CONSENT**

32. Approval to transfer City Centre Development Corporation (CCDC) Senior Management Analyst position to Office of Business Development (\$75,917 - General Fund)
33. Approval to award the Large Case Management Contract for the self-funded medical insurance plan with GENEX (\$94,800 - Self-Insurance Internal Service Fund)

## **NEIGHBORHOOD SERVICES DEPARTMENT - CONSENT**

34. Approval of a First Amendment to the Amended HOME Investments Partnerships Agreement to Fund Nevada HAND, Inc for the development of Stewart Pines Apartments, located at 1351 Stewart Avenue, through \$150,000 in Federal HOME funds - Ward 5 (Weekly)
35. Approval of a Second Amendment to HOME Investments Partnerships Program Agreement to Fund Nevada HAND, Inc for the development of Stewart Pines Apartments, located at 1351 Stewart Avenue, through \$371,229 in State HOME Funds - Ward 5 (Weekly)

## **PUBLIC WORKS DEPARTMENT - CONSENT**

36. Approval of Interlocal Contract LAS17C01 for Construction of Phase II of the Las Vegas Wash - Rancho Drive System (Smoke Ranch Road to Peak Drive) - (\$3,456,000 - Regional Flood Control District) - Ward 4 (Brown)
37. Approval of Interlocal Contract LAS09P00 for construction engineering costs to place in service the Freeway Channel - Alta Drive to Sahara Avenue and Bypass Facility From Wall Street to Sahara (\$2,500,000 - Regional Flood Control District) - Wards 1 and 5 (M. McDonald and Weekly)
38. Approval of a Third Supplemental Interlocal Contract LAS09O99 for additional construction funding of the Freeway Channel - Alta Drive to Sahara Avenue and Bypass Facility From Wall Street to Sahara Avenue (\$4,540,000 - Regional Flood Control District) - Wards 1 and 5 (M. McDonald and Weekly)
39. Approval of a Sewer Refunding Agreement with Plaster Development Company for Stone Mountain (\$6,060 - Sanitation Funds) - Ward 6 (Mack)
40. Approval to appraise and purchase or condemn right-of-way parcels for the Rainbow Boulevard Improvements Project between Silverstream Avenue and Smoke Ranch Road, and between Rancho Drive and Centennial Parkway (\$1,100,000 - Regional Transportation Commission) - Wards 1, 2, 4, 5, and 6 (M. McDonald, L.B. McDonald, Brown, Weekly and Mack)
41. Approval of a Third Amendment to Professional Services Agreement with Primas & Associates for the design of Tenaya Way from Sky Pointe Drive to Azure Drive (\$55,000 - Regional Transportation Commission and \$95,000 - Street Improvement District - Total \$150,000) Ward 6 (Mack)
42. Approval of an Assessment District Agreement with Greengale Properties LLC, for future participation in a Special Improvement District to construct off-site improvements adjacent to the development located on the northeast corner of Tenaya Way and Haley Avenue (APN 125-22-601-001) - Ward 6 (Mack)
43. Approval of Interlocal Contract with Clark County Sanitation District and Sewer Connection Agreement requested by Catherine Ann Woolf, owner (Northwest corner of Rio Vista Street and Bath Avenue) - (County)

## **PUBLIC WORKS DEPARTMENT - CONSENT**

- 44. Approval of a Professional Services Agreement with Lucchesi Galati Architects for Architectural, Civil Engineering, and Landscape design services for Garehime Park located near the northwest corner of Gilmore Avenue and Campbell Road (\$181,250- Parks CIP Fund Balance) - Ward 4 (Brown)
- 45. Approval of an Engineering Design Services Agreement with CH2M Hill, Inc. in conjunction with the Torrey Pines Drive Sanitary Sewer from Tropical Parkway to Azure Drive (\$79,000 - Sanitation Fund) - Ward 6 (Mack)

## **RESOLUTIONS - CONSENT**

- 46. R-13-2001 - Approval of a Resolution supporting the Southern Nevada Regional Planning Coalition's request that the State of Nevada implement an annual diesel vehicle emission check or grant authority allowing local air quality agencies to implement a program
- 47. R-14-2001 - Approval of a Resolution amending Schedule 25-II, Schedule 25-III and Schedule 25-IV to change the speed limit to 40 mph on Durango Drive between US 95 and the north City limits - Ward 6 (Mack)
- 48. R-15-2001 - Approval of a Resolution amending Schedule 25-II to change the speed limit from 25 mph to 35 mph on Elkhorn Road between Tenaya Way and Buffalo Drive - Ward 6 (M. Mack)
- 49. R-16-2001 - Approval of a Resolution amending Schedule 25-III and Schedule 25-IV to change the speed limit from 40 mph to 45 mph on Carey Avenue between Comstock Drive and Martin Luther King Boulevard, and from 35 mph to 40 mph on Carey Avenue between Martin Luther King Boulevard and Revere Street - Ward 5 (Weekly)
- 50. R-17-2001 - Approval of a Resolution designating a \$750,000 Economic Development Initiative Grant for land acquisition for a downtown Las Vegas Metropolitan Police substation or another downtown development initiative - Ward 5 (Weekly)
- 51. R-18-2001 - Approval of a Resolution Determining the Cost and Directing the City Engineer to Prepare the Final Assessment Roll re: Special Improvement District No. 1475 - Westcliff Drive (Cimarron Road to Rainbow Boulevard) (\$52,003.45 - Capital Projects Fund - Special Assessments) - Ward 2 (L.B. McDonald)
- 52. R-19-2001 - Approval of a resolution fixing the time and place when complaints, protests, and objections to the final assessment roll will be heard for Special Improvement District No. 1475 - Westcliff Drive (Cimarron Road to Rainbow Boulevard) (\$52,003.45 - Capital Projects Fund - Levy Assessments) - Ward 2 (L.B. McDonald)
- 53. R-20-2001 - Approval of a Resolution Disposing of the Protests made at the hearing on the Provisional Order regarding: Special Improvement District No. 1473 - Ann Road (US-95 Freeway to Allen Lane) (\$421,517.83 - Capital Projects Fund - Special Assessments) - Ward 6 (Mack)

## **REAL ESTATE COMMITTEE - CONSENT**

- 54. Approval authorizing staff to enter into negotiations for a long-term lease agreement between the City of Las Vegas and Hispanic Association for Bilingual Literacy and Education (HABLE) for the creation of a family resource center at Harris Avenue and Manning Street - Ward 3 (Reese)
- 55. Approval of an amendment to the Property Disposition Policy to replace the words "Department of General Services" with the words "Department of Public Works" within the text of the Policy - All Wards
- 56. Approval of a Memorandum of Understanding (MOU) between the United States Department of Commerce International Trade Administration and the City of Las Vegas Office of Business Development detailing the "deal points" to be incorporated for a lease of office space located at 400 South Las Vegas Boulevard (Fifth Street School) - Ward 3 (Reese)

## **REAL ESTATE COMMITTEE - CONSENT**

57. Approval of a Temporary Encroachment Agreement between the City of Las Vegas and Four Queens, Inc. to allow for installation of a temporary portable antenna system at the public off-street parking facility located at 222 East Carson Avenue - Ward 3 (Reese)
58. Approval of an Easement between the City of Las Vegas and the Las Vegas Valley Water District for the purposes of providing water services to service the Charter School Development Foundation, located on Parcel Number 139-21-702-005 - Ward 5 (Weekly)
59. Approval of an Easement between the City of Las Vegas and the Las Vegas Valley Water District for ingress and egress for placement of a fire hydrant for the Charter School Development Foundation, located on Parcel Number 139-21-702-005 - Ward 5 (Weekly)
60. Approval authorizing staff to submit a letter to the Bureau of Land Management (BLM) relinquishing 15 acres of BLM leased land located at Tropical Parkway and Durango Drive in favor of the Clark County School District (CCSD) in exchange for 10 acres of CCSD land located in the vicinity of Redwood Street and Oakey Boulevard - Ward 6 (Mack)
61. Approval of designating the City-owned property, Parcel Number 139-36-603-001, located at the northwest corner of Stewart and Mojave Avenues, as the future site of the East Las Vegas Business/Incubator Center - Ward 3 (Reese)
62. Approval authorizing staff to enter into negotiations for a lease agreement with Lone Mountain Little League (LMLL) for a concession stand and approval for a 30 day temporary use of the concession stand located at Children's Memorial Park, 6601 West Gowan Road - Ward 6 (Mack)

## **DISCUSSION / ACTION ITEMS**

### **ADMINISTRATIVE - DISCUSSION**

63. Report and possible action on power de-regulation from the Southern Nevada Water Authority's General Manager and direct staff as deemed appropriate

### **CITY ATTORNEY - DISCUSSION**

64. Discussion and possible action on Appeal of Work Card Denial: Approved 2/16/00 subject to one year review: Mark Carver, 3415 Twilight Star Drive, Las Vegas, Nevada 89117
65. Discussion and possible action on Appeal of Work Card Denial: Joseph D. Hicks, 7717 Constanco #202, Las Vegas, Nevada 89128
66. Discussion and possible action on Appeal of Work Card Denial: Teonnie Malie Holmes, 3445 College View, Unit B, Las Vegas, Nevada 89030
67. Discussion and possible action on Appeal of Work Card Denial: Adriana V. Zier, 2419 Natalie Avenue, Las Vegas, Nevada 89121
68. Discussion and possible action on Appeal of Work Card Denial: Sheila Renia Washington, 1712 Yellow Rose Street, Las Vegas, Nevada 89108
69. Discussion and possible action on Appeal of Work Card Denial: Clayborn R. Ellis III, 8216 West Dolphin Bay Court, Las Vegas, Nevada 89128
70. Hearing, discussion and possible action regarding disciplinary complaint against Guixia He, dba Quality Massage, 3909 West Sahara Ave., Clark County, Nevada, for violations of Title 6 of the Las Vegas Municipal Code - Ward 1 (M. McDonald)

## **CITY ATTORNEY - DISCUSSION**

71. Hearing, discussion and possible action regarding disciplinary complaint against John A Bybel, dba Dylangers, Inc., aka Day & Night Convenience Store, 1451 West Owens Ave., Las Vegas, Clark County, Nevada for violations of Title 6 of the Las Vegas Municipal Code - Ward 5 (Weekly)

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

72. Discussion and possible action on the Fiscal Year 2002 Las Vegas Metropolitan Police Department Funding Apportionment
73. ABEYANCE ITEM - Discussion and possible action regarding Change of Ownership and Business Name for a Tavern Liquor License subject to the provisions of the fire codes and Health Dept. regulations, From: Ranger Building Corporation, dba Ranger Building Corporation, Jonna S. Foresta, Pres, Secy, Treas, Sigmund A. Rogich, Dir, Rogich Family Trust, 100%, Sigmund A. Rogich, Grantor, Trustee, To: D. Westwood, Inc., dba The Board Room, 2801 Westwood Drive, Ali Davari, Dir, Pres, Treas, 50%, Hassan Davari, Dir, Secy, 50% - Ward 3 (Reese)
74. Discussion and possible action regarding Temporary Approval of Change of Ownership/Location & Business Name for a Tavern Liquor License and a new Restricted Gaming License for 15 slots subject to the provisions of the fire codes and Health Dept. regulations and approval by the Nevada Gaming Commission, From: LVCI, dba Meadows Inn, 525 East Bonanza Rd. (Non-operational), Robert E. O'Connell, Dir, Pres and Mary A. O'Connell, Dir, Secy, Treas, 97% jointly as husband and wife, To: Tropics, LLC, dba Tropics Broiler & Bar, 1617 South Decatur Blvd., Kent K. Kananu, Mgr, Mmbr, 42.5%, Gregory N. Becker, Mgr, Mmbr, 42.5%, Nancy K. Dehler, Mmbr, 15% - Ward 1 (M. McDonald)
75. 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)
76. Discussion and possible action regarding a new Restricted Gaming License for 14 slots subject to approval by the Nevada Gaming Commission, Lightman-Gourmet, LLC, dba The Gourmet Café, 330 South 3rd Street, Suite 100, Harold A. Lightman, Jr., Mmbr, 100% - Ward 3 (Reese)

## **NEIGHBORHOOD SERVICES DEPARTMENT - DISCUSSION**

77. Discussion and possible action on Downtown Redevelopment Group I, LLC as the developer for the Mortgage Buydown Assistance for Home Ownership Downtown Las Vegas Project and expenditure of Redevelopment Set Aside Housing funds in the amount of \$440,000 - Ward 5 (Weekly)

## **PUBLIC WORKS DEPARTMENT - DISCUSSION**

78. ABEYANCE ITEM - Report on the status of projects for the Environmental Division of Public Works

## **BOARDS & COMMISSIONS - DISCUSSION**

79. COMMUNITY DEVELOPMENT RECOMMENDING BOARD (CDRB) – Clinton House – Term Expires 6-15-2001 (Resigned)
80. CONSERVATION DISTRICT OF SOUTHERN NEVADA (CDSN) BOARD – Dirick Van Gorp – Term Expires 3-17-2001

## **REAL ESTATE COMMITTEE - DISCUSSION**

81. Discussion and possible action to grant approval of staff entering into a Second Amendment with the University and Community College System of Nevada, Board of Regents to extend the start and completion dates for their ambulatory care facility and an educational, administrative and research facility located in the Technology Center - Ward 4 (Brown)

## **RECOMMENDING COMMITTEE REPORTS - DISCUSSION**

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

82. Bill No. 2001-8 – Allows for the expansion of certain types of nonconforming uses under limited circumstances. Sponsored by: Councilman Michael J. McDonald
83. Bill No. 2001-9 – Amends the Zoning Code to allow auto brokers as a conditional use in certain zoning districts. Proposed by: Bob Genzer, Acting Director of Planning and Development
84. Bill No. 2001-10 - Bond ordinance providing for the issuance by the City of Las Vegas of its General Obligation (limited tax) Medium-Term Public Safety Bonds, Series 2001, in the amount of \$25,000,000, for the purpose of acquiring, constructing and improving fire protection projects of the City – All Wards
85. Bill No. 2001-11 - Bond ordinance providing for the issuance by the City of Las Vegas of its General Obligation (Limited Tax) Golf Course Bonds (Additionally Secured by Pledged Revenues), Series 2001, in the amount of \$12,000,000, for the purpose of constructing a municipal golf course - Ward 4 (Brown)
86. Bill No. 2001-18 – Bond ordinance providing for the issuance of General Obligation (Limited Tax) Sewer and Flood Control Bonds (Additionally Secured by Pledged Revenues) in the maximum aggregate principal amount of \$55,000,000 for the purpose of financing improvements to the City's sewer and drainage system. Sewer portion to benefit entire city; the flood control project to be located in Ward 5 (Weekly)

### **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.**

87. Bill No. 2001-12 – Requires that a pawnbroker's description of pledged property contain manufacturer's as well as other inscribed markings of identification. Proposed by: Mark Vincent, Director of Finance and Business Services
88. Bill No. 2001-13 – Annexation No. A-0012-00(A) – Property Location: 330 feet east of Puli Road and 660 feet south of Lone Mountain Road; Petitioned By: Sierra Madre Visions; Acreage: Approximately 16.40 acres; Zoned: R-U (County Zoning), U (PCD) (City Equivalent). Sponsored by: Councilman Larry Brown
89. Bill No. 2001-14 – Replaces the Central Business District Overlay District with the Downtown Overlay District, and adopts design standards related thereto. Proposed by: Bob Genzer, Acting Director of Planning and Development
90. Bill No. 2001-15 – Amends the Zoning Code to establish standards for the placement and buffering of certain utility boxes and other utility installations. Sponsored by: Councilman Michael Mack
91. Bill No. 2001-16 – Transfers to the City's Zoning Code (Title 19A) various zoning provisions contained in Title 19. Proposed by: Bob Genzer, Acting Director of Planning and Development
92. Bill No. 2001-17 – Designates certain investigators of the Department of Fire and Rescue as peace officers. Proposed by: Virginia Valentine, City Manager

## **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.**

93. Bill No. 2001-19 – Ordinance Creating Special Improvement District No. 1473 - Ann Road (US-95 Freeway to Allen Lane) Sponsored by: Step Requirement
94. 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
95. 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
96. Bill No. 2001- 22 – Prohibits the operation of an escort bureau from a residential zone. Sponsored by: Councilwoman Lynette Boggs McDonald
97. Bill No. 2001-23 – Prohibits the operation of an outcall entertainment referral service business from a residential zone. Sponsored by: Councilwoman Lynette Boggs McDonald
98. Bill No. 2001-24 – Allows additional medical-related uses in the C-PB Zoning District. Sponsored by: Councilman Larry Brown
99. Bill No. 2001-25 – Revises the setback requirements for patio covers. Proposed by: Bob Genzer, Acting Director of Planning and Development
100. 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
101. Bill No. 2001-27 – Amends the Zoning Code to provide for the expiration of Site Development Plans. Sponsored by: Councilman Michael Mack

## **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 located at 4333 Fox Point Drive. PROPERTY OWNER: MISTY D. WELLS AND STEPHEN R. EBELING, JR. - Ward 6 (Mack)
104. Public hearing to consider the report of expenses to recover costs for abatement of dangerous building located at 2214 Fairfield Avenue. PROPERTY OWNER: HOUSE PARTNERSHIP - Ward 3 (Reese)
105. Public hearing to consider the report of expenses to recover costs for abatement of dangerous building located at 1302 Stewart Avenue. PROPERTY OWNER: HOME EQUITY SERVICES ASSOCIATES - 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.**

- 106.EXTENSION OF TIME - SPECIAL USE PERMIT - U-0139-95(6) - FARM & ALEXANDER PROPERTIES, LIMITED LIABILITY COMPANY - Request for a sixth Extension of Time for an approved Special Use Permit FOR A TAVERN IN CONJUNCTION WITH A PROPOSED RESTAURANT on the southwest corner of Farm Road and Cimarron Road (APN: 125-16-310-002), R-E (Residence Estates ) Zone under Resolution of Intent to C-1 (Limited Commercial), Ward 6 (Mack). The Planning Commission (6-0 vote) and staff recommend APPROVAL
- 107.EXTENSION OF TIME - SPECIAL USE PERMIT - U-0140-95(6) - FARM & ALEXANDER PROPERTIES, LIMITED LIABILITY COMPANY - Request for a sixth Extension of Time for an approved Special Use Permit FOR THE OFF-PREMISE SALE OF BEER AND WINE AND GASOLINE SALES IN CONJUNCTION WITH A PROPOSED CONVENIENCE STORE on the southwest corner of Farm Road and Cimarron Road (APN: 125-16-310-002), R-E (Residence Estates) Zone under Resolution of Intent to C-1 (Limited Commercial), Ward 6 (Mack). The Planning Commission (6-0 vote) and staff recommend APPROVAL
- 108.EXTENSION OF TIME - REZONING - Z-0069-99(1) - FARMANALI FAMILY TRUST - Request for an Extension of Time on an approved Rezoning FROM: R-E (Residence Estates) TO: R-PD3 (Residential Planned Development - 3 Units per Acre) on 9.76 Acres on the northwest corner of Elkhorn Road and Leon Avenue (APN: 125-13-402-009), Ward 6 (Mack). The Planning Commission (6-0 vote) and staff recommend APPROVAL

### **PLANNING & DEVELOPMENT DEPARTMENT – DISCUSSION**

- 109.SITE DEVELOPMENT PLAN REVIEW - Z-0033-97(19) - NEVADA ACQUISITIONS, LIMITED LIABILITY COMPANY, ET AL ON BEHALF OF WARMINGTON HOMES - Request for a Site Development Plan Review FOR A PROPOSED 349 UNIT MULTI-FAMILY RESIDENTIAL DEVELOPMENT on 21.38 Acres on the south side of Alexander Road, approximately 360 feet west of Hualapai Way (APN: 137-12-501-008), U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] under Resolution of Intent to PD (Planned Development), Ward 4 (Brown). The Planning Commission (5-0 vote) and staff recommend APPROVAL
- 110.SITE DEVELOPMENT PLAN REVIEW AND A WAIVER OF THE REQUIRED LANDSCAPING - SD-0075-00 - M W, LIMITED LIABILITY COMPANY - Appeal filed by Perlman Architects from Condition of Approval No. 3 (regarding landscape planters within the parking lot) imposed by the Planning Commission of a request by M W, Limited Liability Company for a Site Development Plan Review and a Waiver of the Required Landscaping FOR A PROPOSED 30,088 SQUARE FOOT WAREHOUSE BUILDING at 1220 South Commerce Street (APN: 162-04-506-003), M (Industrial) Zone, Ward 3 (Reese). Staff recommends that Condition No. 3 remain as imposed by the Planning Commission
- 111.AMENDMENT TO THE LONE MOUNTAIN MASTER PLAN - PUBLIC HEARING - Z-0033-97(20) - SOUTHWEST DESERT EQUITIES, ET AL, LIMITED LIABILITY COMPANY ON BEHALF OF WARMINGTON HOMES - Request to Amend The Lone Mountain Master Plan to reduce Parcel W FROM: 18 Acres TO: 3.2 Acres and to increase the adjacent development parcels accordingly, located along the Gilmore Road Alignment, between Hualapai Way and the Beltway (APN's: 137-12-501-003, 006, 010, 011, 012, 013, 137-12-601-001 and 014), Ward 4 (Brown). The Planning Commission (6-0 vote) and staff recommend APPROVAL

## PLANNING & DEVELOPMENT DEPARTMENT – DISCUSSION

112. REVIEW OF CONDITION - PUBLIC HEARING - Z-0024-99(17) - CITY OF LAS VEGAS - Review of Condition No. 3 for the Lone Mountain West Master Plan which required the applicant to provide more than 22.14 acres of open space, U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation], under Resolution of Intent to PD (Planned Development), APN's: Multiple, Ward 4 (Brown). Staff recommends that the applicant adhere to the open space requirements as shown in table 5, and also pay the residential in lieu of fees at a rate of \$.32 per square foot, not to exceed \$1,000.00 per unit
113. SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - SD-0076-00 - JAE SUN KIM ON BEHALF OF JOHN STALUPPI - Request for a Site Development Plan Review FOR A PROPOSED 25,932 SQUARE FOOT AUTO DEALERSHIP (RANCHO NISSAN) on the east side of Rancho Drive, approximately 700 feet north of Lone Mountain Road (APN: 125-35-401-003), C-2 (General Commercial), Ward 6 (Mack). The Planning Commission (6-0 vote) and staff recommend APPROVAL
114. AMENDMENT TO THE MASTER PLAN OF STREETS & HIGHWAYS - PUBLIC HEARING - MSH-0004-00 - GT 95 LIMITED LIABILITY COMPANY - Request to Amend the Master Plan of Streets and Highways to reduce the width of Grand Teton Road from a One-hundred Twenty Foot (120') wide Right-of-Way to a One-Hundred Foot (100') wide Right-of-Way, between US-95 and the Puli Road Alignment, Ward 6 (Mack). The Planning Commission (6-0 vote) and staff recommend APPROVAL
115. REQUIRED ONE YEAR REVIEW - VARIANCE - PUBLIC HEARING - V-0087-99(1) - TOM WIESNER ON BEHALF OF THE DRAFT HOUSE BAR AND CASINO - Required One Year Review on an approved Variance which allowed a 77 square foot addition to a legal, non-conforming sign at 4543 North Rancho Drive (APN: 138-02-202-014), C-2 (General Commercial) Zone, Ward 6 (Mack). The Hearings Officer and staff recommend APPROVAL
116. ABEYANCE ITEM - REQUIRED FIVE YEAR REVIEW - VARIANCE - PUBLIC HEARING - V-0164-95(1) - PAN PACIFIC RETAIL PROPERTIES - Required Five Year Review of an approved Variance which allowed an existing off-premise advertising (billboard) sign to be raised to 55 feet and to be relocated within 200 feet of a residential zone where 300 feet is the minimum separation required, on property located on the south side of Smoke Ranch Road, east of U.S. 95 (APN: 138-22-503-001), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial), Ward 6 (Mack). The Hearings Officer and staff recommend APPROVAL
117. REQUIRED FIVE YEAR REVIEW - VARIANCE - PUBLIC HEARING - V-0131-90(2) - RONALD AND ROSE RIEGER - Required Five Year Review on an approved Variance which allowed a 14 foot by 48 foot off-premise (billboard) sign to a height of 80 feet where 40 feet is the maximum height allowed at 1405 "A" Street (APN: 139-27-501-003), M (Industrial) Zone, Ward 5 (Weekly). The Hearings Officer and staff recommend APPROVAL
118. REQUIRED FIVE YEAR REVIEW - VARIANCE - PUBLIC HEARING - V-0184-95(1) - SUNDANCE PARTNERS, LIMITED LIABILITY COMPANY - Required Five Year Review of an approved Variance which allowed a 14 foot x 48 foot off-premise advertising (billboard) sign to be 144 feet from a residentially zoned property where 300 feet is the minimum separation distance required at 4851 East Bonanza Road (APN: 140-32-502-001), C-1 (Limited Commercial) Zone, Ward 3 (Reese). Staff recommends APPROVAL
119. VARIANCE - PUBLIC HEARING - V-0069-00 - LAND W, LIMITED LIABILITY COMPANY - Request for a Variance TO ALLOW TWO PROPOSED BUILDINGS TO BE LOCATED 10 FEET FROM A RESIDENTIAL PROPERTY LINE WHERE THE RESIDENTIAL ADJACENCY STANDARDS REQUIRE SETBACKS OF 63 FEET AND 68 FEET on the southwest corner of Lamb Boulevard and Washington Avenue (APN: 140-30-701-003), C-1 (Limited Commercial) Zone, Ward 3 (Reese). The Planning Commission (5-0-1 vote) and staff recommend DENIAL
120. SITE DEVELOPMENT PLAN REVIEW RELATED TO V-0069-00 - PUBLIC HEARING - Z-0010-69(1) - LAND W, LIMITED LIABILITY COMPANY - Request for a Site Development Plan Review and a Waiver of the Required Landscaping FOR A PROPOSED 14,635 SQUARE FOOT COMMERCIAL CENTER on the southwest corner of Lamb Boulevard and Washington Avenue (APN: 140-30-701-003), C-1 (Limited Commercial) Zone, Ward 3 (Reese). The Planning Commission (5-0-1 vote) and staff recommend DENIAL

## PLANNING & DEVELOPMENT DEPARTMENT – DISCUSSION

121. SPECIAL USE PERMIT RELATED TO V-0069-00 & Z-0010-69(1) - PUBLIC HEARING - U-0166-00 - LAND W, LIMITED LIABILITY COMPANY - Request for a Special Use Permit FOR THE SALE OF BEER AND WINE FOR OFF-PREMISE CONSUMPTION AND GASOLINE SALES IN CONJUNCTION WITH A PROPOSED CONVENIENCE STORE on the southwest corner of Lamb Boulevard and Washington Avenue (APN: 140-30-701-003), C-1 (Limited Commercial) Zone, Ward 3 (Reese). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL
122. SPECIAL USE PERMIT RELATED TO V-0069-00 & Z-0010-69(1) - PUBLIC HEARING - U-0201-00 - LAND W, LIMITED LIABILITY COMPANY - Appeal filed by Kummer Kaempfer Bonner & Renshaw from the Denial by the Planning Commission of a request by Land W, Limited Liability Company for a Special Use Permit FOR A PROPOSED AUTO PARTS (ACCESSORY SALES, SERVICE AND INSTALLATION) BUSINESS (DISCOUNT TIRE) on the southwest corner of Lamb Boulevard and Washington Avenue (APN: 140-30-701-003), C-1 (Limited Commercial) Zone, Ward 3 (Reese). The Planning Commission (5-0-1 vote) and staff recommend DENIAL
123. SPECIAL USE PERMIT RELATED TO V-0069-00 & Z-0010-69(1) - PUBLIC HEARING - U-0202-00 - LAND W, LIMITED LIABILITY COMPANY - Appeal filed by Kummer Kaempfer Bonner & Renshaw from the Denial by the Planning Commission of a request by Land W, Limited Liability Company for a Special Use Permit FOR A PROPOSED MINOR AUTO REPAIR FACILITY (MINI LUBE) on the southwest corner of Lamb Boulevard and Washington Avenue (APN: 140-30-701-003), C-1 (Limited Commercial) Zone, Ward 3 (Reese). The Planning Commission (5-0-1 vote) and staff recommend DENIAL
124. VARIANCE - PUBLIC HEARING - V-0081-00 - LAS VEGAS MEADOWS, LIMITED - Appeal filed by ET Consultants, Inc. from the Denial by the Planning Commission of a request by Las Vegas Meadows, Limited for a Variance TO ALLOW THE PLACEMENT OF EIGHT MOBILE/MANUFACTURED HOMES WITHIN AN EXISTING MOBILE HOME PARK FOR THE PURPOSE OF DISPLAY AND SALE WHERE ONLY ONE MODEL IS ALLOWED at 2900 South Valley View Boulevard (APN: 162-08-201-003), R-MHP (Residential-Mobile Home Park) Zone, Ward 1 (M. McDonald). The Hearings Officer and staff recommend DENIAL
125. VARIANCE - PUBLIC HEARING - V-0085-00 - TIMMY BARTUSEK - Appeal filed by Timmy Bartusek from the Denial by the Hearings Officer of his request for a Variance TO ALLOW AN EXISTING CARPORT 4 FEET 6 INCHES FROM THE FRONT PROPERTY LINE WHERE 20 FEET IS THE MINIMUM FRONT YARD SETBACK REQUIRED, AND 0 FEET FROM THE SIDE PROPERTY LINE WHERE 5 FEET IS THE MINIMUM SIDE YARD SETBACK REQUIRED AT 5909 Glen Eagles Lane (APN: 138-25-113-052), R-1 (Single Family Residential) Zone, Ward 5 (Weekly). The Hearings Officer and staff recommend DENIAL
126. REQUIRED REVIEW - SPECIAL USE PERMIT - PUBLIC HEARING - U-0152-98(2) - ALM CORPORATION - Required Review on an approved Special Use Permit which allowed package liquor sales in conjunction with a convenience store at the intersection of Vegas Drive and Rainbow Boulevard (APN: 138-23-401-005), Ward 5 (Weekly). Staff recommends APPROVAL
127. ABEYANCE ITEM - RESCIND PREVIOUS ACTION - REQUIRED ONE YEAR REVIEW - SPECIAL USE PERMIT - PUBLIC HEARING - U-0238-91(3) - UNION PACIFIC RAILROAD COMPANY ON BEHALF OF GENERAL OUTDOOR ADVERTISING COMPANY - Required One Year Review on an approved Special Use Permit which allowed a 14 foot x 48 foot off-premise advertising (billboard) sign on the south side of the Oran K. Gragson Highway (U.S. 95) between "F" Street and Main Street (APN: 139-27-401-025), M (Industrial) Zone, Ward 5 (Weekly). Staff has no recommendation for this item
128. ABEYANCE ITEM - REQUIRED ONE YEAR REVIEW - SPECIAL USE PERMIT - PUBLIC HEARING - U-0238-91(3) - UNION PACIFIC RAILROAD COMPANY ON BEHALF OF GENERAL OUTDOOR ADVERTISING COMPANY - Required One Year Review on an approved Special Use Permit which allowed a 14 foot x 48 foot off-premise advertising (billboard) sign on the south side of the Oran K. Gragson Highway (U.S. 95) between "F" Street and Main Street (APN: 139-27-401-025), M (Industrial) Zone, Ward 5 (Weekly). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL

## PLANNING & DEVELOPMENT DEPARTMENT – DISCUSSION

- 129.ABEYANCE ITEM - SPECIAL USE PERMIT - PUBLIC HEARING - U-0187-00 - CHARLES COLE - Request for a Special Use Permit and Site Development Plan Review FOR A PROPOSED 2,400 SQUARE FOOT CHILDCARE CENTER at 5611 North Cimarron Road (APN: 125-28-801-015), R-E (Residence Estates) Zone, Ward 6 (Mack). Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL
- 130.ABEYANCE ITEM - SPECIAL USE PERMIT - PUBLIC HEARING - U-0195-00 - SMITH-ENGLAND TRUST - Request for a Special Use Permit FOR A 270-UNIT MULTI-FAMILY RESIDENTIAL DEVELOPMENT located at 440 Hoover Avenue (APN: 139-34-410-141 and 163), C-2 (General Commercial) Zone, Ward 5 (Weekly). The Planning Commission (5-0 vote) and staff recommend APPROVAL
- 131.ABEYANCE ITEM - VACATION RELATED TO U-0195-00 - PUBLIC HEARING - VAC-0037-00 - SMITH-ENGLAND TRUST - Request for a Petition to vacate the public sewer easement generally located between Las Vegas Boulevard and 4th Street, south of Hoover Avenue, Ward 5 (Weekly). The Planning Commission (5-0 vote) and staff recommend APPROVAL
- 132.ABEYANCE ITEM - SITE DEVELOPMENT PLAN REVIEW RELATED TO U-0195-00 & VAC-0037-00 - PUBLIC HEARING - Z-0100-64(176) - SMITH-ENGLAND TRUST - Request for a Site Development Plan Review FOR A PROPOSED 120,330 SQUARE FOOT, 270 UNIT MIXED-USE MULTI-FAMILY RESIDENTIAL DEVELOPMENT; FOR A WAIVER OF THE DOWNTOWN CENTENNIAL PLAN STREETScape DESIGN AND LANDSCAPE STANDARDS; AND FOR A WAIVER OF THE OFF-STREET PARKING REQUIREMENTS on 0.70 acres located at 440 Hoover Avenue (APN:139-34-410-141 and 163), C-2 (General Commercial) Zone, Ward 5 (Weekly). The Planning Commission (5-0 vote) and staff recommend APPROVAL
- 133.SPECIAL USE PERMIT - PUBLIC HEARING - U-0139-00 - AMERICAN STORES PROPERTIES, INC. ON BEHALF OF ALBERTSON'S - Request for a Special Use Permit FOR THE SALE OF BEER AND WINE FOR OFF-PREMISE CONSUMPTION on the southeast corner of Bonanza Road and Lamb Boulevard (APN's: 140-32-101-001 and 002), C-1 (Limited Commercial) Zone, Ward 3 (Reese). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL
- 134.ABEYANCE ITEM - REZONING - PUBLIC HEARING - Z-0106-00 - MICHELAS, LIMITED LIABILITY COMPANY - Request for a Rezoning FROM: R-E (Residence Estates) TO: R-PD8 (Residential Planned Development - 8 Units Per Acre) of 20 Acres on the southeast corner of Iron Mountain Road and Fort Apache Road (APN: 125-08-101-001), PROPOSED USE: 159 LOT SINGLE FAMILY SUBDIVISION, Ward 6 (Mack). Staff recommends DENIAL. The Planning Commission (4-1-2 vote) recommends APPROVAL
- 135.ABEYANCE ITEM - SITE DEVELOPMENT PLAN REVIEW RELATED TO Z-0106-00 - PUBLIC HEARING - Z-0106-00(1) - MICHELAS, LIMITED LIABILITY COMPANY - Request for a Site Development Plan Review FOR A PROPOSED 159 LOT SINGLE-FAMILY RESIDENTIAL SUBDIVISION on the southeast corner of Iron Mountain Road and Fort Apache Road (APN: 125-08-101-001), R-E (Residence Estates) Zone PROPOSED: R-PD8 (Residential Planned Development - 8 Units Per Acre), Ward 6 (Mack). Staff recommends DENIAL. The Planning Commission (4-1-2 vote) recommends APPROVAL
- 136.REZONING - PUBLIC HEARING - Z-0113-00 - ELECTRICAL & UTILITY WORKERS REAL ESTATE CORPORATION - Request for a Rezoning FROM: R-E (Residence Estates) TO: C-1 (Limited Commercial) on the southeast corner of Leigon Way & Harris Avenue (APN's: 140-30-803-001 and 003), Ward 3 (Reese). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL
- 137.SITE DEVELOPMENT PLAN REVIEW RELATED TO Z-0113-00 - PUBLIC HEARING - Z-0113-00(1) - ELECTRICAL & UTILITY WORKERS REAL ESTATE CORPORATION - Request for a Site Development Plan Review FOR A PROPOSED 33 SPACE PARKING LOT on the east side of Leigon Way, approximately 450 feet south of Harris Avenue (APN's: 140-30-803-001 and 003), R-E (Residence Estates) Zone, PROPOSED: C-1 (Limited Commercial), Ward 3 (Reese). The Planning Commission (4-1-1 vote) and staff recommend DENIAL

## PLANNING & DEVELOPMENT DEPARTMENT – DISCUSSION

138. 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
139. 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
140. GENERAL PLAN AMENDMENT - PUBLIC HEARING - GPA-0035-00 - SCHNIPPEL FAMILY LIMITED PARTNERSHIP, ET AL ON BEHALF OF NEVADA H.A.N.D. - Request to Amend a portion of the Southeast Sector of the General Plan FROM: SC (Service Commercial) and ML (Medium-Low Density Residential) TO: H (High Density Residential) of 3.78 Acres on the north side of Bonanza Road, approximately 1,000 feet east of Sandhill Road (APN's: 140-30-802-001 and 002), Ward 3 (Reese). Staff recommends DENIAL, with a recommendation of Approval of an amended request to M (Medium Density Residential). The Planning Commission (6-0 vote) recommends APPROVAL with an amendment to M (Medium Density Residential)
141. REZONING RELATED TO GPA-0035-00 - PUBLIC HEARING - Z-0111-00 - SCHNIPPEL FAMILY LIMITED PARTNERSHIP, ET AL ON BEHALF OF NEVADA H.A.N.D. - Request for a Rezoning FROM: R-E (Residence Estates) under Resolution of Intent to C-1 (Limited Commercial) and R-E (Residence Estates) under Resolution of Intent to C-2 (General Commercial) TO: R-PD20 (Residential Planned Development - 20 Units per Acre); and a request for a Site Development Plan Review FOR A 72 UNIT SENIOR APARTMENT COMPLEX on 3.78 Acres on the north side of Bonanza Road, approximately 1,000 feet east of Sandhill Road (APN's: 140-30-802-001 and 002), Ward 3 (Reese). The Planning Commission (6-0 vote) and staff recommend APPROVAL
142. GENERAL PLAN AMENDMENT - PUBLIC HEARING - GPA-0036-00 - SAHARA WESTLAKE ASSOCIATES - Request to amend a portion of the Southeast Sector Map of the General Plan FROM: SC (Service Commercial) TO: GC (General Commercial) on the south side of Sahara Avenue, approximately 330 feet west of Arville Street (APN's: 162-07-101-008, 009 and 010), Ward 1 (M. McDonald). Staff recommends DENIAL. The Planning Commission (4-0-2 vote) failed to obtain a super-majority which is tantamount to DENIAL
143. REZONING RELATED TO GPA-0036-00 - PUBLIC HEARING - Z-0112-00 - SAHARA WESTLAKE ASSOCIATES - Request for a Rezoning FROM: C-1 (Limited Commercial) TO: C-2 (General Commercial) on the south side of Sahara Avenue, approximately 330 feet west of Arville Street (APN's: 162-07-101-008, 009 and 010), PROPOSED USE: NEW MOTORCYCLE DEALERSHIP, Ward 1 (M. McDonald). The Planning Commission (4-0-2 vote) and staff recommend DENIAL
144. GENERAL PLAN AMENDMENT - PUBLIC HEARING - GPA-0041-00 - CITY OF LAS VEGAS - Request to Amend a portion of the Northwest Sector Map of the General Plan From: P (Park) To: PF (Public Facility) on 12.1 acres on the northwest corner of the intersection of Whispering Sands Drive and Thom Boulevard (APN: 125-13-501-004), Ward 6 (Mack). Staff recommends APPROVAL. The Planning Commission (3-0 vote) failed to obtain a super-majority which is tantamount to DENIAL
145. REZONING RELATED TO GPA-0041-00 - PUBLIC HEARING - Z-0109-00 - CLARK COUNTY SCHOOL DISTRICT - Request for a Rezoning FROM: R-E (Residence Estates) TO: C-V (Civic) on 37.79 acres located on the northwest corner of the intersection of Whispering Sands Drive and the Thom Boulevard alignment (APN: 125-13-501-003 and 004), PROPOSED USE: ELEMENTARY SCHOOL, FIRE STATION, AND CITY PARK, Ward 6 (Mack). The Planning Commission (3-0 vote) and staff recommend APPROVAL

## PLANNING & DEVELOPMENT DEPARTMENT – DISCUSSION

146. SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-0041-00 & Z-0109-00 - PUBLIC HEARING - Z-0109-00(1) - CLARK COUNTY SCHOOL DISTRICT - Request for a Site Development Plan Review FOR A PROPOSED 62,500 SQUARE FOOT ELEMENTARY SCHOOL on 12.1 acres located on the northwest corner of the intersection of Whispering Sands Drive and the Thom Boulevard alignment (APN: 125-13-501-004), R-E (Residence Estates) Zone, [PROPOSED: C-V (Civic)], Ward 6 (Mack). The Planning Commission (3-0 vote) and staff recommend APPROVAL
147. GENERAL PLAN AMENDMENT - PUBLIC HEARING - GPA-0042-00 - CLARK COUNTY SCHOOL DISTRICT - Request to Amend a portion of the Southwest Sector of the General Plan FROM: P (Park) TO: PF (Public Facility) and FROM: PF (Public Facility) TO: P (Park) of 11.4 Acres on the northwest corner of Hyde Avenue and Torrey Pines Drive, (APN's: 138-35-111-002 and 003), Ward 1 (M. McDonald). Staff recommends APPROVAL. The Planning Commission (4-0-2 vote) failed to obtain a super-majority which is tantamount to DENIAL
148. REZONING RELATED TO GPA-0042-00 - PUBLIC HEARING - Z-0110-00 - CLARK COUNTY SCHOOL DISTRICT - Request for a Rezoning FROM: R-E (Residence Estates) TO: C-V (Civic) on approximately 13.5 acres located on the northwest corner of the intersection of Hyde Avenue and Torrey Pines Drive (APN: 138-35-111-002 and 003), PROPOSED USE: ELEMENTARY SCHOOL, Ward 1 (M. McDonald). The Planning Commission (4-0-2 vote) and staff recommend APPROVAL
149. SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-0042-00 & Z-0110-00 - PUBLIC HEARING - Z-0110-00(1) - CLARK COUNTY SCHOOL DISTRICT - Request for a Site Development Plan Review FOR A PROPOSED 62,500 SQUARE FOOT ELEMENTARY SCHOOL on approximately 13.5 acres located on the northwest corner of the intersection of Hyde Avenue and Torrey Pines Drive (APN: 138-35-111-002 and 003), R-E (Residence Estates) Zone [PROPOSED: C-V (Civic)], Ward 1 (M. McDonald). The Planning Commission (4-0-2 vote) and staff recommend APPROVAL
150. 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.

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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)**

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  
1593227

2296311LV

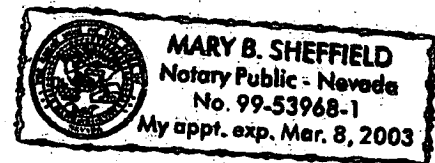
was continuously published in said Las Vegas Review Journal and/or Las Vegas Sun in 1 edition(s) of said newspaper issued from 02/09/01 to 02/09/2001, on the following days: FEB. 9, 2001

Signed: Donna Stark

SUBSCRIBED AND SWORN BEFORE ME THIS THE 9

day of February 2001

Mary B. Sheffield  
Notary Public



BILL NO. 2001-10

AN ORDINANCE DESIGNATED BY THE SHORT TITLE "2001 MEDIUM-TERM PUBLIC SAFETY BOND ORDINANCE"; PROVIDING FOR THE ISSUANCE BY THE CITY OF LAS VEGAS OF ITS GENERAL OBLIGATION (LIMITED TAX) MEDIUM-TERM PUBLIC SAFETY BONDS, SERIES 2001, FOR THE PURPOSE OF ACQUIRING, CONSTRUCTING AND IMPROVING A FIRE PROTECTION PROJECT FOR THE CITY; PROVIDING COVENANTS, AGREEMENTS AND OTHER DETAILS CONCERNING THE BONDS, THE PROJECT AND GENERAL TAX PROCEEDS; PROVIDING OTHER MATTERS RELATING THERETO.

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 East Stewart Avenue, Las Vegas, Nevada, and that such Ordinance was proposed on February 7, 2001, and will be considered for adoption at a regular meeting of the City Council of the City of Las Vegas on February 21, 2001.

/s/ Barbara Jo Ronemus  
City Clerk  
PUB: February 9, 2001  
LV Review Journal

## EXHIBIT D

(Attach Affidavit of Publication of Adoption of Bond Ordinance)

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RECEIVED  
CITY CLERK

2001 MAR -2 A 11: 30

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  
1609539

2296311LV

was continuously published in said Las Vegas Review Journal and/or Las Vegas Sun in 1 edition(s) of said newspaper issued from 02/24/01 to 02/24/2001, on the following days: FEB. 24, 2001

BILL NO.2001-10  
ORDINANCE NO. 5296  
AN ORDINANCE DESIGNATED BY THE SHORT TITLE: "2001 MEDIUM-TERM PUBLIC SAFETY BOND ORDINANCE"; PROVIDING FOR THE ISSUANCE BY THE CITY OF LAS VEGAS OF ITS GENERAL OBLIGATION (LIMITED TAX) MEDIUM-TERM PUBLIC SAFETY BONDS, SERIES 2001, FOR THE PURPOSE OF ACQUIRING, CONSTRUCTING AND IMPROVING A FIRE PROTECTION PROJECT FOR THE CITY; PROVIDING COVENANTS, AGREEMENTS AND OTHER DETAILS CONCERNING THE BONDS, THE PROJECT AND GENERAL TAX PROCEEDS; PROVIDING OTHER MATTERS RELATING THERETO.

PUBLIC NOTICE IS HEREBY GIVEN, and that such Ordinance was proposed on February 7, 2001, and was passed and adopted at a meeting held on February 21, 2001, by the following vote of the City Council:

Those Voting Aye:  
Oscar Goodman  
Michael J. McDonald  
Gary Reese  
Larry Brown  
Lynette Boggs-McDonald  
Lawrence Weekly  
Michael Mack  
Those Voting Nay: None  
Those Absent: None

This Ordinance shall be in full force and effect from and after the 25th day of February 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 February 21, 2001.

Attest:  
/s/ Oscar Goodman  
Mayor  
/s/ Barbara Jo Ronemus  
City Clerk  
PUB: February 24, 2001.  
LV Review-Journal

Signed: Donna Stark

SUBSCRIBED AND SWORN BEFORE ME THIS THE 26

day of February 2001

Mary B. Sheffield  
Notary Public.

