

Summary - An ordinance authorizing the issuance by the City of Las Vegas, Nevada, of its General Obligation (Limited Tax) Medium-Term Recreation Bonds (Centennial Hills Project), Series 2004C in the aggregate principal amount of not to exceed \$20,000,000 and providing other matters relating thereto.

**BILL NO. 2004-61  
ORDINANCE NO. 5727**

**AN ORDINANCE DESIGNATED BY THE SHORT TITLE "2004C MEDIUM-TERM RECREATION BOND ORDINANCE"; PROVIDING FOR THE ISSUANCE BY THE CITY OF LAS VEGAS OF ITS REGISTERED, NEGOTIABLE, GENERAL OBLIGATION (LIMITED TAX) MEDIUM-TERM RECREATION BONDS (CENTENNIAL HILLS PROJECT), SERIES 2004C IN THE AGGREGATE PRINCIPAL AMOUNT OF NOT TO EXCEED \$20,000,000, FOR THE PURPOSE OF ACQUIRING, CONSTRUCTING, EQUIPPING AND IMPROVING RECREATION PROJECTS FOR THE CITY; PROVIDING COVENANTS, AGREEMENTS AND OTHER DETAILS CONCERNING THE BONDS, THE PROJECT AND GENERAL TAX PROCEEDS; RATIFYING ACTION PREVIOUSLY TAKEN AND PERTAINING TO THE FOREGOING BY THE CITY AND ITS OFFICERS AND EMPLOYEES; AND 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") Sections 268.672 to 268.740 (the "City Bond Law"), the City is authorized to issue bonds to finance recreational projects as defined in NRS Section 268.710 for the City (the "Project"); and



**WHEREAS**, pursuant to Nevada Revised Statutes (“NRS”) Sections 350.087 through 350.095, inclusive (the “Act”), the City is authorized to enter into medium-term obligations 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 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 Section 350.087 and pursuant to a resolution adopted by the Council (the “Authorizing Resolution”), 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 \$20,000,000 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 Council adopted by at least a two-thirds majority a resolution authorizing medium-term obligations in the maximum principal amount of \$20,000,000 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 Section 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)

**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 NRS Section 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 and authorized the City's Director of Finance and Business Services (the "Finance Director") to arrange for the sale of 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 Recreation Bonds (Centennial Hills Project), Series 2004C" in the aggregate principal amount of not to exceed \$20,000,000 (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 Section 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 Sections 350.500 through 350.720, and all laws amendatory thereof, designated in Section 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 Sections 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, the Act, the approval of the Executive Director of the Department of Taxation, and 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**, the Council in the Authorizing Resolution authorized the 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 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, if any, 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 Section 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.

**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 "2004C Medium-Term Recreation Bond Ordinance" (this "Ordinance").

SECTION 2. Acceptance of Purchase Proposal. The City Manager or the 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 Recreation Bonds (Centennial Hills Project), Series 2004C" in the aggregate principal amount set forth in the Certificate of the Finance Director (not to exceed \$20,000,000). The Bonds shall be in the form substantially as set forth in Section 24 of this Ordinance.

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 Sections 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 as of the date of their delivery, 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 April 1 and October 1 of each year commencing on April 1, 2005; 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 on the designated dates (not to exceed ten years from the date of the Bonds) and in the amounts of principal 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. Redemption. The Bonds will not be subject to redemption prior to maturity.

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 Section 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 Section 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 Section 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 Section 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 by facsimile signature and pursuant to Section 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 (the "Mayor"), the City Treasurer of the City (the "Treasurer") and the City Clerk of the City (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 Section 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 Section 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 RECREATION BONDS  
(CENTENNIAL HILLS PROJECT)  
SERIES 2004C**

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

<u>Interest Rate</u>	<u>Maturity Date</u>	<u>Dated As of</u>	<u>CUSIP</u>
_____ %	October 1, _____	_____, 2004	

**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 April 1 and October 1 of each year, commencing on April 1, 2005, 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 Section 1 thereof as the "2004C Medium-Term Recreation Bond Ordinance" (the "Ordinance"), duly adopted by the Council on September 15, 2004. 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 City 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, improving and equipping a recreation project in the City, 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") Sections 268.672 to 268.740, inclusive (the "City Bond Law"), pursuant to NRS Sections 350.087 to 350.095, inclusive (the "Act"), pursuant to NRS Sections 350.500 through 350.720, and all laws amendatory thereof, designated in Section 350.500 thereof as the "Local Government Securities Law" (the "Bond Act"), and pursuant to the Ordinance; pursuant to Section 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 Section 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 Sections 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 Sections 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 Bonds are not subject to redemption prior to maturity.

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.

It is hereby certified, recited, declared and warranted that all actions required to be taken prior to the issuance hereof have been had and taken by the City; that the issuance of the Bonds has been approved by the Executive Director of the Department of Taxation of the State

of Nevada as required by the Act, and that the principal of the Bonds, when added to other City indebtedness, does not exceed the limits on indebtedness of the City provided in the Constitution and statutes of the State.

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

**IN WITNESS WHEREOF**, the City Council of the City of Las Vegas, Clark County, State of Nevada, has caused this Bond to be executed in the name and on behalf of the City with the manual or facsimile signature of the Mayor of the City, to be attested, signed and executed with a manual or facsimile signature of the City Clerk and to be signed, subscribed and executed by the manual or facsimile signature of the City Treasurer, and has caused a manual or facsimile impression of the seal of the City to be affixed hereon, all as of \_\_\_\_\_, 2004.

(MANUAL OR FACSIMILE  
CITY SEAL)

CITY OF LAS VEGAS, NEVADA

Attest:

(Manual or Facsimile Signature)  
Mayor

(Manual or Facsimile Signature)  
City Clerk

(Manual or Facsimile Signature)  
City Treasurer

\* Insert only if Bonds are delivered pursuant to Section 16(A)(3) of this Ordinance.

\*\* Insert only if Bonds are delivered pursuant to Section 16(A) of this Ordinance.

(End of Form of Bond)

(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 Section 350.648, Bond Act, any 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. 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 Recreation Bonds (Centennial Hills Project), Series 2004C, 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 Section 350.516, Bond Act, all costs of issuing the Bonds, and the costs of rebates to the United States under Section 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 Section 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.

SECTION 26. Use of Investment Gain. Pursuant to Section 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, for the respective payment of the principal of or interest on the Bonds, or any combination thereof. As provided in Section 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 Sections 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 Section 350.596 of the 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 Recreation Bonds (Centennial Hills Project), Series 2004C, Medium-Term Debt Service Fund" (the "Medium-Term Debt Service Fund"). Pursuant to Sections 350.592 and 350.594, Bond Act, and Sections 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 Sections 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 Section 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 Section 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 Section 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 Section 350.598, Bond Act.

SECTION 35. Legislative Duties. In accordance with Section 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 Section 350.602, Bond Act, there are 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 Section 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 Section 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 Section 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 have 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 it is in the best interests of the City to replace said Registrar or Paying Agent, 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,
- (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. 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. Notice of the deposit must be published once in a newspaper, printed, published and having general circulation in the City at least 10 days before the adoption of the Ordinance, such publication to be in substantially the following form:

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

BILL NO. \_\_\_\_\_  
ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE DESIGNATED BY THE SHORT TITLE "2004C MEDIUM-TERM RECREATION BOND ORDINANCE"; PROVIDING FOR THE ISSUANCE BY THE CITY OF LAS VEGAS OF ITS REGISTERED, NEGOTIABLE, GENERAL OBLIGATION (LIMITED TAX) MEDIUM-TERM RECREATION BONDS (CENTENNIAL HILLS PROJECT), SERIES 2004C IN THE AGGREGATE PRINCIPAL AMOUNT OF NOT TO EXCEED \$20,000,000, FOR THE PURPOSE OF ACQUIRING, CONSTRUCTING, EQUIPPING AND IMPROVING RECREATION PROJECTS FOR THE CITY; PROVIDING COVENANTS, AGREEMENTS AND OTHER DETAILS CONCERNING THE BONDS, THE PROJECT AND GENERAL TAX PROCEEDS; RATIFYING ACTION PREVIOUSLY TAKEN AND PERTAINING TO THE FOREGOING BY THE CITY AND ITS OFFICERS AND EMPLOYEES; AND PROVIDING OTHER MATTERS RELATING THERETO.**

PUBLIC NOTICE IS HEREBY GIVEN, and that an adequate number of typewritten copies of the above-numbered and entitled proposed Ordinance are available for public inspection and distribution at the office of the City Clerk of the City of Las Vegas, at her office in City Hall, 400 Stewart Avenue, Las Vegas, Nevada, and that such Ordinance was proposed on the September 1, 2004, and will be considered for adoption at the a regular meeting of the City Council of the City of Las Vegas held on September 15, 2004.

/s/ Barbara Jo Ronemus  
City Clerk

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

SECTION 46. Publication After Adoption. After this Ordinance is signed by the Mayor and attested and sealed by the City Clerk, this Ordinance shall be published once by its title only, together with the names of the Councilmembers voting for or against its passage, such publication to be made in the Las Vegas Review-Journal, a newspaper printed, published and having a general circulation in the City, such publication to be in substantially the following form:

(FORM OF PUBLICATION OF ADOPTION OF ORDINANCE)

ORDINANCE NO. \_\_\_\_  
(of Las Vegas, Nevada)

**AN ORDINANCE DESIGNATED BY THE SHORT TITLE "2004C MEDIUM-TERM RECREATION BOND ORDINANCE"; PROVIDING FOR THE ISSUANCE BY THE CITY OF LAS VEGAS OF ITS REGISTERED, NEGOTIABLE, GENERAL OBLIGATION (LIMITED TAX) MEDIUM-TERM RECREATION BONDS, SERIES 2004C IN THE AGGREGATE PRINCIPAL AMOUNT OF NOT TO EXCEED \$20,000,000, FOR THE PURPOSE OF ACQUIRING, CONSTRUCTING EQUIPPING AND IMPROVING RECREATION PROJECTS FOR THE CITY; PROVIDING COVENANTS, AGREEMENTS AND OTHER DETAILS CONCERNING THE BONDS, THE PROJECT AND GENERAL TAX PROCEEDS; RATIFYING ACTION PREVIOUSLY TAKEN AND PERTAINING TO THE FOREGOING BY THE CITY AND ITS OFFICERS AND EMPLOYEES; AND PROVIDING OTHER MATTERS RELATING THERETO.**

PUBLIC NOTICE IS HEREBY GIVEN, and that such Ordinance was proposed on September 1, 2004, and was passed at the meeting held on September 15, 2004, by the following vote of the City Council:

Those Voting Aye:

Oscar B. Goodman  
Gary Reese  
Larry Brown  
Lawrence Weekly  
Michael Mack  
Janet Moncrief  
Steve Wolfson

Those Voting Nay: \_\_\_\_\_

Those Absent: \_\_\_\_\_

This Ordinance shall be in full force and effect from and after the 18<sup>th</sup> day of September, 2004, 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 15<sup>th</sup> day of September, 2004.

Attest:

/s/ Oscar B. Goodman  
Mayor

/s/ Barbara Jo Ronemus  
City Clerk

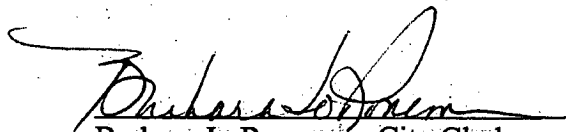
(End of Form of Publication)

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 September 15, 2004.

  
\_\_\_\_\_  
Oscar B. Goodman, Mayor

Attest:

  
Barbara Jo Ronemus, City Clerk

The ordinance has been reviewed by the Deputy City Attorney:

\_\_\_\_\_  
Deputy City Attorney

This Ordinance shall be in full force and effect from and after September 19, 2004, i.e., the day after the publication of such Ordinance by its title only.

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 on September 1, 2004 and finally adopted and approved on September 15, 2004.

2. The following members of the Council were present at the September 1, 2004 Council meeting:

Mayor:	Oscar Goodman
Councilmembers:	Gary Reese
	Larry Brown
	Lawrence Weekly
	Michael Mack
	Janet Moncrief
	Steve Wolfson
Those Absent:	NONE
	NONE

3. The foregoing Ordinance was first proposed and read by title to the City Council on September 1, 2004, and referred to a committee for recommendation; thereafter said committee reported favorably on said Ordinance on September 15, 2004, which was a regular meeting of said Council; that as 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 September 15, 2004 meeting and voted upon the adoption of the Ordinance as follows:

Those Voting Aye:	Oscar B. Goodman
	Gary Reese
	Larry Brown
	Michael Mack
	Janet Moncrief
	Steve Wolfson

Those Voting Nay: NONE

Those Excused: Lawrence Weekly

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 September 1, 2004 and September 15, 2004. Pursuant to Section 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, on the City's website, 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  
City Clerk's Bulletin Board, 2<sup>nd</sup> Floor Skybridge  
Las Vegas, Nevada;

(iii) Las Vegas Library  
833 Las Vegas Boulevard North  
Las Vegas, Nevada;

(iv) Clark County Government Center  
500 S. Grand Central Parkway  
Las Vegas, Nevada; and

(v) Grant Sawyer Building  
555 E. Washington Avenue  
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 meeting 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 September 1, 2004 is attached to this certificate as Exhibit A, and a copy of such notice so given of the meeting of the Council on September 15, 2004 is attached to this certificate as Exhibit B.

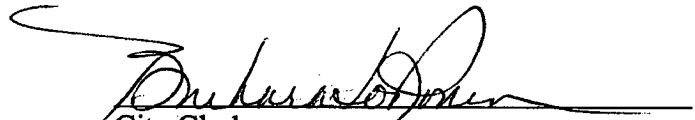
7. A copy of the notice of each meeting was posted in the City's website no later than 9:00 a.m. on the third working day before each meeting.

8. A copy of the affidavit of publication of the notice of deposit of ordinance is attached to this certificate as Exhibit C. A copy of the affidavit of publication of the adoption of the ordinance is attached to this certificate as Exhibit D.

9. 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 September 20, 2004.

(SEAL)

  
City Clerk

**EXHIBIT A**

**(Attach Copy of Notice of September 1, 2004 Meeting)**

# CITY COUNCIL AGENDA

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## CITY COUNCIL AGENDA

COUNCIL CHAMBERS • 400 STEWART AVENUE • PHONE 229-6011

CITY OF LAS VEGAS INTERNET ADDRESS: <http://www.lasvegasnevada.gov>

OSCAR B. GOODMAN, MAYOR (At-Large) • COUNCILMAN GARY REESE, MAYOR PRO TEM (Ward 3)  
COUNCILMEMBERS: LARRY BROWN (Ward 4), LAWRENCE WEEKLY (Ward 5), MICHAEL MACK (Ward 6),  
JANET MONCRIEF (Ward 1) and STEVE WOLFSON (Ward 2)

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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.

**SEPTEMBER 1, 2004**

**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, AND ARE CLOSED CAPTIONED FOR OUR HEARING IMPAIRED VIEWERS. THE COUNCIL MEETING, AS WELL AS ALL OTHER KCLV PROGRAMMING, CAN BE VIEWED ON THE INTERNET AT [www.kclv.tv](http://www.kclv.tv). THE PROCEEDINGS WILL BE REBROADCAST ON KCLV CHANNEL 2 AND THE WEB THE WEDNESDAY OF THE MEETING AT 8:00 PM, AND ALSO ON FRIDAY AT 4:00 AM, SATURDAY AT 7:00 PM, SUNDAY AT 7:00 AM AND THE FOLLOWING MONDAY AT 1:00 PM.

DUPLICATE AUDIO TAPES MAY BE AVAILABLE AT A COST OF \$3.00 PER TAPE AND DUPLICATE VIDEO TAPES MAY BE AVAILABLE AT A COST OF \$5.00 PER TAPE THROUGH THE CITY CLERK'S OFFICE.

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

### CEREMONIAL MATTERS

- CALL TO ORDER
- ANNOUNCEMENT RE: COMPLIANCE WITH OPEN MEETING LAW
- INVOCATION - PRESIDENT ACE ROBISON, LOGANDALE NEVADA STAKE FOR THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS
- PLEDGE OF ALLEGIANCE
- RECOGNITION OF THE CITIZEN OF THE MONTH
- RECOGNITION OF FIELD OPERATIONS AND PUBLIC WORKS EMPLOYEES FOR HEROISM
- RECOGNITION OF DISASTER PREPAREDNESS MONTH
- RECOGNITION OF THE PALMS HOTEL AND CASINO FOR BLOOD/BONE MARROW DRIVES
- RECOGNITION OF TOUR OF HOPE DAY

## **BUSINESS ITEMS**

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

## **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.**

### **BUSINESS DEVELOPMENT - CONSENT**

2. Approval of and authorization for the Mayor to execute the Indemnity Agreement (Agreement) with Port of Subs, Inc. (POS) to continue performance of the Lease Agreement (Lease) for a limited restaurant in the retail space of the Stewart Ave. Parking Garage (Premises) located at 261 N. Las Vegas Boulevard (APN 139-34-510-045) (\$198,000 - Stewart Avenue Garage Parking Fund) - Ward 5 (Weekly)

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

3. Approval of Service and Material Checks/Payroll Checks/Wire Transfers/Other Checks and Investments
4. Approval to provide \$260,000 additional funding from the City Facilities Capital Project Fund (CPF) fund balance for the City East Yard Building "A" Remodel Project - Ward 3 (Reese)
5. Approval of a Special Event License for Las Vegas Veterans Centennial Committee, Location: Freedom Park, 850 North Mojave Road, Date: September 5, 2004, Type: Special Event General, Event: BBQ Picnic and Concert, Responsible Person in Charge: Rubie Ducksworth - Ward 3 (Reese)
6. Approval of a Special Event License for Lagun Onak Las Vegas Basque Club, Location: Sammy Davis Jr. Festival Plaza, Lorenzi Park, 3333 West Washington Avenue, Date: October 10, 2004, Type: Special Event General, Event: Basque Festival, Responsible Person in Charge: Jose Beristain - Ward 5 (Weekly)
7. Approval of a Special Event License for Mexican Patriotic Committee, Location: Freedom Park, 850 North Mojave Road, Date: September 12, 2004, Type: Special Event Beer/Wine, Event: Mexican Independence Celebration, Responsible Person in Charge: Eddie Escobedo - Ward 3 (Reese)
8. Approval of a Special Event License for Royal Festivals, Inc., Location: Boca Park, 510 South Rampart Boulevard, Dates: September 14-19, 2004, Type: Special Event General, Event: San Gennaro Italian Feast, Responsible Person in Charge: Orlando Maffucci - Ward 2 (Wolfson)
9. Approval of a Special Event License for Dino's Lounge, Location: The Funk House, 1228 South Casino Center Boulevard, Dates: October 1 and November 5, 2004, Type: Special Event Beer/Wine, Event: First Friday, Responsible Person in Charge: Kristin Bartolo - Ward 1 (Moncrief)
10. Approval of a Special Event License for Higco, Inc., dba Three Angry Wives Pub, 8820 West Charleston Boulevard, Suite 105 (parking lot), Date: October 2, 2004, Type: Special Event General, Event: First Year Anniversary Party, Responsible Person in Charge: Erin O'Hayer - Ward 2 (Wolfson)
11. Approval of Change of Business Name for a Restaurant Service Bar License, Big Daddy's Enterprise, Ltd., dba From: Mama Jo's Bistro, To: Tequila Sunrise Cantina, 8427 West Lake Mead Boulevard, Larry H. Schwartz, Mgr, Stephanie A. Schwartz, Mgr, S & L Enterprises, Inc., Mmbr, 90%, Larry A. Schwartz, Dir, Pres and Stephanie A. Schwartz, Dir, Secy, Treas, 100% jointly as husband and wife - Ward 4 (Brown)

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

12. Approval of Franchisee for a Beer/Wine/Cooler On-sale License, Sizzler USA Restaurants, Inc., dba Sizzler Steak-Seafood-Salad, 307 South Decatur Boulevard, Witman's Food, LLC, Franchisee, Junaid K. Sheikh, Mgr, Mmbr, 60%, Arthur D. Church, Mgr, Mmbr, 40%, Krishnakumar D. Pandya, Lender - Ward 1 (Moncrief)
13. Approval of a new Restricted Gaming License for 2 slots subject to confirmation of approval by the Nevada Gaming Commission, Kim & Kim, dba 7-Eleven Food Store #13699C, 2409 Tam Drive, Heon J. Kim, Franchise Mgr, Jeong M. Kim, Franchise Mgr - Ward 1 (Moncrief)
14. Approval of Change of Location for a Burglar Alarm License, Hometronic, dba Hometronic, From: 101 South Rainbow Boulevard, Suite 6, To: 2480 North Decatur Boulevard, Suite 180, Dean M. Poser, Dir, Pres, Secy, 50%, David J. Poser, Dir, Treas, 50% - Ward 5 (Weekly)
15. Approval of a new Hypnotist License, Cynthia Abdelsayed, dba Cynthia Abdelsayed, 2820 West Charleston Boulevard, Suite A-6, Cynthia E. Abdelsayed, 100% - Ward 1 (Moncrief)
16. Approval of a new Hypnotist License subject to the provisions of the fire codes, Bernice Cain, dba Bernice Cain, 4750 West Sahara Avenue, #34, Bernice A. Cain, 100% - Ward 1 (Moncrief)
17. Approval of Change of Location for a Locksmith License, Alan Cross, dba Lockshop, From: 837 South Rainbow Boulevard, To: 4760 West Dewey Drive, #117, Alan Cross, 100% - County
18. Preapproval of award of Bid No. 05.1730.09-LED, Modification of Lake Mead Boulevard and Tenaya Way Intersection to the lowest responsive and responsible or best bidder and the construction conflicts and contingency reserve set by Finance and Business Services - Department of Public Works - (Monetary range \$450,000 to \$660,000 - Road and Flood Capital Projects Fund) - Ward 4 (Brown)
19. Approval of Interlocal Agreement between the City of Las Vegas and University Medical Center for Paramedic Training and Clinical Experience - Department of Fire and Rescue - Award recommended to: UNIVERSITY MEDICAL CENTER (Estimated annual amount of \$80,000 - General Fund)
20. Approval of Annual Contract No. 050056 for furniture installation and services, to include reconfigurations, design, project management and inventory management - Various Departments - Award recommended to: FACILITEC OF NEVADA (\$50,000 - General Fund)

## **FIRE AND RESCUE DEPARTMENT - CONSENT**

21. Approval of a donation of a truck and trailer from the Las Vegas Metropolitan Police Department (LVMPD) to Las Vegas Fire & Rescue for its Technical Rescue Operations - All Wards

## **HUMAN RESOURCES DEPARTMENT - CONSENT**

22. Approval to create one regular full time Construction Inspector position for the Providence SID #607 in the Public Works department (\$72,100 - Providence SID Offsite Inspections Special Revenue Fund) - Ward 6 (Mack)

## **LEISURE SERVICES DEPARTMENT - CONSENT**

23. Approval of Interlocal Agreement between Clark County and the City of Las Vegas to utilize Fiscal Year 2004/2005 County Grant funds in the amount of \$20,000 for the Visual Arts Summer Camp Program - Ward 5 (Weekly)

## **MUNICIPAL COURT - CONSENT**

24. Approval of Interlocal Contract for Electronic Monitoring Services Agreement between the Las Vegas Municipal Court House Arrest Program and the City of Henderson Municipal Court

## NEIGHBORHOOD SERVICES DEPARTMENT - CONSENT

25. Approval to cease participation within the Clark County HOME Consortium in order to receive and administer HOME funds as a participating jurisdiction - All Wards

## PLANNING & DEVELOPMENT DEPARTMENT - CONSENT

26. Approval of a list of projects for nomination for funding from the Special Account established through the sale of Bureau of Land Management (BLM) lands in accordance with the Southern Nevada Public Lands Management Act (SNPLMA) - All Wards

## PUBLIC WORKS DEPARTMENT - CONSENT

27. Approval of a Declaration of Utilization from the Bureau of Land Management for a portion of the North Half of Section 31 and the Northwest Quarter of Section 32, Township 19 South, Range 60 East, Mount Diablo Meridian, for sewer purposes generally located on the south side of the Hammer Lane alignment, between the Hualapai Way and El Capitan Way alignments, APNs 125-31-201-008, -601-001, -002 and 125-32-204-005 – County (near Wards 4 and 6 - Brown and Mack)
28. Approval to file a Temporary Use Permit with the Bureau of Land Management for the construction of sanitary sewer on portions of land lying within the Sections 1, 2, 3 and 4, Township 19 South, Range 60 East, Mount Diablo Meridian, generally located on the north and south sides of the Log Cabin Way alignment, between the Durango Drive and Jones Boulevard alignments, APNs 125-01-001-001, 125-02-001-001, -002-001, 125-03-001-001, -002-002 and 125-04-001-004 - Ward 6 (Mack)
29. Approval of a First Amendment to the Professional Services Agreement with Aztec Engineering, LLC, for the Particulate Matter - 10/Congestion Mitigation Air Quality (PM - 10/CMAQ) Roadway Improvements Phase 2 (\$64,333 - Regional Transportation Commission) - All Wards
30. Approval of a Contributions in Aid of Construction Tax Calculation with Nevada Power Company to facilitate relocation of a Nevada Power Company switchgear near the corner of Durango Drive and Vegas Drive (\$115,941 - Regional Transportation Commission) - Wards 2 and 4 (Wolfson and Brown)
31. Approval of an Engineering Design Services Agreement with VPOINT to design and prepare contract drawings and special provisions for the Particulate Matter - 10/Congestion Mitigation Air Quality (PM -10/CMAQ) Shoulder Improvements (\$302,880 - Regional Transportation Commission) - All Wards
32. Approval of an Encroachment Request from GC Wallace, Incorporated, on behalf of D.R. Horton, Incorporated, owner (Durango Drive at Log Cabin Way) - Ward 6 (Mack)
33. Approval of an Encroachment Request from Orion Engineering and Survey on behalf of Plaster Development Company, Incorporated, owner (Martin L. King Boulevard between Alta Drive and US95) - Ward 5 (Weekly)
34. Approval of a Sewer Connection and Interlocal Contract with Clark County Water Reclamation District - VTN Nevada on behalf of Quarterhorse Falls Estates, owners (southeast of Torrey Pines Drive and Ackerman Avenue, APN 125-11-804-001, 125-11-804-002, 125-11-805-001, and 125-11-805-002) - County (near Ward 6 - Mack)
35. Approval of an Encroachment Request from Allen Teles Revocable Trust, owner (3011 Pinto Lane) - Ward 1 (Moncrief)
36. Approval of an Encroachment Request from Desert Wind Homes on behalf of Uninvest I, LLC, owner (southeast corner of Hualapai Way and Shiloh School Lane) - Ward 4 (Brown)
37. Approval of an Encroachment Request from D.R. Horton, Incorporated, owner (southwest corner of Tee Pee Lane and Grand Teton Drive) - Ward 6 (Mack)

## **PUBLIC WORKS DEPARTMENT - CONSENT**

38. Approval of a Professional Services Agreement with RPA Landscape Architecture, Inc., for the design services of Elkhorn Ft. Apache Park located at Elkhorn Road and Fort Apache Road (\$133,640 - Residential Construction Tax) - Ward 6 (Mack)
39. Approval of a Professional Services Agreement with Marriotti Landscape Architecture for the design services of Iron Mountain Ft. Apache Park located at Iron Mountain Road and Fort Apache Road (\$325,000 - Residential Construction Tax) - Ward 6 (Mack)
40. Approval of an Off-Site Improvements Agreement with Clark County Development Services for improvements along Vegas Valley Drive located adjacent to the Water Pollution Control Facility - County
41. Approval of a Professional Services Agreement with Larson and Associates for the design services of El Campo Grande Bradley Park located at El Campo Grande Avenue and Bradley Road (\$113,500 - Residential Construction Tax) - Ward 6 (Mack)
42. Approval of a First Amendment to an Agreement for the Adjustment of Utility Facilities with Nevada Power Company (NPC) for the relocation of utility facilities in conjunction with the Charleston Boulevard and Shadow Lane Intersection Improvements Project (\$80,000 - Nevada Power Company Funds) - Wards 1 and 5 (Moncrief and Weekly)
43. Approval of a Construction Management Agreement with Harris & Associates for construction management, material testing and special inspection services of City Hall Expansion - Phase II located at Las Vegas Boulevard and Stewart Avenue (\$1,168,238.55 - Capital Projects Fund) - Ward 5 (Weekly)

## **RESOLUTIONS - CONSENT**

44. R-144-2004 - Approval of a Resolution directing the City Treasurer to prepare the Forty-Sixth Assessment Lien Apportionment Report for Special Improvement District No. 404 Summerlin Area (Levy Assessments) - Ward 2 (Wolfson)
45. R-145-2004 - Approval of a Resolution approving the Forty-Sixth Assessment Lien Apportionment Report for Special Improvement District No. 404 Summerlin Area (Levy Assessments) - Ward 2 (Wolfson)

## **REAL ESTATE COMMITTEE - CONSENT**

46. Approval of a Right-of-Way Grant for Ingress & Egress Purposes, between the City of Las Vegas and Stella Lake Partners, LLC, for an easement located on the north side of Mt. Mariah Drive, approximately 270 feet east of Stella Lake Street, APN 139-21-313-009 - Ward 5 (Weekly)
47. Approval of a Lease Agreement renewal between the City of Las Vegas and I Have a Dream Foundation, a Nevada non-profit corporation, for approximately 300 square feet of office space located at 320 South 9th Street - Ward 5 (Weekly)
48. Approval of a Lease Agreement renewal between the City of Las Vegas and Jude 22, a Nevada non-profit corporation, for approximately 1200 square feet of office space and the use of a 400 square foot trailer for storage purposes located at 320 South 9th Street - Ward 5 (Weekly)
49. Approval of a First Amendment to Lease between Credit Union Plaza and the City of Las Vegas for lease of approximately 2,541 square feet of office space located at 3100 West Sahara Avenue, Suite 116, for use by the City's Senior Citizens Law Project (\$4,608/month - Leisure Services/State of Nevada Division of Aging Services) - Ward 1 (Moncrief)
50. Approval of a Memorandum of Understanding (MOU) between the City of Las Vegas (City) and the Clark County School District (District) regarding use of approximately five acres of land located east of the Kay Carl Elementary School site located at 5625 Corbett Street - Ward 6 (Mack)

## REAL ESTATE COMMITTEE – CONSENT

51. Approval of a Memorandum of Understanding with Lone Mountain Little League, a non-profit organization, for the installation of two electronic remote controlled scoreboards on existing fields at Mountain Ridge Park located at 7151 Oso Blanca Road - Ward 6 (Mack)
52. Approval of entering into negotiations with The Salvation Army for a Purchase Agreement for approximately 3.165 acres of land in the vicinity of Owens Avenue and Main Street for The Salvation Army and HAND Development Company for co-development of an affordable family housing community - Ward 5 (Weekly)
53. Approval of entering into negotiations with The Shade Tree, Inc., for the purchase of approximately one acre of City land in the vicinity of Owens Avenue and Main Street for an off-site expansion - Ward 5 (Weekly)
54. Approval of a Sign Location Lease between City Parkway IV A Inc. and Viacom Outdoor Inc. for rental of space for a billboard sign located in the vicinity of Bonanza Road and Main Street, APN 139-27-401-031 (\$2,000 monthly revenue - City Parkway IV-A/Miscellaneous Rentals) - Ward 5 (Weekly)

## DISCUSSION / ACTION ITEMS

### ADMINISTRATIVE - DISCUSSION

55. Report from the City Manager on the 2004 City of Las Vegas Citizen's Academy

### CITY ATTORNEY - DISCUSSION

56. Discussion and possible action on Appeal of Work Card Denial: Diane Kay Botner, 320 South 1st Street, Las Vegas, Nevada 89101
57. Discussion and possible action on Appeal of Work Card Denial: Simon Winston Macauley, 1230 S. Rancho Drive, Las Vegas, Nevada 89102

### FINANCE & BUSINESS SERVICES DEPARTMENT - DISCUSSION

58. Discussion and possible action regarding Temporary Approval of Change of Ownership for a Beer/Wine/Cooler Off-sale License, From: Nevada Oil and Land Development, LLC, Carlos Huerta, Mmbr, 37.5%, Wasef Qaraman, Mgr, Mmbr, 34%, Marwan Aburahma, Mmbr, 28.5%, To: Raz Durani, dba Craig Rancho Mart, 4371 North Rancho Drive, Raz M. Durani, 100% - Ward 6 (Mack)
59. Discussion and possible action regarding Temporary Approval of Change of Ownership for a Tavern License subject to the provisions of the fire codes and Health Dept. regulations, From: Venchito H. Cortez, 100%, To: Crest Lodge, Inc., dba Fong's Garden Cafe de Manila, 2021 East Charleston Boulevard, Lourdes S. Guevara, Dir, Pres, Secy, Treas, 100% - Ward 3 (Reese)
60. Discussion and possible action regarding Change of Ownership and Business Name for a Package License and a new Restricted Gaming License for 7 slots subject to the provisions of the fire codes and Health Dept. regulations, From: Sipo & Kosa, dba Speakeasy Liquor & Market, Raghid Kosa, Ptrr, 50%, Said Y. Sipo, Ptrr, 50%, Wisam B. Kosa, Lender, To: Speakeasy Liquor Partnership, dba Speakeasy Liquor, 1006 East Charleston Boulevard, Raid B. Bidi, Ptrr, 50%, Said Y. Sipo, 50%, Ptrr - Ward 3 (Reese)
61. Discussion and possible action regarding Temporary Approval of a new Martial Arts Instruction Business License subject to the provisions of the fire codes, Wyatt Hiroshi Allen, dba Hiroshi Allen Shotokan Karate, 1400 North Rampart Boulevard, Wyatt H. Allen, 100% - Ward 4 (Brown)

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

62. ABEYANCE ITEM - Discussion and possible action regarding a Six Month Review of a Tavern License, D. Westwood, Inc., dba Treasures, 2801 Westwood Drive, Ali Davari, Dir, Pres, Treas, 50%, Hassan Davari, Dir, Secy, 50% - Ward 1 (Moncrief)

## **PUBLIC WORKS DEPARTMENT - DISCUSSION**

63. Discussion and possible action on a request to close Cashman Drive between Charleston Boulevard and Hastings Drive (\$5,000 - Neighborhood Traffic Management Program) - Ward 1 (Moncrief) [NOTE: This item will not be considered in the morning session. It will be heard after 1 pm]
64. Report on the status of the Department of Public Works Accreditation with the American Public Works Association (APWA)

## **RESOLUTIONS - DISCUSSION**

65. R-146-2004 - Discussion and possible action regarding a Resolution consenting to the undertakings of the City of Las Vegas Redevelopment Agency in connection with the Ownership Participation Agreement (OPA) between the City of Las Vegas Redevelopment Agency and Bridger Associates, LLC, and determining certain findings concerning the OPA - Ward 5 (Weekly) [NOTE: This item is a companion to Redevelopment Agency Item #2]

## **RECOMMENDING COMMITTEE REPORTS - DISCUSSION**

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

66. Bill No. 2004-52 – Revises the licensing and zoning standards applicable to hotel lounge bars. Proposed by: Robert S. Genzer, Director of Planning and Development
67. Bill No. 2004-53 – Updates the Town Center Development Standards Manual regarding the means of allowing certain finance-related uses. Proposed by: Robert S. Genzer, Director of Planning and Development
68. Bill No. 2004-54 – Allows private horse corrals or stables in the R-D Zoning District under certain circumstances. Sponsored by: Councilman Michael Mack
69. Bill No. 2004-55 – Revises the Municipal Code provisions that govern City employees in seeking and holding political office. Sponsored by: Mayor Oscar B. Goodman
70. Bill No. 2004-57 - Levies Assessment for Special Improvement District No. 1499 – Alexander Road (US-95 - Rancho Drive). Sponsored by: Step Requirement

### **BILLS ELIGIBLE FOR ADOPTION AT A LATER MEETING**

**THERE IS NO PUBLIC COMMENT ON THESE ITEMS AND NO ACTION WILL BE TAKEN BY THE COUNCIL AT THIS MEETING, EXCEPT THOSE ITEMS WHICH MAY BE STRICKEN OR TABLED. PUBLIC TESTIMONY TAKES PLACE AT THE RECOMMENDING COMMITTEE MEETING HELD FOR THAT PURPOSE.**

71. Bill No. 2004-59 – Annexation No. ANX-4440 – Property location: On the north side of Regena Avenue, 170 feet east of Riley Street; Petitioned by: Mona Agamez; Acreage: 0.62 acres; Zoned: R-E (County zoning), R-E (City equivalent). Sponsored by: Councilman Michael Mack
72. Bill No. 2004-60 – Ordinance Creating Special Improvement District No. 1505 - Sierra Oeste Neighborhood Streetlights. Sponsored by: Step Requirement

## 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 OR THOSE ITEMS TO BE STRICKEN OR TABLED.**

73. Bill No. 2004-61 – Ordinance authorizing the issuance by the City of Las Vegas, Nevada, of General Obligation (Limited Tax) Medium-Term Recreation Bonds (Centennial Hills Project), Series 2004C in the aggregate principal amount not to exceed \$20,000,000 - Ward 6 (Mack)
74. Bill No. 2004-62 – Makes adjustments to the types of zoning approval necessary for various land uses. Proposed by: Robert S. Genzer, Director of Planning and Development
75. Bill No. 2004-63 – Provides that Planning Commission action on most special use permits is final, unless appealed or requested for review by a member of the City Council, and modifies certain provisions regarding related hearings and appeals so as to conform to State law. Proposed by: Robert S. Genzer, Director of Planning and Development
76. Bill No. 2004-64 – Modifies the standards for granting a variance application, and modifies certain provisions regarding variance hearings and appeals so as to conform to State law. Proposed by: Robert S. Genzer, Director of Planning and Development

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

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

## HEARINGS - DISCUSSION

78. Public hearing to consider the report of expenses to recover costs for the abatement of zoning violations at 609 N. 11th Street. PROPERTY OWNER: HARVEY L. CARMICHAEL – Ward 5 (Weekly)
79. Public hearing to consider the report of expenses to recover costs for the abatement of zoning violations at 7505 Barkentine Street. PROPERTY OWNER: BENERITO VELAZQUEZ – Ward 2 (Wolfson)
80. Public hearing to consider the report of expenses to recover costs for the abatement of dangerous building at 1013 Ingraham Street. PROPERTY OWNER: R B M G, INC – Ward 3 (Reese)
81. Public hearing to consider the report of expenses to recover costs for the abatement of dangerous building at 2321 N. Michael Way. PROPERTY OWNER: DAVID R. & BETTY MIRICH – Ward 5 (Weekly)
82. ABEYANCE ITEM - Public hearing to consider the report of expenses to recover costs for the abatement of dangerous building at 221 W. Van Buren Avenue. PROPERTY OWNER: JOANNA SMITH - 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

83. ABEYANCE ITEM - APPEAL OF DIRECTOR'S DECISION - DIR-4797 - APPLICANT: ORION OUTDOOR MEDIA - OWNER: LAPOUR GRAND CENTRAL, LIMITED LIABILITY COMPANY - Appeal of Director's decision per Title 19.00.070.F to deny the application of a Special Use Permit for a proposed Off-Premise Advertising (Billboard) Sign at 211 West Charleston Boulevard (APN: 162-04-504-009) for failure to comply with Title 19.14.100, Ward 1 (Moncrief). Staff recommends DENIAL
84. WATER FEATURE EXEMPTION - DIR-4870 - APPLICANT/OWNER: CHEYENNE INVESTMENTS, LIMITED LIABILITY COMPANY - Request for a Water Feature Exemption TO ALLOW ONE WATER FEATURE for a commercial development located at 7690 West Cheyenne Avenue (APN 138-09-821-003), Ward 4 (Brown). Staff recommends APPROVAL
85. WATER FEATURE EXEMPTION - DIR-4890 - APPLICANT/OWNER: NORTHBROOK, LIMITED LIABILITY COMPANY - Request for a Water Feature Exemption TO ALLOW THREE WATER FEATURES for a commercial development located at 4301 North Rancho Drive (APN 138-02-712-001), Ward 6 (Mack). Staff recommends APPROVAL
86. REVIEW OF CONDITION - PUBLIC HEARING - ROC-4886 - APPLICANT: MNSNV, LIMITED LIABILITY COMPANY - OWNER: SMK, INC. - Request for a Review of Condition to delete Conditions Number 2 and 7 of an approved Special Use Permit (U-0147-01), which limited the sale of alcoholic beverages to beer and wine only and limited the area in which the beverages could be sold to the area proposed on the floor plan, at an existing convenience store (ABC STORE) at 23 Fremont Street (APN 139-34-111-037), C-2 (General Commercial) Zone, Ward 1 (Moncrief). Staff recommends DENIAL
87. ABEYANCE ITEM - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - SDR-4630 - APPLICANT: STATE OF NEVADA PUBLIC WORKS BOARD - OWNER: STATE OF NEVADA BUILDING & GROUNDS - Request for a Site Development Plan Review FOR A PROPOSED TWO STORY, 62,500 SQUARE FOOT DEPARTMENT OF EMPLOYMENT, TRAINING AND REHABILITATION BUILDING on 8.12 acres adjacent to the southwest corner of St. Louis Avenue and McLeod Street (a portion of APN 162-01-402-006), C-V (Civic) Zone, Ward 3 (Reese). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL
88. ABEYANCE ITEM - MAJOR MODIFICATION - PUBLIC HEARING - MOD-4633 - APPLICANT: KB HOME - OWNER: NATIONAL GROUP #1, LIMITED LIABILITY CORPORATION, ET AL - Request for a Major Modification to the Lone Mountain West Plan FROM: NC (NEIGHBORHOOD COMMERCIAL) AND VC (VILLAGE COMMERCIAL) TO: ML (MEDIUM-LOW DENSITY RESIDENTIAL) on 10.26 acres adjacent to the southeast corner of Cliff Shadows Parkway and Alexander Road (APN 137-12-101-003 and 009), U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] under Resolution of Intent to PD (Planned Development), Ward 4 (Brown). Staff recommends DENIAL. The Planning Commission (4-1-1 vote) recommends APPROVAL
89. ABEYANCE ITEM - SITE DEVELOPMENT PLAN REVIEW RELATED TO MOD-4633 - PUBLIC HEARING - SDR-4636 - APPLICANT: KB HOME - OWNER: BRIAN AND JULIE LEE AND NATIONAL GROUP #1, LIMITED LIABILITY COMPANY - Request for a Site Development Plan Review FOR A 55 LOT SINGLE FAMILY SUBDIVISION on 10.26 acres adjacent to the southeast corner of Alexander Road and Cliff Shadows Parkway (APN 137-12-101-003 and 009), U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] under Resolution of Intent to PD (Planned Development), Ward 4 (Brown). Staff recommends DENIAL. The Planning Commission (4-1-1 vote) recommends APPROVAL

## PLANNING & DEVELOPMENT DEPARTMENT – DISCUSSION

90. ABEYANCE ITEM - SPECIAL USE PERMIT - PUBLIC HEARING - SUP-2848 - REAGAN NATIONAL ADVERTISING ON BEHALF OF COG III, LIMITED - Appeal filed by Singer & Brown from the Denial by the Planning Commission on a request for a Special Use Permit for a proposed off-premise advertising (billboard) SIGN on a portion of 3.03 acres located at 1110 South Rainbow Boulevard (APN 163-02-101-002), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief). The Planning Commission (6-0 vote) and staff recommend DENIAL.
91. ABEYANCE ITEM - SPECIAL USE PERMIT - PUBLIC HEARING - SUP-3394 - LAS VEGAS BILLBOARDS ON BEHALF OF WEST SAHARA ASSOCIATES, LIMITED PARTNERSHIP - Appeal filed by LAS Consulting, Inc. from the Denial by the Planning Commission of a request for a Special Use Permit FOR A PROPOSED 40-FOOT TALL, 14-FOOT BY 48-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN adjacent to the northeast corner of Torrey Pines Drive and Sahara Avenue (APN 163-02-816-001), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief). The Planning Commission (6-0 vote) recommends DENIAL. Staff recommends APPROVAL.
92. ABEYANCE ITEM - SPECIAL USE PERMIT - PUBLIC HEARING - SUP-4172 - APPLICANT: LAS VEGAS BILLBOARDS - OWNER: SHAHRAM AND TAWNYA SHEIKHAN - Appeal filed by the applicant from the Denial by the Planning Commission of a request for a Special Use Permit FOR A PROPOSED OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 300 South Decatur Boulevard (APN 138-36-601-004), C-2 (General Commercial) Zone, Ward 1 (Moncrief). The Planning Commission (7-0 vote) recommends DENIAL. Staff recommends APPROVAL.
93. ABEYANCE ITEM - SPECIAL USE PERMIT - PUBLIC HEARING - SUP-4532 - APPLICANT: LAS VEGAS BILLBOARDS - OWNER: SAHARA MOHAWK, LIMITED LIABILITY COMPANY - Appeal filed by the applicant from the Denial by the Planning Commission of a request for a Special Use Permit FOR A PROPOSED 40-FOOT TALL, 14-FOOT BY 48-FOOT OFF-PREMISE (BILLBOARD) SIGN at 5320 West Sahara Avenue (APN 163-01-804-005), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief). The Planning Commission (7-0 vote) and staff recommend DENIAL.
94. ABEYANCE ITEM - GENERAL PLAN AMENDMENT - PUBLIC HEARING - GPA-4542 - APPLICANT: JOEL ARMSTRONG - OWNER: CLARK COUNTY - Request to Amend a portion of the Southeast Sector Plan of the General Plan FROM: ML (Medium-Low Density Residential) TO: MLA (Medium-Low Attached Density Residential) on 3.58 acres adjacent to the southeast corner of Lamb Boulevard and Bingham Avenue (APN 140-29-401-005 and 006), Ward 3 (Reese). Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL.
95. ABEYANCE ITEM - REZONING RELATED TO GPA-4542 - PUBLIC HEARING - ZON-4543 - APPLICANT: JOEL ARMSTRONG - OWNER: CLARK COUNTY - Request for a Rezoning FROM: R-1 (Single-Family Residential) TO: R-PD9 (Residential Planned Development - 9 Units Per Acre) on 3.58 acres adjacent to the southeast corner of Lamb Boulevard and Bingham Avenue (APN 140-29-401-005 and 006), Ward 3 (Reese). Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL.
96. ABEYANCE ITEM - VARIANCE RELATED TO GPA-4542 AND ZON-4543 - PUBLIC HEARING - VAR-4547 - APPLICANT: JOEL ARMSTRONG - OWNER: CLARK COUNTY - Request for a Variance TO ALLOW AN R-PD (RESIDENTIAL PLANNED DEVELOPMENT) ZONING DISTRICT ON 3.58 ACRES WHERE 5.00 ACRES IS THE MINIMUM REQUIRED adjacent to the southeast corner of Lamb Boulevard and Bingham Avenue (APN 140-29-401-005 and 006), R-1 (Single-Family Residential) Zone [Proposed: R-PD9 (Residential Planned Development - 9 Units per Acre)], Ward 3 (Reese). Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL.
97. ABEYANCE ITEM - VARIANCE RELATED TO GPA-4542, ZON-4543 AND VAR-4547 - PUBLIC HEARING - VAR-4572 - APPLICANT: JOEL ARMSTRONG - OWNER: CLARK COUNTY - Request for a Variance TO ALLOW 12,000 SQUARE FEET OF OPEN SPACE WHERE 25,870 SQUARE FEET IS THE MINIMUM REQUIRED on 3.80 acres adjacent to the southeast corner of Lamb Boulevard and Bingham Avenue (APN 140-29-401-005 and 006), R-1 (Single-Family Residential) Zone, [Proposed: R-PD9 (Residential Planned Development - 9 Units per Acre)], Ward 3 (Reese). Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL.

## PLANNING & DEVELOPMENT DEPARTMENT – DISCUSSION

98. ABEYANCE ITEM - SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-4542, ZON-4543, VAR-4547 AND VAR-4572 - PUBLIC HEARING - SDR-4545 - APPLICANT: JOEL ARMSTRONG - OWNER: CLARK COUNTY - Request for a Site Development Plan Review FOR A PROPOSED 35-LOT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT on 3.58 acres adjacent to the southeast corner of Lamb Boulevard and Bingham Avenue (APN 140-29-401-005 and 006), R-1 (Single-Family Residential) Zone [Proposed: RPD-9 (Residential Planned Development - 9 Units per Acre)], Ward 3 (Reese). Staff recommends DENIAL. The Planning Commission (7-0 vote) recommend APPROVAL
99. ABEYANCE ITEM - REZONING - PUBLIC HEARING - ZON-4368 - APPLICANT: CARINA HOMES - OWNERS: RONALD AND CAROLYN MICH'L - Request for a Rezoning FROM: U (UNDEVELOPED) [PCD (PLANNED COMMUNITY DEVELOPMENT) GENERAL PLAN DESIGNATION] TO: R-PD6 (RESIDENTIAL PLANNED DEVELOPMENT - 6 UNITS PER ACRE) on 10.52 acres adjacent to the northwest corner of Farm Road and Hualapai Way (APN 126-13-601-004, 006, 008 and 009), Ward 6 (Mack). The Planning Commission (6-0 vote) and staff recommend APPROVAL
100. ABEYANCE ITEM - VACATION RELATED TO ZON-4368 - PUBLIC HEARING - VAC-4420 - APPLICANT: CARINA HOMES; OWNER: RON AND CAROLYN MICH'L, ET AL - Request for a Petition to vacate U. S. Government Patent Easements and the Donald Nelson Avenue Right of Way, generally located west of Hualapai Way, north of Farm Road, Ward 6 (Mack). The Planning Commission (6-0 vote) and staff recommend APPROVAL
101. ABEYANCE ITEM - SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-4368 AND VAC-4420 - PUBLIC HEARING - SDR-4370 - APPLICANT: CARINA HOMES - OWNER: RONALD AND CAROLYN MICH'L - Request for a Site Development Plan Review FOR A 73-LOT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT on 10.52 acres adjacent to the northwest corner of Farm Road and Hualapai Way (APN 126-13-601-004, 006, 008 and 009), U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] [PROPOSED: R-PD6 (Residential Planned Development - 6 Units Per Acre)], Ward 6 (Mack). The Planning Commission (6-0 vote) and staff recommend APPROVAL
102. ABEYANCE ITEM - GENERAL PLAN AMENDMENT - PUBLIC HEARING - GPA-4634 - APPLICANT: D.R. HORTON, INC. - OWNER: SPRING MOUNTAIN RANCH, LIMITED LIABILITY COMPANY - Request to Amend a portion of the Centennial Hills Interlocal Land Use Plan of the General Plan FROM: SC (SERVICE COMMERCIAL) TO: ML (MEDIUM-LOW DENSITY RESIDENTIAL) on 17.83 acres adjacent to the southwest corner of Horse Drive and Fort Apache Road (APN 125-07-710-001 and 125-08-322-001), Ward 6 (Mack). The Planning Commission (3-2-1 vote) and staff recommend DENIAL
103. ABEYANCE ITEM - REZONING RELATED TO GPA-4634 - PUBLIC HEARING - ZON-4640 - APPLICANT: D.R. HORTON, INC. - OWNER: SPRING MOUNTAIN RANCH, LIMITED LIABILITY COMPANY - Request for a Rezoning FROM: R-E (RESIDENCE ESTATES) AND C-2 (GENERAL COMMERCIAL) TO: R-PD6 (RESIDENTIAL PLANNED DEVELOPMENT - 6 UNITS PER ACRE) on 17.83 acres adjacent to the southwest corner of Horse Drive and Fort Apache Road (APN 125-07-710-001 and 125-08-322-001), Ward 6 (Mack). The Planning Commission (3-2-1 vote) and staff recommend DENIAL
104. ABEYANCE ITEM - VARIANCE RELATED TO GPA-4634 AND ZON-4640 - PUBLIC HEARING - VAR-4642 - APPLICANT: D.R. HORTON, INC. - OWNER: SPRING MOUNTAIN RANCH, LIMITED LIABILITY COMPANY - Request for a Variance TO ALLOW ZERO OPEN SPACE WHERE 1.65 ACRES ARE REQUIRED FOR A SINGLE FAMILY DEVELOPMENT on 17.83 acres adjacent to the southwest corner of Horse Drive and Fort Apache Road (APN 125-07-710-001 and 125-08-322-001), R-E (Residence Estates) and C-2 (General Commercial) Zones [PROPOSED: R-PD6 (Residential Planned Development- 6 Units Per Acre)], Ward 6 (Mack). The Planning Commission (3-2-1 vote) and staff recommend DENIAL
105. ABEYANCE ITEM - SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-4634, ZON-4640 AND VAR-4642 - PUBLIC HEARING - SDR-4641 - APPLICANT: D.R. HORTON, INC. - OWNER: SPRING MOUNTAIN RANCH, LIMITED LIABILITY COMPANY - Request for a Site Development Plan Review FOR A 100 LOT RESIDENTIAL DEVELOPMENT on 17.83 acres adjacent to the southwest corner of Horse Drive and Fort Apache Road (APN 125-07-710-001 and 125-08-322-001), R-E (Residence Estates) and C-2 (General Commercial) Zones [PROPOSED: R-PD6 (Residential Planned Development - 6 Units Per Acre)], Ward 6 (Mack). The Planning Commission (3-2-1 vote) and staff recommend DENIAL

**PLANNING & DEVELOPMENT DEPARTMENT – DISCUSSION**

106.SET DATE ON ANY APPEALS FILED OR REQUIRED PUBLIC HEARINGS FROM THE CITY PLANNING COMMISSION MEETINGS, CENTENNIAL HILLS ARCHITECTURAL REVIEW COMMITTEE AND DANGEROUS BUILDING OR NUISANCE/LITTER ABATEMENTS

**ADDENDUM**

**CITIZENS PARTICIPATION**

PUBLIC COMMENT DURING THIS PORTION OF THE AGENDA MUST BE LIMITED TO MATTERS WITHIN THE JURISDICTION OF THE CITY COUNCIL. NO SUBJECT MAY BE ACTED UPON BY THE CITY COUNCIL UNLESS THAT SUBJECT IS ON THE AGENDA AND IS SCHEDULED FOR ACTION. IF YOU WISH TO BE HEARD, COME TO THE PODIUM AND GIVE YOUR NAME FOR THE RECORD. THE AMOUNT OF DISCUSSION ON ANY SINGLE SUBJECT, AS WELL AS THE AMOUNT OF TIME ANY SINGLE SPEAKER IS ALLOWED, MAY BE LIMITED

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

- City Clerk's Bulletin Board, City Hall Plaza, 2nd Floor Skybridge
- Court Clerk's Office Bulletin Board, City Hall Plaza
- Las Vegas Library, 833 Las Vegas Boulevard North
- Clark County Government Center, 500 S. Grand Central Parkway
- Grant Sawyer Building, 555 E. Washington Avenue

**EXHIBIT B**

**(Attach Copy of Notice of September 15, 2004 Meeting)**

# CITY COUNCIL AGENDA

SEPTEMBER 15, 2004  
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Neighborhood Services Department	Pg 4	Finance & Business Services	Pg 8
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## AFTERNOON

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**CITY COUNCIL AGENDA**

COUNCIL CHAMBERS • 400 STEWART AVENUE • PHONE 229-6011

CITY OF LAS VEGAS INTERNET ADDRESS: <http://www.lasvegasnevada.gov>

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

COUNCILMEMBERS: LARRY BROWN (Ward 4), LAWRENCE WEEKLY (Ward 5), MICHAEL MACK (Ward 6),

JANET MONCRIEF (Ward 1) and STEVE WOLFSON (Ward 2)

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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.

**SEPTEMBER 15, 2004**

**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, AND ARE CLOSED CAPTIONED FOR OUR HEARING IMPAIRED VIEWERS. THE COUNCIL MEETING, AS WELL AS ALL OTHER KCLV PROGRAMMING, CAN BE VIEWED ON THE INTERNET AT [www.kclv.tv](http://www.kclv.tv). THE PROCEEDINGS WILL BE REBROADCAST ON KCLV CHANNEL 2 AND THE WEB THE WEDNESDAY OF THE MEETING AT 8:00 PM, AND ALSO ON FRIDAY AT 4:00 AM, SATURDAY AT 7:00 PM, SUNDAY AT 7:00 AM AND THE FOLLOWING MONDAY AT 1:00 PM.

DUPLICATE AUDIO TAPES MAY BE AVAILABLE AT A COST OF \$3.00 PER TAPE AND DUPLICATE VIDEO TAPES MAY BE AVAILABLE AT A COST OF \$5.00 PER TAPE THROUGH THE CITY CLERK'S OFFICE.

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

**CEREMONIAL MATTERS**

- CALL TO ORDER
- ANNOUNCEMENT RE: COMPLIANCE WITH OPEN MEETING LAW
- INVOCATION - REVEREND BONNIE PAULIE, CHRIST EPISCOPAL CHURCH
- PLEDGE OF ALLEGIANCE
- RECOGNITION OF THE EMPLOYEE OF THE MONTH
- RECOGNITION OF ONE COMMUNITY, ONE BOOK MONTH
- RECOGNITION OF HISPANIC HERITAGE MONTH
- RECOGNITION OF EAGLE SCOUTS FOR OUTSTANDING COMMUNITY SERVICE
- RECOGNITION OF OUTSTANDING COMMUNITY SERVICE IN WARD 5

## **BUSINESS ITEMS**

1. Any items from the morning session that the Council, staff and/or the applicant wish to be stricken or held in abeyance to a future meeting may be brought forward and acted upon at this time
2. Approval of the Final Minutes by reference of the regular City Council Meetings of June 2, 2004 and June 16, 2004

## **CONSENT AGENDA**

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

### **ADMINISTRATIVE - CONSENT**

3. Approval of the First Amended and Restatement of the Production and Promotion Agreement between SFX Marketing, Inc. a subsidiary of Clear Channel Entertainment (CCE), and the Commission for the Las Vegas Centennial to provide development, creation, production and promotion of all aspects of the Las Vegas Centennial Celebration - All Wards

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

4. Approval of Service and Material Checks/Payroll Checks/Wire Transfers/Other Checks and Investments
5. Approval to provide \$210,000 from the City Facilities Capital Projects Fund (CPF) in additional funding to the City Hall Basement Graphic Arts Remodel project - Ward 5 (Weekly)
6. Approval to transfer \$40,000 in funding from the Public Works Capital Projects Fund (CPF) St. Louis Avenue Beautification project to the Parks and Leisure Activities CPF for the Huntridge Circle Park project for plastering a barrier - Ward 3 (Reese)
7. Approval of a Special Event License for Thai Cultural Art Association of Las Vegas, Location: Charleston Heights Arts Center, 800 Brush Street, Date: September 15, 2004, Type: Special Event Beer/Wine, Event: Thai Performing Arts Appreciation Day 2004, Responsible Person in Charge: Kochasieh Phibulphanuvat - Ward 1 (Moncrief)
8. Approval of a Special Event License for Lady Luck, Location: Lady Luck, 206 North 3rd Street, Dates: September 16-18, 2004, Type: Special Event Beer/Wine, Event: Bikefest Registration, Parking and Shuttle, Responsible Person in Charge: Thomas Dunbar - Ward 5 (Weekly)
9. Approval of a Special Event License for Lady Luck, Location: Lady Luck, 206 North 3rd Street, Date: September 24, 2004, Type: Special Event Beer/Wine, Event: Street Party, Responsible Person in Charge: Thomas Dunbar - Ward 5 (Weekly)
10. Approval of a Special Event License for Chilean American Association, Location: Hills Park, 9100 Hillpointe Road, Date: September 26, 2004, Type: Special Event General, Event: Chilean Independence Day Celebration, Responsible Person in Charge: Patricio Sarnataro - Ward 4 (Brown)
11. Approval of a Special Event License for Southern Nevada Blues Association, Location: Sammy Davis Jr., Plaza, 720 Twin Lakes Drive, Date: October 3, 2004, Type: Special Event Beer/Wine/Cooler, Event: Las Vegas Blues Festival, Responsible Person in Charge: Chere J. Perez - Ward 5 (Weekly)

## FINANCE & BUSINESS SERVICES DEPARTMENT - CONSENT

12. Approval of a Special Event License for Las Vegas Founders Club, Location: Tournament Players Club at Summerlin, 1700 Village Center Circle, Dates: October 7-10, 2004, Type: Special Event General, Event: Las Vegas Invitational PGA Golf Tournament, Responsible Person in Charge: David Roush - Ward 2 (Wolfson)
13. Approval of a Special Event License for Saint Francis de Sales Catholic Church, Location: 1111 North Michael Way, Church Grounds, Date: October 24, 2004, Type: Special Event General, Event: International Carnival and Bazaar Fundraiser, Responsible Person in Charge: Ed Irigoyen - Ward 5 (Weekly)
14. Approval of a Special Event License for Las Vegas South Sunset Rotary Club, Location: Opportunity Village, 6300 West Oakey Boulevard, Date: November 13, 2004, Type: Special Event General, Event: Mad Hatter's Ball, Responsible Person in Charge: Robert Wood - Ward 1 (Moncrief)
15. Approval of a Special Event License for Ladd Heleloa, Location: Sammy Davis Jr. Plaza, 720 Twin Lakes Drive, Date: September 18, 2004, Type: Special Event Beer/Wine/Cooler, Event: Na Palapalai Hawaiian Concert, Responsible Person in Charge: Ladd Heleloa - Ward 5 (Weekly)
16. Approval of a new Beer/Wine/Cooler On-sale License, Vesci & Vesci, dba New York Pizza and Pasta, 2400 South Jones Boulevard, 13, James J. Vesci and Laura A. Vesci, 100% jointly as husband and wife - Ward 1 (Moncrief)
17. Approval of a new Liquor Caterer License, Bleu Gourmet, LLC, dba Bleu Gourmet, 8751 West Charleston Boulevard, Samuel R. Bailey, Mgr, Mmbr, 35%, Robert L. Howell, Mgr, Mmbr, 35%, Sandeep Ahuja, Mmbr, 30% - Ward 1 (Moncrief)
18. Approval of Change of Ownership and Business Name for a Beer/Wine/Cooler Off-sale License and a new Restricted Gaming License for 7 slots subject to the provisions of the fire codes, Health Dept. regulations and confirmation of approval by the Nevada Gaming Commission, From: Short Line Operations, LLC, dba Short Line Express Market, Duane L. Shields, Mgr, Ernest A. Becker, Jr., Mgr, Robert M. Morton, II, Mgr, The Ernest A. Becker IV & Kathleen C. Becker Family Trust, Mmbr, 33 1/3%, Ernest A. Becker, Jr., Trustee, Kathleen R. Becker, Trustee, Duane L. Shields & MaryEllen Shields Family Trust, Mmbr, 33 1/3%, Duane L. Shields, Trustee, MaryEllen Shields, Trustee, AMS 1998 Trust, Mmbr, 33 1/3%, Robert M. Morton, II, Trustee, To: Dashmesh Oil Company, dba Dashmesh Gas Station and Market, 6698 Sky Pointe Drive, Gurpreet S. Grewal, Dir, Pres, Secy, Treas, 100% - Ward 6 (Mack)
19. Approval of a new Burglar Alarm Service License, National Alarm Computer Center, Inc., dba National Alarm Computer Center, Inc., 96 Corporate Park, Suite 300, Irvine, California, Stephen B. Baker, VP - California
20. Approval of Change of Location for a Burglar Alarm License, Crime Busters of Nevada, Inc., dba All Secure Alarm Protection, From: 4625 Wynn Road, Suite 101, To: 4780 West Harmon Avenue, Suite 4, David Gross, Pres, 50%, John C. Perdichizzi, Dir, Secy, Treas, 50% - County
21. Approval of a new Locksmith License, Alamo Lock and Key, LLC, dba Alamo Lock and Key, LLC, 1625 Paradise Reef Avenue, Michael R. King, Mgr, Mmbr, 50%, Jo Ann King, Mgr, Mmbr, 50% - North Las Vegas
22. Approval of a new Massage Establishment License, Ronald L. Reed, dba The Right Touch, 1105 South Rainbow Boulevard, Suite 102, Ronald L. Reed, 100% - Ward 1 (Moncrief)
23. Approval of a new Psychic Art and Science License, Sonya Adams, dba Sonya Adams, 1500 East Sahara Avenue, Suite B, Sonya Adams, 100% - Ward 3 (Reese)
24. ABEYANCE ITEM - Preapproval of award of Bid No. 05.1730.09-LED, Modification of Lake Mead Boulevard and Tenaya Way Intersection to the lowest responsive and responsible or best bidder and the construction conflicts and contingency reserve set by Finance and Business Services - Department of Public Works (Monetary range \$550,000 to \$760,000 - Road and Flood Capital Projects Fund) - Ward 4 (Brown)
25. Approval of award of Bid No. 04.15341.19-LED, City Hall Basement Remodel and approve the construction conflicts and contingency reserve set by Finance and Business Services - Department of Public Works - Award recommended to: COBBLESTONE CONSTRUCTION (\$702,670 - City Facilities Capital Projects Fund) - Ward 5 (Weekly)

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

26. Approval of issuance of a purchase order for a Mobile Disaster Relief Animal Shelter Clinic - Detention & Enforcement Department - Award recommended to: LA BOIT, INC. (\$111,000 - Multi Purpose Special Revenue Fund)
27. Approval of award of Agreement No. 050030, Business License Tax Audit Consulting Services - Department of Finance and Business Services - Award recommended to: MBIA MUNISERVICES COMPANY (\$100,000 estimated contingency fee)
28. Approval of award of Agreement No. 050061, Electrical Engineering Consulting Services - Department of Field Operations - Award recommended to: HARRIS CONSULTING ENGINEERS, LLC (\$53,845 - General Fund) - Ward 5 (Weekly)
29. Approval of award of Contract No. 050065-LED, Fire Authority Building Maintenance Testing - Department of Field Operations - Award recommended to: ELECTRICAL RELIABILITY SERVICES, INC. (\$36,125 - General Fund)
30. Approval of ratification of a purchase order for emergency security guards for Sky Vue Mobile Home Park, 15 West Owens Ave. - Department of Detention and Enforcement - Award recommended to: GUARDIAN SECURITY (\$32,256 - General Fund) - Ward 5 (Weekly)
31. Approval of issuance of a purchase order for the purchase of Community Emergency Response Team (CERT) backpacks - Department of Fire and Rescue - Award recommended to: SAFETY IMAGES (\$25,875 - Multi Purpose Special Revenue Fund)
32. Approval of award of Bid No. 04.1730.08-LED, Durango Drive IV, Tropical Parkway to I-215, and approve the construction conflicts and contingency reserve set by Finance and Business Services - Department of Public Works - Award recommended to: TAB CONTRACTORS, INC. (\$4,474,437 - Various Funds) - Ward 6 (Mack)

## **MUNICIPAL COURT - CONSENT**

33. Approval of Interlocal Contract for Electronic Monitoring Services Agreement between the Las Vegas Municipal Court House Arrest Program and the Boulder City Municipal Court

## **NEIGHBORHOOD SERVICES DEPARTMENT - CONSENT**

34. Approval of revising a Rehabilitation Deferred Loan to include refinancing of current mortgages not to exceed \$213,275 in FY 2004 Home Investment Partnership (HOME) funds for Maria Magana at 4005 Via Vaquero Avenue - Ward 1 (Moncrief)
35. Approval of an additional \$225,210 of Community Development Block Grant (CDBG) Construction funds for the completion of the facility expansion of the Smart Start Child Care Center located at 1260 West Owens Avenue - Ward 5 (Weekly)
36. Approval of an allocation in the amount of \$400,000 in FY 2004 Home Investment Partnership (HOME) funds from the Clark County Consortium to be utilized for the City of Las Vegas Homebuyer Downpayment Assistance Program with the following participants: Women's Development Center, Consumer Credit Counseling and East Las Vegas Community Development Corporation to operate their Homebuyer Assistance Programs - All Wards
37. Approval of an Agreement between the Economic Opportunity Board Community Action Partnership and the City of Las Vegas in the amount of \$140,000 to be utilized by the City of Las Vegas Child Care Improvement Grant (CCIG) for childcare providers and to assist the City of Las Vegas Child Care Licensing Division with staff development and other training - All Wards

## PLANNING & DEVELOPMENT DEPARTMENT - CONSENT

38. Approval of parcels recommended for disposal at the Fall 2005 Bureau of Land Management Public Land Sale - Wards 4 and 6 (Brown and Mack)
39. Approval of an interlocal agreement between the City of Las Vegas and Clark County for the construction of Pioneer Trail - Wards 1 and 5 (Moncrief and Weekly)

## PUBLIC WORKS DEPARTMENT - CONSENT

40. Approval of Seventh Supplemental Interlocal Contract 250g - Alta Drive - Rancho Drive to Union Pacific Railroad (UPRR) Property between the City of Las Vegas and the Regional Transportation Commission (RTC) to increase total project funding (\$92,000 - Regional Transportation Commission) - Ward 5 (Weekly)
41. Approval of Interlocal Contract 481 for a City Parkway - D Street Connector Alignment Study between Grand Central Parkway and I-15 between the City of Las Vegas and the Regional Transportation Commission (RTC) (\$100,000 - Regional Transportation Commission) - Ward 5 (Weekly)
42. Approval of Interlocal Contract 482 - Bus Turnout Project FY 2005 between the City of Las Vegas and the Regional Transportation Commission (RTC) (\$500,000 - Regional Transportation Commission) - Ward 3 (Reese)
43. Approval of Fourth Supplemental Interlocal Contract LAS10J98 - Gowan North Channel Alexander Drive to Lone Mountain Road and Lone Mountain Outfall between the City of Las Vegas and the Clark County Regional Flood Control District (CCRFCD) to increase total project funding (\$20,000 - Clark County Regional Flood Control District) - Ward 6 (Mack)
44. Approval to file a Right-of-Way Grant with the Bureau of Land Management for drainage purposes on portions of land lying within the Southwest Quarter of Section 31, Township 19 South, Range 60 East, the North Half of Section 6 and the Northwest Quarter of Section 5, Township 20 South, Range 60 East, Mount Diablo Meridian, generally located on the north and south sides of the Lone Mountain Road alignment, between the Hualapai Way and El Capitan Way alignments, APNs 125-31-401-007, -403-001, -801-002, -804-002, 138-05-101-006, 138-06-201-001, -503-001, -003 and -004 - County (near Ward 6 - Mack)
45. Approval of a Sewer Connection and Interlocal Contract with Clark County Water Reclamation District - Southwest Engineering on behalf of Richmond American Homes, owners (north of Centennial Parkway, between Fort Apache Road and Kevin Street, APNs 125-20-401-006, -007, -009; 125-20-403-001, -002, -003, -004; 125-20-402-004 and -005) - County (near Ward 6 -Mack)
46. Approval of an Encroachment Request from Southwest Engineering on behalf of Sky Ridge Limited, owner (Tee Pee Lane at Oso Blanca Road) - Ward 6 (Mack)
47. Approval of a Sewer Connection and Interlocal Contract with Clark County Water Reclamation District - Southwest Engineering on behalf of Richmond American Homes, owners (northwest corner of Chieftain Street and Centennial Parkway, APN 125-19-802-012) - County (near Ward 6 - Mack)
48. Approval of an Encroachment Request from MM & K Trust, owner (Tenth Street at Garces Avenue) - Ward 5 (Weekly)
49. Approval of a Construction Management Agreement with TJ Consulting for construction management services on Fire Station No. 8 located at Mojave Road and Harris Avenue, Fire Station No. 47 located at Alta Drive and Carriage Hill Drive and Freedom Park Pool located at Pecos Road and Washington Avenue (\$184,912 - Various Capital Project Funds) -Wards 2 and 3 (Wolfson and Reese)
50. Approval of an Interlocal Agreement 110388 with the Las Vegas Valley Water District for water service at Mirabelli Community Center located at 6200 Hargrove Avenue (\$1,896 - Capital Improvement Projects Fund) - Ward 1 (Moncrief)

## PUBLIC WORKS DEPARTMENT - CONSENT

51. Approval of a Designated Services Agreement with Terracon Consultants Inc., for material testing and special inspection services of Mirabelli Community Center Demo and Rebuild located at Elton Avenue and Hargrove Avenue (\$36,742 - Capital Improvement Projects Fund) - Ward 1 (Moncrief)
52. Approval of a First Amendment to a Construction Management Agreement with TJ Consulting for construction management for Washington and Buffalo Park Phase 1A and 1B located at Washington Avenue and Buffalo Drive (\$92,460 - Capital Project Funds) - Ward 4 (Brown)
53. Approval of a Blanket Services Agreement with Kennedy Jenks Consultant Inc., for the design services of Trails, Trailheads and various amenities (\$500,000 - Southern Nevada Public Lands Management Act) - Ward 6 (Mack)
54. Approval of the installation of Speed Humps on Wilmington Way between Richfield Boulevard and Wyandotte Street (\$7,800 - Neighborhood Traffic Management Program) - Ward 1 (Moncrief)
55. Approval of the installation of Speed Humps on Spencer Street between St. Louis Avenue and Oakey Boulevard (\$7,800 - Neighborhood Traffic Management Program) - Ward 3 (Reese)
56. Approval of the installation of Speed Humps on Valley Drive between Coran Lane and Lake Mead Boulevard (\$10,400 - Neighborhood Traffic Management Program) - Ward 5 (Weekly)
57. Approval of the installation of Speed Humps on Jo Marcy Drive between Tule Springs Road and Cimarron Road (\$10,400 - Neighborhood Traffic Management Program) - Ward 6 (Mack)
58. Approval of Amendment No. 2 to Highway Agreement No. P624-03-063 with the Nevada Department of Transportation to design and construct road improvements at the Charleston Boulevard/Valley View Boulevard intersection utilizing Federal Safety Funds and Nevada Department of Transportation Funds - Ward 1 (Moncrief)
59. Approval of Bill of Sale 107811 to the Las Vegas Valley Water District (LVVWD) for transfer of ownership of water distribution facilities installed in conjunction with the Rainbow Boulevard Improvements - Northern Section, Rancho Road to Ann Road - Ward 6 (Mack)
60. Approval of Bill of Sale 107046 to the Las Vegas Valley Water District (LVVWD) for transfer of ownership of water distribution facilities installed in conjunction with Special Improvement District No.1478 - Vegas Drive/Owens Avenue, Rancho Drive to Interstate 15 - Ward 5 (Weekly)
61. Approval of a Dedication from the City of Las Vegas, for a portion of the Southeast Quarter of Section 27, Township 20 South, Range 61 East, Mount Diablo Meridian, for rights-of-way located along Veterans Memorial Drive between Washington Avenue and Bonanza Road and Sycamore Lane between Biltmore Drive and Veterans Memorial Drive, APNs 139-27-708-011, 010, 013 and 899-019 - Ward 5 (Weekly)
62. Approval of Amendment No. 1 to Highway Agreement No. P860-03-063 with the Nevada Department of Transportation to design and construct road improvements at the intersection of Charleston Boulevard and Rampart Boulevard/Fort Apache Road - Ward 2 (Wolfson)

## RESOLUTIONS - CONSENT

63. R-147-2004 - Approval of a Resolution Awarding Bid for Special Improvement District No. 1503 - Durango Drive Phase IV (Tropical Parkway to Clark County Highway 215) (\$246,727 - Capital Projects Fund/Special Assessments) - Ward 6 (Mack)
64. R-148-2004 - Approval of a Resolution amending Schedules 25-II, 35 MPH Speed Limits, and 25-IV, 45 MPH speed limits, to change the speed limit on Jones Boulevard between Farm Road and Grand Teton Drive from 45 MPH to 35 MPH - Ward 6 (Mack)

## RESOLUTIONS - CONSENT

65. R-149-2004 - Approval of a Resolution amending Schedules 25-II, 35 MPH Speed Limits, and 25-IV, 45 MPH Speed Limits, to change the speed limit on Durango Drive between Desert Inn Road and Sahara Avenue from 35 MPH to 45 MPH - Ward 2 (Wolfson)

## REAL ESTATE COMMITTEE – CONSENT

66. Approval of an Assignment and Option Agreement with Affordable Housing Resource Council (AHRC) (the Assignor) and Silver Sky Assisted Living Limited Partnership (Assignee) to purchase approximately ten (10) acres of City of Las Vegas land located in the vicinity of Silver Sky Drive and Roland Wiley, Las Vegas, Nevada for development and construction of a senior assisted living project and senior housing - Ward 2 (Wolfson)
67. Approval of a Grant, Bargain and Sale Deed from Astoria Lone Mountain 30, LLC, to the City of Las Vegas for approximately 21,000 square feet of land in the vicinity of Gilmore Avenue on APN 137-12-201-014 - Ward 4 (Brown)
68. Approval of entering into negotiations with KB Homes to purchase a portion of APN 125-08-401-004 located at Grand Teton Drive and US-95 North from the City of Las Vegas (CLV) - Ward 6 (Mack)
69. Approval of Interlocal Agreement 110273 between the City of Las Vegas and the Las Vegas Valley Water District (LVVWD) for a water line extension on APN 139-27-708-008 commonly known as the Reed Whipple Cultural Center located at 821 North Las Vegas Boulevard - Ward 5 (Weekly)
70. ABEYANCE ITEM - Approval of entering into negotiations with The Shade Tree, Inc., for the purchase of approximately one acre of City land in the vicinity of Owens Avenue and Main Street for an off-site expansion - Ward 5 (Weekly)
71. ABEYANCE ITEM - Approval of entering into negotiations with The Salvation Army for a Purchase Agreement for approximately 3.165 acres of land in the vicinity of Owens Avenue and Main Street for The Salvation Army and HAND Development Company for co-development of an affordable family housing community - Ward 5 (Weekly)
72. Approval of a Lease Agreement with The Salvation Army to provide use of the former Crisis Intervention Center facility located at 1581 North Main Street - Ward 5 (Weekly)

## DISCUSSION / ACTION ITEMS

### ADMINISTRATIVE - DISCUSSION

73. Discussion and possible action regarding the City's role and involvement in the Veteran's Day Parade (\$7,500 – Special Revenue Fund)
74. Report and possible action regarding the Clark County Health District staff presentation concerning West Nile Virus issues in Southern Nevada

### BUSINESS DEVELOPMENT - DISCUSSION

75. Report on the New Markets Tax Credit application process and on requests from three community groups to receive participation from the City of Las Vegas in support of their respective applications to the Department of Treasury - Wards 1 and 5 (Moncrief and Weekly)

## CITY ATTORNEY - DISCUSSION

76. Discussion and possible action on Appeal of Work Card Denial: Theresa Yvonne Carr, 3255 Epsom Street, Las Vegas, Nevada 89129
77. Discussion and possible action on Appeal of Work Card Denial: James Jason Walker, 3240 Westwind Road, Las Vegas, Nevada 89146

## FINANCE & BUSINESS SERVICES DEPARTMENT - DISCUSSION

78. Discussion and possible action regarding a new Psychic Art and Science License, Nina Demetro, dba Psychic World, 1820 Hassett Avenue, Nina Demetro, 100% - Ward 3 (Reese)
79. Discussion and possible action regarding Temporary Approval of Change of Ownership and Business Name for a Beer/Wine/Cooler On-sale License subject to the provisions of the fire codes and Health Dept. regulations, From: Kowloon, LLC, dba Kowloon Cuisine, Yuk S. Wong, Mgr, 60%, Xiao-Yun Zhu, Mgr, 40%, To: Steven, LLC, dba Pho Tien Asian Cuisine, 1750 North Buffalo Drive, Suite 107, Steven Wynn, Mgr, Mmbr, 100% - Ward 4 (Brown)
80. Discussion and possible action regarding Change of Ownership, Location and Business Name for a Tavern License subject to the provisions of the planning codes and Health Dept. regulations, From: Bola III, LLC, dba La Salsa Fresh Mexican Grill, 4949 North Rancho Drive (Non-operational), Lawrence T. Simon, Mgr, Mmbr, and Monica A. Simon, Mgr, Mmbr, 13.77% jointly as husband and wife, Robert H. Whalen, Mgr, Mmbr, 5.3%, Laura A. Cunningham, Mgr, Mmbr, 1.06%, Nevada Franchise, LLC, Mmbr, 79.87%, Lawrence T. Simon, Mgr, Pres, Secy, Treas, SFFG, LLC, Mmbr, 100%, Lawrence T. Simon, Mgr, Pres, Secy, Treas, To: Celebrity Las Vegas, LLC, dba Celebrity Las Vegas, 201 North 3rd Street, Donald D. Troxel, Mgr, Mmbr, 100% (NOTE: Item to be heard in the afternoon session in conjunction with Item 148 - SUP-4739) - Ward 5 (Weekly)
81. Discussion and possible action regarding Approval of Key Employee for a Tavern License and a Restricted Gaming License for 15 slots, Dick's Liquors, Inc., dba Cooler Lounge, 1903 North Decatur Boulevard, Jo Ann Milton, Key Employee - Ward 5 (Weekly)
82. Discussion and possible action regarding a new Burglar Alarm Service License, All Secure, Inc., dba All Secure, Inc., 3904 Wharton Street, Noel Emanuel, Dir, Pres, Secy, Treas, 100% - Ward 6 (Mack)
83. Discussion and possible action regarding Temporary Approval of a new Psychic Art and Science License subject to the provisions of the planning and fire codes, Jodi Ann Hazzard, dba Jodi Ann Hazzard, 6848 West Charleston Boulevard, Jodi Ann Hazzard, 100% - Ward 1 (Moncrief)
84. Discussion and possible action regarding Temporary Approval of Change of Ownership and Business Name for a Class II Secondhand Dealer License subject to the provisions of the fire codes, From: Kid to Kid of Summerlin, LLC, dba Kid to Kid of Summerlin, LLC, Tina M. Vialard, Mmbr, 50%, Jeffrey R. Vialard, 50%, To: Home Planet, Inc., dba Kid to Kid, 8450 West Sahara Avenue, Suite 105, Douglas R. MacPherson, Dir, Pres, 50%, Fumiko MacPherson, Dir, Secy, Treas, 50% - Ward 1 (Moncrief)
85. Discussion and possible action regarding a Six Month Review of a Tavern License and a Restricted Gaming License for 15 slots, Claudio Garcia, dba Sin Fronteras Bar & Nightclub, 1203 East Charleston Boulevard, Suites I and J, Claudio H. Garcia, 100% - Ward 5 (Weekly)
86. ABEYANCE ITEM - Discussion and possible action regarding a Six Month Review of a Tavern License, D. Westwood, Inc., dba Treasures, 2801 Westwood Drive, Ali Davari, Dir, Pres, Treas, 50%, Hassan Davari, Dir, Secy, 50% - Ward 1 (Moncrief)

## PLANNING & DEVELOPMENT DEPARTMENT - DISCUSSION

87. Discussion and possible action regarding the population estimates for redistricting - All Wards

## RESOLUTIONS - DISCUSSION

88. R-150-2004 - Discussion and possible action regarding a resolution authorizing the Mayor to appoint Directors to the Las Vegas Arts District Development Corporation (LVADDC) and to approve the City of Las Vegas to be designated the Controlling Entity of LVADDC in the Application for New Markets Tax Credits from the Department of Treasury - Ward 1 (Moncrief)

## BOARDS & COMMISSIONS - DISCUSSION

89. NEON MUSEUM BOARD OF TRUSTEES: Appointment by the City Council of one Class I City of Las Vegas Trustee, currently filled by Councilman Michael Mack, and one Class III City of Las Vegas Trustee, currently vacant
90. TRAFFIC & PARKING COMMISSION – John J. Phillips, Term Expiration 10-18-2004

## RECOMMENDING COMMITTEE REPORTS - DISCUSSION

### BILLS ELIGIBLE FOR ADOPTION AT THIS MEETING

91. Bill No. 2004-59 – Annexation No. ANX-4440 – Property location: On the north side of Regena Avenue, 170 feet east of Riley Street; Petitioned by: Mona Agamez; Acreage: 0.62 acres; Zoned: R-E (County zoning), R-E (City equivalent). Sponsored by: Councilman Michael Mack
92. Bill No. 2004-60 – Ordinance Creating Special Improvement District No. 1505 - Sierra Oeste Neighborhood Streetlights. Sponsored by: Step Requirement
93. Bill No. 2004-61 – Ordinance authorizing the issuance by the City of Las Vegas, Nevada, of General Obligation (Limited Tax) Medium-Term Recreation Bonds (Centennial Hills Project), Series 2004C in the aggregate principal amount not to exceed \$20,000,000

### BILLS ELIGIBLE FOR ADOPTION AT A LATER MEETING

**THERE IS NO PUBLIC COMMENT ON THESE ITEMS AND NO ACTION WILL BE TAKEN BY THE COUNCIL AT THIS MEETING, EXCEPT THOSE ITEMS WHICH MAY BE STRICKEN OR TABLED. PUBLIC TESTIMONY TAKES PLACE AT THE RECOMMENDING COMMITTEE MEETING HELD FOR THAT PURPOSE.**

94. Bill No. 2004-62 – Makes adjustments to the types of zoning approval necessary for various land uses. Proposed by: Robert S. Genzer, Director of Planning and Development
95. Bill No. 2004-63 – Provides that Planning Commission action on most special use permits is final, unless appealed or requested for review by a member of the City Council, and modifies certain provisions regarding related hearings and appeals so as to conform to State law. Proposed by: Robert S. Genzer, Director of Planning and Development
96. Bill No. 2004-64 – Modifies the standards for granting a variance application and modifies certain provisions regarding variance hearings and appeals so as to conform to State law. Proposed by: Robert S. Genzer, 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 OR THOSE ITEMS TO BE STRICKEN OR TABLED.**

97. Bill No. 2004-65 – Amends the Supplemental Document to the NFPA 1, Uniform Fire Code, 2003 Edition, regarding the approval of traffic management or calming devices. Proposed by: David L. Washington, Chief, Department of Fire and Rescue
98. Bill No. 2004-66 – Establishes new solid waste and recycling regulations. Proposed by: Mark R. Vincent, Director of Finance and Business Services
99. Bill No. 2004-67 – Adjusts the ward boundaries of the City. Proposed by: Bradford R. Jerbic, City Attorney

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

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

## HEARINGS - DISCUSSION

101. Public hearing to consider the report of expenses to recover costs for the abatement of dangerous building at 410 South 7th Street. PROPERTY OWNER: JOHNNY KIM LARSEN EXEMPT TRUST – Ward 1 (Moncrief)

## 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

102. WATER FEATURE EXEMPTION - DIR-4831 - APPLICANT/OWNER: SIMON CHELSEA LV DEV, LLC - Request for a Water Feature Exemption to allow the operation of four water features for a commercial development located at 777 South Grand Central Parkway. (APN 139-33-710-001), Ward 5 (Weekly). Staff recommends APPROVAL
103. ABEYANCE ITEM - APPEAL OF DIRECTOR'S DECISION - DIR-4797 - APPLICANT: ORION OUTDOOR MEDIA - OWNER: LAPOUR GRAND CENTRAL, LIMITED LIABILITY COMPANY - Appeal of Director's decision per Title 19.00.070.F to deny the application of a Special Use Permit for a proposed Off-Premise Advertising (Billboard) Sign at 211 West Charleston Boulevard (APN 162-04-504-009) for failure to comply with Title 19.14.100, Ward 1 (Moncrief). Staff recommends DENIAL
104. DIRECTOR'S BUSINESS - DIR-5079 - APPLICANT/OWNER: SCOTCH EIGHTY HOMEOWNERS ASSOCIATION - Appeal of Director's decision per Title 19.00.070.F to deny the application of a Petition to Vacate public streets located within the Scotch Eighty Subdivision for failure to comply with Title 19.04.040, Ward 1 (Moncrief). Staff recommends DENIAL

## PLANNING & DEVELOPMENT DEPARTMENT – DISCUSSION

105. RESCIND PREVIOUS ACTION - DIRECTOR'S BUSINESS - PUBLIC HEARING - DIR-3934 - APPLICANT/OWNER: HOWARD HUGHES CORPORATION - Discussion and possible action on A REVISED DEVELOPMENT STANDARDS MANUAL FOR SUMMERLIN, Ward 2 and 4 (Wolfson and Brown). Staff has NO RECOMMENDATION
106. RECONSIDER - DIRECTOR'S BUSINESS - PUBLIC HEARING - DIR-3934 - APPLICANT/OWNER: HOWARD HUGHES CORPORATION - Discussion and possible action on A REVISED DEVELOPMENT STANDARDS MANUAL FOR SUMMERLIN, Ward 2 and 4 (Wolfson and Brown). The Planning Commission (6-0 vote) and staff recommend APPROVAL
107. GENERAL PLAN AMENDMENT - PUBLIC HEARING - GPA-4528 - APPLICANT: SILVER SKY ASSISTED LIVING, LIMITED PARTNERSHIP - OWNER: CITY OF LAS VEGAS - Request to Amend a portion of the Southwest Sector Plan of the General Plan FROM: MLA (Medium-Low Attached Density Residential) TO: M (Medium Density Residential) on 10.5 acres adjacent to the northeast corner of Roland Wiley Road and Silver Sky Drive (APN 138-28-401-014), Ward 2 (Wolfson). The Planning Commission (4-0-1 vote on a motion for approval) failed to obtain a super-majority, therefore the recommendation is for DENIAL. Staff recommends APPROVAL
108. REZONING RELATED TO GPA-4528 - PUBLIC HEARING - ZON-4529 - APPLICANT: SILVER SKY ASSISTED LIVING, LIMITED PARTNERSHIP - OWNER: CITY OF LAS VEGAS - Request for a Rezoning FROM: U (Undeveloped) [MLA (Medium-Low Attached Residential) General Plan Designation] TO: R-PD17 (Residential Planned Development - 17 Units Per Acre) on 5.56 acres adjacent to the northeast corner of Roland Wiley Road and Silver Sky Drive (APN 138-28-401-014), Ward 2 (Wolfson). The Planning Commission (4-0-1 vote) and staff recommend APPROVAL
109. SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-4528 AND ZON-4529 - PUBLIC HEARING - SDR-4752 - APPLICANT: SILVER SKY ASSISTED LIVING, LIMITED PARTNERSHIP - OWNER: CITY OF LAS VEGAS - Request for a Site Development Plan Review FOR A PROPOSED THREE-STORY, 90-UNIT, 78,649 SQUARE-FOOT ASSISTED LIVING DEVELOPMENT on 5.56 acres adjacent to the northeast corner of Silver Sky Drive and Roland Wiley Road (APN 138-28-401-014), U (Undeveloped) Zone [MLA (Medium-Low Attached Density Residential) General Plan Designation] [PROPOSED: R-PD17 (Residential Planned Development - 17 Units Per Acre)], Ward 2 (Wolfson). The Planning Commission (4-0-1 vote) and staff recommend APPROVAL
110. SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - SDR-4604 - APPLICANT/OWNER: 600 CASINO CENTER, LIMITED LIABILITY COMPANY - Request for a Site Development Plan Review and WAIVERS from the Downtown Centennial Plan parking lot screening requirements, parking lot landscaping requirements, and Title 19 perimeter wall and buffer requirements, FOR A PROPOSED PARKING LOT on 0.72 acres adjacent to the southwest corner of Bonneville Avenue and Casino Center Boulevard (APN 139-34-311-043 through 047), C-2 (General Commercial) and R-4 (High Density Residential) Zones under Resolution of Intent to C-2 (General Commercial), Ward 1 (Moncrief). The Planning Commission (5-0 vote) and staff recommend APPROVAL
111. SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - SDR-4657 - APPLICANT: INDIGO ARCHITECTURE, INC. - OWNER: ISHIMARU, LIMITED LIABILITY COMPANY AND DESERT MOUNTAIN ENTERPRISES, INC. - Request for a Site Development Plan Review and a WAIVER from foundation landscaping requirements FOR A PROPOSED 8,400 SQUARE-FOOT OFFICE/RETAIL BUILDING on 0.93 acres adjacent to the north side of Lake Mead Boulevard, approximately 230 feet west of Harbor Island Drive (APN 138-20-611-006), C-1 (Limited Commercial) Zone, Ward 4 (Brown). The Planning Commission (5-0 vote) and staff recommend APPROVAL
112. SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - SDR-4726 - APPLICANT: PHD PROPERTIES, INC. - OWNER: CENTENNIAL COURT, LIMITED LIABILITY COMPANY - Request for a Major Amendment to an approved Site Development Plan Review [Z-0074-99(1)] FOR TWO PROPOSED PAD SITES TOTALLING 16,000 SQUARE FEET, WHERE THREE PAD SITES TOTALLING 10,754 SQUARE FEET HAD BEEN APPROVED on 3.56 acres adjacent to the northeast corner of Sky Pointe Drive and Buffalo Drive (APN 125-21-711-004 and 005), C-2 (General Commercial) Zone under Resolution of Intent to T-C (Town Center) and U (Undeveloped) Zone [TC (Town Center) General Plan Designation] under Resolution of Intent to T-C (Town Center), Ward 6 (Mack). The Planning Commission (5-0 vote) and staff recommend APPROVAL

## PLANNING & DEVELOPMENT DEPARTMENT – DISCUSSION

113. SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - SDR-4749 - APPLICANT: CITY OF LAS VEGAS - OWNER: UNITED STATES OF AMERICA AND CITY OF LAS VEGAS - Request for a Site Development Plan Review FOR A PROPOSED 98,000 SQUARE-FOOT LEISURE CENTER on 16.80 acres adjacent to the northwest corner of Buffalo Drive and John Herbert Boulevard (APN a portion of 125-21-701-011, and a portion of 125-21-701-012), U (Undeveloped) Zone [TC (Town Center) General Plan Designation] under Resolution of Intent to C-V (Civic) Zone, Ward 6 (Mack). The Planning Commission (5-0 vote) and staff recommend APPROVAL
114. SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - SDR-4750 - APPLICANT: ARNOLD ROSS STALK - OWNER: J & D FINANCIAL SERVICES, INC. - Request for a Site Development Plan Review and Waivers of perimeter and foundation landscaping, building placement, exterior accent strip lighting being within 300 feet of residential property, and parking lot landscaping FOR A PROPOSED 60,000 SQUARE-FOOT COMMERCIAL CENTER on 5.4 acres adjacent to the northwest corner of Fremont Street and 25th Street (APN 139-35-815-002), C-2 (General Commercial) Zone, Ward 3 (Reese). The Planning Commission (5-0 vote) and staff recommend APPROVAL
115. ABEYANCE ITEM - MAJOR MODIFICATION - PUBLIC HEARING - MOD-4615 - APPLICANT: COOPER CUSTOM HOMES - OWNER: MB HOLDINGS, LIMITED LIABILITY COMPANY - Request for a Major Modification TO REMOVE PROPERTY FROM THE IRON MOUNTAIN RANCH MASTER PLAN on 4.3 acres adjacent to the northeast corner of Horse Drive and Bradley Road (APN 125-12-601-006), R-E (Residence Estates) Zone [PROPOSED: R-PD2 (Residential Planned Development - 2 Units Per Acre)], Ward 6 (Mack). The Planning Commission (6-0 vote) and staff recommend APPROVAL
116. ABEYANCE ITEM - REZONING RELATED TO MOD-4615 - PUBLIC HEARING - ZON-4616 - APPLICANT: COOPER CUSTOM HOMES - OWNER: MB HOLDINGS, LIMITED LIABILITY COMPANY - Request for a Rezoning FROM: R-E (RESIDENCE ESTATES) TO: R-PD2 (RESIDENTIAL PLANNED DEVELOPMENT - 2 UNITS PER ACRE) on 6.99 acres adjacent to the northeast corner of Horse Drive and Bradley Road (APN 125-12-601-006 and 009), Ward 6 (Mack). The Planning Commission (6-0 vote) and staff recommend APPROVAL
117. ABEYANCE ITEM - SITE DEVELOPMENT PLAN REVIEW RELATED TO MOD-4615 AND ZON-4616 - PUBLIC HEARING - SDR-4617 - APPLICANT: COOPER CUSTOM HOMES - OWNER: MB HOLDINGS, LIMITED LIABILITY COMPANY - Request for a Site Development Plan Review FOR A 15 LOT SINGLE FAMILY RESIDENTIAL DEVELOPMENT on 6.99 acres adjacent to the northeast corner of Horse Drive and Bradley Road (APN 125-12-601-006 and 009), R-E (Residence Estates) Zone [PROPOSED: R-PD-2 (Residential Planned Development - 2 Units Per Acre)], Ward 6 (Mack). The Planning Commission (6-0 vote) and staff recommend APPROVAL
118. VACATION - PUBLIC HEARING - VAC-4071 - APPLICANT: WRG DESIGN, INC. - OWNER: PALM MORTUARY, INC. - Petition to Vacate Deer Springs Way between Jones Boulevard and Maverick Street; and Maverick Street between Deer Springs Way and Rome Boulevard, Ward 6 (Mack). Staff recommends DENIAL. The Planning Commission (5-0 vote) recommends APPROVAL
119. VACATION - PUBLIC HEARING - VAC-4700 - APPLICANT: INVESTORS REALTY GROUP - OWNER: CAMPBELL 2.5, LIMITED LIABILITY COMPANY AND CARL UNGER, ET AL - Petition to Vacate U.S. Government Patent Easements generally located west of Campbell Road, north of Cheyenne Avenue, Ward 4 (Brown). The Planning Commission (5-0 vote) and staff recommend APPROVAL
120. VACATION - PUBLIC HEARING - VAC-4707 - APPLICANT/OWNER: L M CLIFF'S EDGE, LIMITED LIABILITY COMPANY - Petition to Vacate U.S. Government Patent Easements generally located east of Puli Drive between Grand Teton Drive and Farm Road, Ward 6 (Mack). The Planning Commission (5-0 vote) and staff recommend APPROVAL
121. VACATION - PUBLIC HEARING - VAC-4710 - APPLICANT/OWNER: BACK AAG, LIMITED LIABILITY COMPANY - Petition to Vacate a portion of a twenty-foot (20') wide public sewer easement generally located south of Rancho Drive, east of Decatur Boulevard, Ward 5 (Weekly). The Planning Commission (5-0 vote) and staff recommend APPROVAL

## PLANNING & DEVELOPMENT DEPARTMENT – DISCUSSION

122. VACATION - PUBLIC HEARING - VAC-4711 - APPLICANT/OWNER: BACK AAG, LIMITED LIABILITY COMPANY, ET AL - Petition to Vacate a twenty-foot (20') wide construction easement generally located south of Rancho Drive, east of Decatur Boulevard, Ward 5 (Weekly). The Planning Commission (5-0 vote) and staff recommend APPROVAL
123. VACATION - PUBLIC HEARING - VAC-4722 - APPLICANT/OWNER: PULTE HOMES - Petition to Vacate public sewer and drainage easements generally located east of Buffalo Drive, south of Iron Mountain Road, Ward 6 (Mack). The Planning Commission (4-0-1 vote) and staff recommend APPROVAL
124. VACATION - PUBLIC HEARING - VAC-4737 - APPLICANT: CITY OF LAS VEGAS - OWNER: GRAND CANYON PARTNERS, LIMITED LIABILITY COMPANY - Petition to Vacate a portion of Tee Pee Lane, located approximately 1,350 feet north of Grand Teton Drive, Ward 6 (Mack). The Planning Commission (5-0 vote) and staff recommend APPROVAL
125. VACATION - PUBLIC HEARING - VAC-4745 - APPLICANT/OWNER: WARMINGTON HOMES NEVADA - Petition to Vacate a Bureau of Land Management Right-of-Way Grant Easement generally located west of Hualapai Way, south of Alexander Road, Ward 4 (Brown). The Planning Commission (5-0 vote) and staff recommend APPROVAL
126. VACATION - PUBLIC HEARING - VAC-4747 - APPLICANT/OWNER: M T C 118, INC. - Petition to Vacate the stubbed portion of Wittig Avenue east of Durango Drive, Ward 6 (Mack). The Planning Commission (3-2 vote) and staff recommend APPROVAL
127. VARIANCE - PUBLIC HEARING - VAR-4629 - APPLICANT/OWNER: DAY STAR VENTURE, LIMITED LIABILITY COMPANY - Request for a Variance TO ALLOW AN 11-FOOT REAR SETBACK WHERE 15 FEET IS REQUIRED ON LOT 40; A 10-FOOT REAR, 7-FOOT STREET SIDE, AND 5-FOOT FRONT AND STREET SETBACKS WHERE 15-FOOT REAR, 10-FOOT STREET SIDE AND 10-FOOT FRONT SETBACKS ARE REQUIRED ON LOT 41; AND A 7-FOOT FRONT SETBACK WHERE 10 FEET IS REQUIRED ON LOT 48 in the Day Dawn Fusion Subdivision adjacent to the southeast corner of Fort Apache Road and Alexander Road (APN 138-08-101-001), U (Undeveloped) Zone [L (Low Density Residential) General Plan Designation] under Resolution of Intent to R-PD5 (Residence Planned Development - 5 Units per Acre) Zone, Ward 4 (Brown). Staff recommends DENIAL. The Planning Commission (4-1 vote) recommends APPROVAL
128. VARIANCE - PUBLIC HEARING - VAR-4701 - APPLICANT: TERRIBLE HERBST, INC. - OWNER: RANCHO CIRCLE SHOPPING CENTER, LIMITED LIABILITY COMPANY - Request for a Variance TO ALLOW A PROPOSED 100-FOOT TALL FLAG POLE WHERE 40 FEET IS THE MAXIMUM HEIGHT ALLOWED at 2401 West Bonanza Road (APN 139-29-801-004), C-2 (General Commercial) Zone, Ward 5 (Weekly). Staff recommends DENIAL. The Planning Commission (3-1-1 vote) recommends APPROVAL
129. VARIANCE - PUBLIC HEARING - VAR-4720 - APPLICANT: ALBERTSONS, INC. - OWNER: FLAMINGO SEC PARTNERS, LIMITED LIABILITY COMPANY - Request for a Variance TO ALLOW 60 PARKING SPACES WHERE 79 SPACES IS THE MINIMUM REQUIRED in conjunction with a proposed retail building (Pharmacy) on 1.43 acres at 4800 West Charleston Boulevard (APN 138-36-804-009), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief). Staff recommends DENIAL. The Planning Commission (5-0 vote) recommends APPROVAL
130. SPECIAL USE PERMIT RELATED TO VAR-4720 - PUBLIC HEARING - SUP-4719 - APPLICANT: ALBERTSONS INC. - OWNER: FLAMINGO SEC PARTNERS, LIMITED LIABILITY COMPANY - Request for a Special Use Permit FOR A PROPOSED GAMING ESTABLISHMENT, RESTRICTED on 1.43 acres at 4800 West Charleston Boulevard (APN 138-36-804-009), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief). Staff recommends DENIAL. The Planning Commission (5-0 vote) recommends APPROVAL

## PLANNING & DEVELOPMENT DEPARTMENT – DISCUSSION

131. SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-4720 AND SUP-4719 - PUBLIC HEARING - SDR-4718 - APPLICANT: ALBERTSONS, INC. - OWNER: FLAMINGO SEC PARTNERS, LIMITED LIABILITY COMPANY - Request for a Site Development Plan Review and Waivers of Perimeter and Foundation Landscaping Standards, and of Building Placement Standards FOR A PROPOSED SINGLE-STORY, 13,848 SQUARE-FOOT RETAIL BUILDING (PHARMACY) on 1.43 acres at 4800 West Charleston Boulevard (APN 138-36-804-009), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief). Staff recommends DENIAL. The Planning Commission (5-0 vote) recommends APPROVAL
132. VARIANCE - PUBLIC HEARING - VAR-4733 - APPLICANT: LAMAR ADVERTISING COMPANY - OWNER: D. 2801 WESTWOOD, INC. - Request for a Variance TO ALLOW AN EXISTING 34-FOOT TALL OFF-PREMISE ADVERTISING (BILLBOARD) SIGN TO BE RAISED TO 55 FEET WHERE 40 FEET IS THE MAXIMUM HEIGHT PERMITTED at 2801 Westwood Drive (APN 162-08-604-001), M (Industrial) Zone, Ward 1 (Moncrief). The Planning Commission (5-0 vote) and staff recommend DENIAL
133. REQUIRED FIVE-YEAR REVIEW - PUBLIC HEARING - RQR-4264 - APPLICANT: SENSATION SPAS OF NEVADA - OWNER: HOWARD JOHNSON - Required Six Month Review of an approved Special Use Permit (U-0052-02) WHICH ALLOWED AN OPEN AIR VENDING/ TRANSIENT SALES LOT at 3200 North Rancho Drive (APN 138-12-810-005), C-2 (General Commercial) Zone, Ward 6 (Mack). The Planning Commission (7-0 vote) and staff recommend DENIAL
134. SPECIAL USE PERMIT - PUBLIC HEARING - SUP-4541 - APPLICANT/OWNER: CAMINAR - LAS VEGAS - Request for a Special Use Permit FOR A PROPOSED CONVALESCENT CARE FACILITY/NURSING HOME at 2140 Vegas Drive (APN 139-20-802-007), U (Undeveloped) Zone [M (Medium Density Residential) General Plan Designation] under Resolution of Intent to R-2 (Medium-Low Density Residential) Zone, Ward 5 (Weekly). The Planning Commission (5-0 vote) and staff recommend APPROVAL
135. SPECIAL USE PERMIT - PUBLIC HEARING - SUP-4688 - APPLICANT: SHIPPY, LIMITED LIABILITY COMPANY - OWNER: MEYER & SYLVIA GOLD TRUST - Request for a Special Use Permit FOR A PROPOSED ANIMAL HOSPITAL adjacent to the south side of Charleston Boulevard, approximately 80 feet east of Wilshire Street (APN 163-01-502-002 and 003), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief). The Planning Commission (5-0 vote) and staff recommend APPROVAL
136. SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-4688 - PUBLIC HEARING - SDR-4687 - APPLICANT: SHIPPY, LIMITED LIABILITY COMPANY - OWNER: MEYER & SYLVIA GOLD TRUST - Request for a Site Development Plan Review and a Waiver of building placement standards FOR A PROPOSED SINGLE-STORY 7,000 SQUARE-FOOT COMMERCIAL BUILDING on 0.66 acres adjacent to the south side of Charleston Boulevard approximately 80 feet east of Wilshire Street (APN 163-01-502-002 and 003), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief). The Planning Commission (5-0 vote) and staff recommend APPROVAL
137. ABEYANCE ITEM - SPECIAL USE PERMIT - PUBLIC HEARING - SUP-2848 - REAGAN NATIONAL ADVERTISING ON BEHALF OF COG III, LIMITED - Appeal filed by Singer & Brown from the Denial by the Planning Commission on a request for a Special Use Permit for a proposed off-premise advertising (billboard) SIGN on a portion of 3.03 acres located at 1110 South Rainbow Boulevard (APN 163-02-101-002), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief). The Planning Commission (6-0 vote) and staff recommend DENIAL
138. ABEYANCE ITEM - SPECIAL USE PERMIT - PUBLIC HEARING - SUP-3394 - LAS VEGAS BILLBOARDS ON BEHALF OF WEST SAHARA ASSOCIATES, LIMITED PARTNERSHIP - Appeal filed by LAS Consulting, Inc. from the Denial by the Planning Commission of a request for a Special Use Permit FOR A PROPOSED 40-FOOT TALL, 14-FOOT BY 48-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN adjacent to the northeast corner of Torrey Pines Drive and Sahara Avenue (APN 163-02-816-001), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief). The Planning Commission (6-0 vote) recommends DENIAL. Staff recommends APPROVAL

## PLANNING & DEVELOPMENT DEPARTMENT – DISCUSSION

139. ABEYANCE ITEM - SPECIAL USE PERMIT - PUBLIC HEARING - SUP-4172 - APPLICANT: LAS VEGAS BILLBOARDS - OWNER: SHAHRAM AND TAWNYA SHEIKHAN - Appeal filed by the applicant from the Denial by the Planning Commission of a request for a Special Use Permit FOR A PROPOSED OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 300 South Decatur Boulevard (APN 138-36-601-004), C-2 (General Commercial) Zone, Ward 1 (Moncrief). The Planning Commission (7-0 vote) recommends DENIAL. Staff recommends APPROVAL
140. ABEYANCE ITEM - SPECIAL USE PERMIT - PUBLIC HEARING - SUP-4532 - APPLICANT: LAS VEGAS BILLBOARDS - OWNER: SAHARA MOHAWK, LIMITED LIABILITY COMPANY - Appeal filed by the applicant from the Denial by the Planning Commission of a request for a Special Use Permit FOR A PROPOSED 40-FOOT TALL, 14-FOOT BY 48-FOOT OFF-PREMISE (BILLBOARD) SIGN at 5320 West Sahara Avenue (APN 163-01-804-005), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief). The Planning Commission (7-0 vote) and staff recommend DENIAL
141. ABEYANCE ITEM - SPECIAL USE PERMIT - PUBLIC HEARING - SUP-4592 - APPLICANT: MOUNTAIN VIEW ESTATES - OWNER: JOHN HERDA - Request for a Special Use Permit FOR A 40 FOOT HIGH, 10 FOOT X 40 FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 2744 Highland Drive (APN 162-09-202-001), M (Industrial) Zone, Ward 1 (Moncrief). The Planning Commission (6-0 vote) and staff recommend APPROVAL
142. ABEYANCE ITEM - SPECIAL USE PERMIT - PUBLIC HEARING - SUP-4593 - APPLICANT: MOUNTAIN VIEW ESTATES - OWNER: S & K FAMILY TRUST - Request for a Special Use Permit FOR AN OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 1531 Western Avenue (APN 162-04-605-007), M (Industrial) Zone, Ward 1 (Moncrief). Staff recommends DENIAL. The Planning Commission (6-0 vote) recommends APPROVAL
143. ABEYANCE ITEM - SPECIAL USE PERMIT - PUBLIC HEARING - SUP-4594 - APPLICANT: MOUNTAIN VIEW ESTATES - OWNER: SAITTA FAMILY TRUST - Appeal filed by the applicant from the Denial by the Planning Commission of a request for a Special Use Permit FOR A 40 FOOT HIGH, 10 FOOT X 40 FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 2100 South Decatur Boulevard (APN 162-06-301-006), C-2 (General Commercial) Zone, Ward 1 (Moncrief). The Planning Commission (4-2 vote) and staff recommend DENIAL
144. SPECIAL USE PERMIT - PUBLIC HEARING - SUP-4683 - APPLICANT: REAGAN NATIONAL ADVERTISING OF NEVADA - OWNER: ANER IGLESIAS TRUST - Appeal filed by the applicant from the Denial by the Planning Commission on a request for a Special Use Permit FOR A PROPOSED 40-FOOT TALL, 14-FOOT BY 48-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 840 North Decatur Boulevard (APN 138-30-301-002), C-1 (Limited Commercial) Zone, Ward 5 (Weekly). The Planning Commission (5-0 vote) and staff recommend DENIAL
145. SPECIAL USE PERMIT - PUBLIC HEARING - SUP-4689 - SPECIAL USE PERMIT - APPLICANT: LAS VEGAS BILLBOARDS - OWNER: JERRY APPELHANS AND DEBRA TENNARIELLO - Appeal filed by the applicant from the Denial by the Planning Commission on a request for a Special Use Permit FOR A PROPOSED 40-FOOT TALL, 14-FOOT BY 48-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 1301 North Main Street (APN 139-27-502-007), C-M (Commercial/Industrial) Zone, Ward 5 (Weekly). The Planning Commission (4-1 vote) and staff recommend DENIAL
146. SPECIAL USE PERMIT - PUBLIC HEARING - SUP-4690 - APPLICANT: LAS VEGAS BILLBOARDS - OWNER: RICHARD E WILKIE REVOCABLE TRUST - Request for a Special Use Permit FOR A PROPOSED 40-FOOT TALL, 14-FOOT BY 48-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 2001 Western Avenue (APN 162-04-703-010), M (Industrial) Zone, Ward 1 (Moncrief). The Planning Commission (5-0 vote) and staff recommend APPROVAL
147. SPECIAL USE PERMIT - PUBLIC HEARING - SUP-4693 - APPLICANT: ORION OUTDOOR MEDIA - OWNER: THOMAS J. OBATA - Appeal filed by the applicant from the Denial by the Planning Commission on a request for a Special Use Permit FOR A PROPOSED 40-FOOT TALL, 14-FOOT BY 48-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 6431 West Charleston Boulevard (APN 163-02-114-003), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief). The Planning Commission (5-0 vote) recommends DENIAL. Staff recommends APPROVAL

## PLANNING & DEVELOPMENT DEPARTMENT – DISCUSSION

148. SPECIAL USE PERMIT - PUBLIC HEARING - SUP-4739 - APPLICANT/OWNER: THIRD STREET PROMENADE, LIMITED LIABILITY COMPANY - Request for a Special Use Permit and a Waiver of the 1,500 foot distance separation requirement FOR A PROPOSED 10,000 SQUARE FOOT LIQUOR ESTABLISHMENT (TAVERN) at 201 North Third Street (APN 139-34-510-012), C-2 (General Commercial) Zone, Ward 5 (Weekly). (NOTE: To be heard in conjunction with Morning Session Item 80). The Planning Commission (5-0 vote) and staff recommend APPROVAL
149. SPECIAL USE PERMIT RELATED TO SUP-4739 - PUBLIC HEARING - SUP-4741 - APPLICANT/OWNER: THIRD STREET PROMENADE, LIMITED LIABILITY COMPANY - Request for a Special Use Permit and a Waiver of the 1,500 foot distance separation requirement FOR A 5,500 SQUARE FOOT PROPOSED LIQUOR ESTABLISHMENT (TAVERN) at 207 North Third Street (APN 139-34-510-013), C-2 (General Commercial) Zone, Ward 5 (Weekly). The Planning Commission (5-0 vote) and staff recommend APPROVAL
150. SPECIAL USE PERMIT RELATED TO SUP-4739 AND SUP-4741 - PUBLIC HEARING - SUP-4742 - APPLICANT/OWNER: THIRD STREET PROMENADE, LIMITED LIABILITY COMPANY - Request for a Special Use Permit and a Waiver of the 1,500 foot distance separation requirement FOR A PROPOSED 6,000 SQUARE FOOT LIQUOR ESTABLISHMENT (TAVERN) at 207-A North Third Street (APN 139-34-510-013), C-2 (General Commercial) Zone, Ward 5 (Weekly). The Planning Commission (5-0 vote) and staff recommend APPROVAL
151. SPECIAL USE PERMIT RELATED TO SUP-4739, SUP-4741 AND SUP-4742 - PUBLIC HEARING - SUP-4743 - APPLICANT: THIRD STREET PROMENADE, LIMITED LIABILITY COMPANY - OWNER: MARILYN L. MILLER - Request for a Special Use Permit and a Waiver of the 1,500 foot distance separation requirement FOR A PROPOSED 4,050 SQUARE FOOT LIQUOR ESTABLISHMENT (TAVERN) at 217 North Third Street (APN 139-34-510-015), C-2 (General Commercial) Zone, Ward 5 (Weekly). The Planning Commission (5-0 vote) and staff recommend APPROVAL
152. SPECIAL USE PERMIT - PUBLIC HEARING - SUP-4744 - APPLICANT/OWNER: HUBERT R. POWELL AND RENEE C. RAMBERG - Request for a Special Use Permit FOR A GUEST HOUSE ON A LOT WHOSE WIDTH IS LESS THAN 80 FEET, AND WHICH CONSISTS OF MORE THAN ONE OCCUPANT ROOM, A BATHROOM AND A WALK-IN CLOSET at 2808 Mason Avenue (APN 162-05-514-008), R-1 (Single-Family Residential) Zone, Ward 1 (Moncrief). Staff recommends DENIAL. The Planning Commission (5-0 vote) recommends APPROVAL
153. SPECIAL USE PERMIT - PUBLIC HEARING - SUP-4919 - APPLICANT: THE MASSAGE GROUP - OWNER: CITY OF LAS VEGAS REDEVELOPMENT AND FREMONT STREET EXPERIENCE, LLC - Request for a Special Use Permit FOR A PROPOSED MOBILE MASSAGE ESTABLISHMENT, WAIVER OF THE 1,000 FOOT DISTANCE SEPARATION REQUIREMENT FROM ANOTHER MASSAGE ESTABLISHMENT, AND A WAIVER OF THE RESTRICTIONS ON HOURS OF OPERATION within the Fremont Street Experience (APN 139-34-111-064), C-2 (General Commercial) Zone, Ward 1 (Moncrief). The Planning Commission (5-2 vote) and staff recommend APPROVAL. [NOTE: The correct Ward designations are Wards 1 and 5 (Moncrief and Weekly), Ward 5 (Weekly) did not appear on the notifications]
154. ABEYANCE ITEM - REZONING - PUBLIC HEARING - ZON-4368 - APPLICANT: CARINA HOMES - OWNERS: RONALD AND CAROLYN MICH'L - Request for a Rezoning FROM: U (UNDEVELOPED) [PCD (PLANNED COMMUNITY DEVELOPMENT) GENERAL PLAN DESIGNATION] TO: R-PD6 (RESIDENTIAL PLANNED DEVELOPMENT - 6 UNITS PER ACRE) on 10.52 acres adjacent to the northwest corner of Farm Road and Hualapai Way (APN 126-13-601-004, 006, 008 and 009), Ward 6 (Mack). The Planning Commission (6-0 vote) and staff recommend APPROVAL. [NOTE: This item will be amended to R-PD7 (Residential Planned Development – 7 Units per Acre)]
155. ABEYANCE ITEM - VACATION RELATED TO ZON-4368 - PUBLIC HEARING - VAC-4420 - APPLICANT: CARINA HOMES; OWNER: RON AND CAROLYN MICH'L, ET AL - Request for a Petition to vacate U. S. Government Patent Easements and the Donald Nelson Avenue Right of Way, generally located west of Hualapai Way, north of Farm Road, Ward 6 (Mack). The Planning Commission (6-0 vote) and staff recommend APPROVAL

## PLANNING & DEVELOPMENT DEPARTMENT – DISCUSSION

156. ABEYANCE ITEM - SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-4368 AND VAC-4420 - PUBLIC HEARING - SDR-4370 - APPLICANT: CARINA HOMES - OWNER: RONALD AND CAROLYN MICHL - Request for a Site Development Plan Review FOR A 73-LOT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT on 10.52 acres adjacent to the northwest corner of Farm Road and Hualapai Way (APN 126-13-601-004, 006, 008 and 009), U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] [PROPOSED: R-PD6 (Residential Planned Development - 6 Units per Acre)], Ward 6 (Mack). The Planning Commission (6-0 vote) and staff recommend APPROVAL. [NOTE: This item will be amended to 69 lots PROPOSED: R-PD7 (Residential Planned Development - 7 Units per Acre)]
157. REZONING - PUBLIC HEARING - ZON-4208 - APPLICANT/OWNER: PARDEE HOMES OF NEVADA - Request for a Rezoning FROM: U (Undeveloped) Zone [TC (Town Center) General Plan Designation] TO: T-C (Town Center) on 29.14 acres adjacent to the southeast corner of North Tee Pee Lane and Severance Lane (APN 125-18-801-006, 008, 013, 014, 015 and 016), Ward 6 (Mack). The Planning Commission (5-0 vote) and staff recommend APPROVAL
158. VARIANCE RELATED TO ZON-4208 - PUBLIC HEARING - VAR-4209 - APPLICANT/OWNER: PARDEE HOMES OF NEVADA - Request for a Variance TO ALLOW 0.93 ACRES OF OPEN SPACE WHERE 2.77 ACRES IS THE MINIMUM REQUIREMENT FOR A 168-LOT SINGLE FAMILY RESIDENTIAL DEVELOPMENT on 38.66 acres adjacent to the southeast corner of North Tee Pee Lane and Severance Lane (APN 125-18-801-006, 007, 008, 013, 014, 015 and 016), T-C (Town Center) Zone, U (Undeveloped) Zone [TC (Town Center) General Plan Designation] [PROPOSED: T-C (Town Center)], Ward 6 (Mack). The Planning Commission (5-0 vote) and staff recommend APPROVAL
159. SPECIAL USE PERMIT RELATED TO ZON-4208 AND VAR-4209 - PUBLIC HEARING - SUP-4210 - APPLICANT/OWNER: PARDEE HOMES OF NEVADA - Request for a Special Use Permit TO ALLOW A GATED COMMUNITY WITH PRIVATE STREETS on 38.66 acres adjacent to the southeast corner of North Tee Pee Lane and Severance Lane (APN 125-18-801-006, 007, 008, 013, 014, 015 and 016), T-C (Town Center) Zone, U (Undeveloped) Zone [TC (Town Center) General Plan Designation] [PROPOSED: T-C (Town Center)], Ward 6 (Mack). The Planning Commission (5-0 vote) and staff recommend APPROVAL
160. VACATION RELATED TO ZON-4208, VAR-4209 AND SUP-4210 - PUBLIC HEARING - VAC-4212 - APPLICANT/OWNER: PARDEE HOMES OF NEVADA - Petition to vacate U.S. Government Patent Easements generally located south of Severance Lane, west of Tee Pee Lane, Ward 6 (Mack). The Planning Commission (5-0 vote) and staff recommend APPROVAL
161. SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-4208, VAR-4209 AND SUP-4210 AND VAC-4212 - PUBLIC HEARING - SDR-4214 - APPLICANT/OWNER: PARDEE HOMES OF NEVADA - Request for a Site Development Plan Review FOR A 168-LOT SINGLE FAMILY RESIDENTIAL DEVELOPMENT on 38.66 acres adjacent to the southeast corner of North Tee Pee Lane and Severance Lane (APN 125-18-801-006, 007, 008, 013, 014, 015 and 016), T-C (Town Center) Zone and U (Undeveloped) Zone [TC (Town Center) General Plan Designation] [PROPOSED: T-C (Town Center)], Ward 6 (Mack). The Planning Commission (5-0 vote) and staff recommend APPROVAL
162. REZONING - PUBLIC HEARING - ZON-4699 - APPLICANT: INVESTORS REALTY GROUP - OWNERS: WEILAND TRUST B AND SAN GREGARIO, LIMITED LIABILITY COMPANY - Request for a Rezoning FROM: U (UNDEVELOPED) [O (OFFICE) GENERAL PLAN DESIGNATION] TO: O (OFFICE) on 2.5 acres adjacent to the northwest corner of Cheyenne Avenue and Campbell Road (APN 138-08-401-009), Ward 4 (Brown). The Planning Commission (5-0 vote) and staff recommend APPROVAL
163. REZONING - PUBLIC HEARING - ZON-4746 - APPLICANT/OWNER: JACOB J. KIEFER - Request for a Rezoning FROM: R-E (Residence Estates) TO: R-1 (Single-Family Residential) on 1.45 acres adjacent to the northeast corner of Elkhorn Road and Unicorn Street (APN 125-13-801-011), Ward 6 (Mack). The Planning Commission (5-0 vote) and staff recommend DENIAL

## PLANNING & DEVELOPMENT DEPARTMENT – DISCUSSION

164. REZONING - PUBLIC HEARING - ZON-4755 - APPLICANT: RICHMOND AMERICAN HOMES OF NEVADA, INC. - OWNER: CAN CAN II (KB) TARGETS, LIMITED PARTNERSHIP AND RONALD MICH'L AND CAROLYN MICH'L - Request for a Rezoning FROM: U (Undeveloped) [PCD (Planned Community Development) General Plan Designation] TO: R-PD7 (Residential Planned Development - 7 Units per Acre) on 10.57 acres adjacent to the southeast corner of Grand Teton Drive and Durango Drive (APN 125-16-101-001), Ward 6 (Mack). The Planning Commission (4-0-1 vote) and staff recommend APPROVAL
165. WAIVER RELATED TO ZON-4755 - PUBLIC HEARING - WVR-4774 - APPLICANT: RICHMOND AMERICAN HOMES OF NEVADA, INC. - OWNER: CAN CAN II (KB) TARGETS, LIMITED PARTNERSHIP AND RONALD MICH'L AND CAROLYN MICH'L - Request for a Waiver of Title 18.12.160 TO ALLOW A 204-FOOT SEPARATION DISTANCE BETWEEN INTERSECTIONS WHERE A MINIMUM OF 220 FEET IS REQUIRED when providing external access from a subdivision to an existing street having a right-of-way width of 60 feet or more, in conjunction with a proposed 74-lot single-family residential development on 10.57 acres adjacent to the southeast corner of Grand Teton Drive and Durango Drive (APN 125-16-101-001), U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] [PROPOSED: R-PD7 (Residential Planned Development - 7 Units per Acre)], Ward 6 (Mack). The Planning Commission (4-0-1 vote) and staff recommend APPROVAL
166. SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-4755 AND WVR-4774 - PUBLIC HEARING - SDR-4756 - APPLICANT: RICHMOND AMERICAN HOMES OF NEVADA, INC. - OWNER: CAN CAN II (KB) TARGETS, LIMITED PARTNERSHIP AND RONALD MICH'L AND CAROLYN MICH'L - Request for a Site Development Plan Review and a Waiver of the Perimeter Landscape Standards FOR A PROPOSED 74-LOT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT on 10.57 acres adjacent to the southeast corner of Grand Teton Drive and Durango Drive (APN 125-16-101-001), U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] [PROPOSED: R-PD7 (Residential Planned Development - 7 Units per Acre)], Ward 6 (Mack). The Planning Commission (4-0-1 vote) and staff recommend APPROVAL
167. REZONING - PUBLIC HEARING - ZON-4216 - APPLICANT/OWNER: PARDEE HOMES OF NEVADA - Request for a Rezoning FROM: U (Undeveloped) [TC (Town Center) General Plan Designation] TO: T-C (Town Center) on 17.66 acres adjacent to the northwest corner of Deer Springs Way and Fort Apache Road (APN 125-19-602-001, 003 thru 011), Ward 6 (Mack). The Planning Commission (5-0 vote) and staff recommend APPROVAL
168. VACATION RELATED TO ZON-4216 - PUBLIC HEARING - VAC-4218 - APPLICANT/OWNER: PARDEE HOMES OF NEVADA - Petition to Vacate U.S. Government Patent Easements generally located south of Dorrell Lane, west of Chieftain Street, Ward 6 (Mack). The Planning Commission (5-0 vote) and staff recommend APPROVAL
169. SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-4216 AND VAC-4218 - PUBLIC HEARING - SDR-4220 - APPLICANT/OWNER: PARDEE HOMES OF NEVADA - Request for a Site Development Plan Review FOR A PROPOSED 92-LOT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT on 17.66 acres adjacent to the northwest corner of Deer Springs Way and Fort Apache Road (APN 125-19-602-001, 003 thru 011), U (Undeveloped) Zone [TC (Town Center) General Plan Designation] [PROPOSED: T-C (Town Center) Zone], Ward 6 (Mack). The Planning Commission (5-0 vote) and staff recommend APPROVAL
170. ABEYANCE ITEM - GENERAL PLAN AMENDMENT - PUBLIC HEARING - GPA-4542 - APPLICANT: JOEL ARMSTRONG - OWNER: CLARK COUNTY - Request to Amend a portion of the Southeast Sector Plan of the General Plan FROM: ML (Medium-Low Density Residential) TO: MLA (Medium-Low Attached Density Residential) on 3.58 acres adjacent to the southeast corner of Lamb Boulevard and Bingham Avenue (APN 140-29-401-005 and 006), Ward 3 (Reese). Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL
171. ABEYANCE ITEM - REZONING RELATED TO GPA-4542 - PUBLIC HEARING - ZON-4543 - APPLICANT: JOEL ARMSTRONG - OWNER: CLARK COUNTY - Request for a Rezoning FROM: R-1 (Single-Family Residential) TO: R-PD9 (Residential Planned Development - 9 Units Per Acre) on 3.58 acres adjacent to the southeast corner of Lamb Boulevard and Bingham Avenue (APN 140-29-401-005 and 006), Ward 3 (Reese). Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL

## PLANNING & DEVELOPMENT DEPARTMENT – DISCUSSION

172. ABEYANCE ITEM - VARIANCE RELATED TO GPA-4542 AND ZON-4543 - PUBLIC HEARING - VAR-4547 - APPLICANT: JOEL ARMSTRONG - OWNER: CLARK COUNTY - Request for a Variance TO ALLOW AN R-PD (RESIDENTIAL PLANNED DEVELOPMENT) ZONING DISTRICT ON 3.58 ACRES WHERE 5.00 ACRES IS THE MINIMUM REQUIRED adjacent to the southeast corner of Lamb Boulevard and Bingham Avenue (APN 140-29-401-005 and 006), R-1 (Single-Family Residential) Zone [Proposed: R-PD9 (Residential Planned Development - 9 Units per Acre)], Ward 3 (Reese). Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL
173. ABEYANCE ITEM - VARIANCE RELATED TO GPA-4542, ZON-4543 AND VAR-4547 - PUBLIC HEARING - VAR-4572 - APPLICANT: JOEL ARMSTRONG - OWNER: CLARK COUNTY - Request for a Variance TO ALLOW 12,000 SQUARE FEET OF OPEN SPACE WHERE 25,870 SQUARE FEET IS THE MINIMUM REQUIRED on 3.80 acres adjacent to the southeast corner of Lamb Boulevard and Bingham Avenue (APN 140-29-401-005 and 006), R-1 (Single-Family Residential) Zone, [Proposed: R-PD9 (Residential Planned Development - 9 Units per Acre)], Ward 3 (Reese). Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL
174. ABEYANCE ITEM - SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-4542, ZON-4543, VAR-4547 AND VAR-4572 - PUBLIC HEARING - SDR-4545 - APPLICANT: JOEL ARMSTRONG - OWNER: CLARK COUNTY - Request for a Site Development Plan Review FOR A PROPOSED 35-LOT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT on 3.58 acres adjacent to the southeast corner of Lamb Boulevard and Bingham Avenue (APN 140-29-401-005 and 006), R-1 (Single-Family Residential) Zone [Proposed: RPD-9 (Residential Planned Development - 9 Units per Acre)], Ward 3 (Reese). Staff recommends DENIAL. The Planning Commission (7-0 vote) recommend APPROVAL
175. GENERAL PLAN AMENDMENT - PUBLIC HEARING - GPA-4535 - APPLICANT: BLUE HERON PROPERTIES - OWNER: W. M. LAND DEVELOPMENT - Request to Amend a portion of the Southwest Sector Plan of the General Plan FROM: DR (Desert Rural Density Residential) TO: L (Low Density Residential) on 4.75 acres adjacent to the southeast corner of Buffalo Drive and Del Rey Avenue (APN 163-03-201-001 and 002), Ward 1 (Moncrief). The Planning Commission (5-0 vote) and staff recommend APPROVAL
176. VARIANCE RELATED TO GPA-4535 - PUBLIC HEARING - VAR-4536 - APPLICANT: BLUE HERON PROPERTIES - OWNER: W. M. LAND DEVELOPMENT - Request for a Variance TO ALLOW AN R-PD (RESIDENTIAL PLANNED DEVELOPMENT) ZONING DISTRICT ON 4.75 ACRES WHERE 5.00 ACRES IS THE MINIMUM REQUIRED adjacent to the southeast corner of Buffalo Drive and Del Rey Avenue (APN 163-03-201-001 and 002), R-E (Residence Estates) Zone [Proposed: R-PD5 (Residential Planned Development - 5 Units per Acre)], Ward 1 (Moncrief). The Planning Commission (5-0 vote) and staff recommend APPROVAL
177. REZONING RELATED TO GPA-4535 AND VAR-4536 - PUBLIC HEARING - ZON-4537 - APPLICANT: BLUE HERON PROPERTIES - OWNER: W. M. LAND DEVELOPMENT - Request for a Rezoning FROM: R-E (Residence Estates) TO: R-PD5 (Residential Planned Development - 5 Units per Acre) on 4.75 acres adjacent to the southeast corner of Buffalo Drive and Del Rey Avenue (APN 163-03-201-001 and 002), Ward 1 (Moncrief). The Planning Commission (5-0 vote) and staff recommend APPROVAL
178. WAIVER RELATED TO GPA-4535, VAR-4536, ZON-4537 AND VAR-4538 - PUBLIC HEARING - WVR-4748 - APPLICANT: BLUE HERON PROPERTIES - OWNER: W. M. LAND DEVELOPMENT - Request for a Waiver of Title 18.12.100 TO ALLOW A 33-FOOT PRIVATE STREET WHERE 39 FEET IS THE MINIMUM REQUIRED FOR PRIVATE STREETS WITH ROLLED CURBS on 4.75 acres adjacent to the southeast corner of Buffalo Drive and Del Rey Avenue (APN 163-03-201-001 and 002), R-E (Residence Estates) Zone [Proposed: R-PD5 (Residential Planned Development - 5 Units per Acre)], Ward 1 (Moncrief). The Planning Commission (5-0 vote) and staff recommend APPROVAL

## PLANNING & DEVELOPMENT DEPARTMENT – DISCUSSION

179. SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-4535, VAR-4536, ZON-4537, VAR-4538 AND WVR-4748 - PUBLIC HEARING - SDR-4539 - APPLICANT: BLUE HERON PROPERTIES - OWNER: W. M. LAND DEVELOPMENT - Request for a Site Development Plan Review FOR A PROPOSED 24-LOT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT on 4.75 acres adjacent to the southeast corner of Buffalo Drive and Del Rey Avenue (APN 163-03-201-001 and 002), R-E (Residence Estates) Zone [Proposed: R-PD5 (Residential Planned Development - 5 Units per Acre)], Ward 1 (Moncrief). The Planning Commission (5-0 vote) and staff recommend APPROVAL
180. SET DATE ON ANY APPEALS FILED OR REQUIRED PUBLIC HEARINGS FROM THE CITY PLANNING COMMISSION MEETINGS, CENTENNIAL HILLS ARCHITECTURAL REVIEW COMMITTEE AND DANGEROUS BUILDING OR NUISANCE/LITTER ABATEMENTS

## ADDENDUM

## CITIZENS PARTICIPATION

PUBLIC COMMENT DURING THIS PORTION OF THE AGENDA MUST BE LIMITED TO MATTERS WITHIN THE JURISDICTION OF THE CITY COUNCIL. NO SUBJECT MAY BE ACTED UPON BY THE CITY COUNCIL UNLESS THAT SUBJECT IS ON THE AGENDA AND IS SCHEDULED FOR ACTION. IF YOU WISH TO BE HEARD, COME TO THE PODIUM AND GIVE YOUR NAME FOR THE RECORD. THE AMOUNT OF DISCUSSION ON ANY SINGLE SUBJECT, AS WELL AS THE AMOUNT OF TIME ANY SINGLE SPEAKER IS ALLOWED, MAY BE LIMITED

\*\*\*\*\*

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

City Clerk's Bulletin Board, City Hall Plaza, 2nd Floor Skybridge  
Court Clerk's Office Bulletin Board, City Hall Plaza  
Las Vegas Library, 833 Las Vegas Boulevard North  
Clark County Government Center, 500 S. Grand Central Parkway  
Grant Sawyer Building, 555 E. Washington Avenue

**EXHIBIT C**

**(Attach Affidavit of Publication of Deposit of Ordinance)**

RECEIVED  
CITY CLERK

2004 SEP 13 P 1:50

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  
3566264

2296311LV

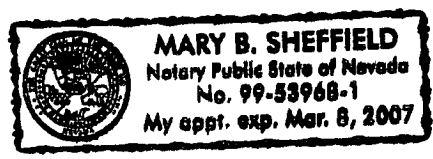
was continuously published in said Las Vegas Review Journal and/or Las Vegas Sun in 1 edition(s) of said newspaper issued from 09/04/2004 to 09/04/2004, on the following days: SEPT. 4, 2004

Signed: Donna Stark

SUBSCRIBED AND SWORN BEFORE ME THIS THE 9

day of September 2004

Mary B. Sheffield  
Notary Public



**BILL NO. 2004-61**  
AN ORDINANCE DESIGNATED BY THE SHORT TITLE "2004C MEDIUM-TERM RECREATION BOND ORDINANCE"; PROVIDING FOR THE ISSUANCE BY THE CITY OF LAS VEGAS OF ITS REGISTERED, NEGOTIABLE, GENERAL OBLIGATION (LIMITED TAX) MEDIUM-TERM RECREATION BONDS (CENTENNIAL HILLS PROJECT), SERIES 2004C IN THE AGGREGATE PRINCIPAL AMOUNT OF NOT TO EXCEED \$20,000,000, FOR THE PURPOSE OF ACQUIRING, CONSTRUCTING, EQUIPPING AND IMPROVING RECREATION PROJECTS FOR THE CITY; PROVIDING COVENANTS, AGREEMENTS AND OTHER DETAILS CONCERNING THE BONDS, THE PROJECT AND GENERAL TAX PROCEEDS; RATIFYING ACTION PREVIOUSLY TAKEN AND PERTAINING TO THE FOREGOING BY THE CITY AND ITS OFFICERS AND EMPLOYEES; AND PROVIDING OTHER MATTERS RELATING THERETO.

PUBLIC NOTICE IS HEREBY GIVEN, and that an adequate number of typewritten copies of the above-numbered and entitled proposed Ordinance are available for public inspection and distribution at the office of the City Clerk of the City of Las Vegas, at her office in City Hall, 400 Stewart Avenue, Las Vegas, Nevada, and that such Ordinance was proposed on September 1, 2004, and will be considered for adoption at the a regular meeting of the City Council of the City of Las Vegas held on September 15, 2004.

/s/ Barbara Jo Ronemus  
City Clerk  
PUB: September 4, 2004  
LV Review-Journal

**EXHIBIT D**

**(Attach Affidavit of Publication of Adoption of Ordinance)**

RECEIVED  
CITY CLERK

2004 SEP 28 A 10:33

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  
3592661

2296311LV

BILL NO. 2004-61  
Ordinance No. 5727

was continuously published in said Las Vegas Review Journal and/or Las Vegas Sun in 1 edition(s) of said newspaper issued from 09/18/2004 to 09/18/2004, on the following days: SEPT. 18, 2004


Signed: Donna Stark

SUBSCRIBED AND SWORN BEFORE ME THIS THE 20

day of September 2004

Mary B. Sheffield

Notary Public

 **MARY B. SHEFFIELD**  
Notary Public State of Nevada  
No. 99-53968-1  
My appt. exp. Mar. 8, 2007

AN ORDINANCE DESIGNATED BY THE SHORT TITLE "2004C MEDIUM-TERM RECREATION BOND ORDINANCE"; PROVIDING FOR THE ISSUANCE BY THE CITY OF LAS VEGAS OF ITS REGISTERED, NEGOTIABLE, GENERAL OBLIGATION (LIMITED TAX) MEDIUM-TERM RECREATION BONDS (CENTENNIAL HILLS PROJECT), SERIES 2004C IN THE AGGREGATE PRINCIPAL AMOUNT OF NOT TO EXCEED \$20,000,000, FOR THE PURPOSE OF ACQUIRING, CONSTRUCTING, EQUIPPING AND IMPROVING RECREATION PROJECTS FOR THE CITY; PROVIDING COVENANTS, AGREEMENTS AND OTHER DETAILS CONCERNING THE BONDS, THE PROJECT AND GENERAL TAX PROCEEDS; RATIFYING ACTION PREVIOUSLY TAKEN AND PERTAINING TO THE FOREGOING BY THE CITY AND ITS OFFICERS AND EMPLOYEES; AND PROVIDING OTHER MATTERS RELATING THERETO.

PUBLIC NOTICE IS HEREBY GIVEN, and that such Ordinance was proposed on September 1, 2004, and was passed at the meeting held on September 15, 2004, by the following vote of the City Council:

Those Voting Aye:  
Oscar B. Goodman  
Gary Reese  
Larry Brown  
Michael Mack  
Janet Moncrief  
Steve Wolfson  
Those Voting Nay: None  
Those Absent:  
Lawrence Weekly

This Ordinance shall be in full force and effect from and after the 19th day of September, 2004, 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 15th day of September 2004.

/s/ Oscar B. Goodman  
Mayor  
Attest:  
/s/ Barbara Jo Ronemus  
City Clerk  
PUB: September 18, 2004  
LV Review-Journal



KENNY C. GUINN  
Governor

BARBARA SMITH CAMPBELL  
Chair, Nevada Tax Commission

CHARLES E. CHINNOCK  
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) 687-8302

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 L, Suite 235  
Reno, Nevada 89502  
Phone: (775) 688-1295  
Fax: (775) 688-1303

August 11, 2004

Michael K. Olson, City Treasurer  
City of Las Vegas  
400 Stewart Avenue  
Las Vegas, NV 89101

Re: Medium-Term Obligation Request

Dear Mr. Olson:

The Department of Taxation has received the request from the City Council of the City of Las Vegas for approval of a medium-term obligation in an amount not to exceed \$20,000,000. Proceeds from the financing will be used to acquire, improve and equip a recreational project. 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 board, and the financing must be secured within eighteen months of the receipt of this approval.

If you have any questions regarding this matter, please do not hesitate to call Warner Ambrose in the Local Government Finance Section at (775) 684-2077.

Sincerely,

Charles E. Chinnock, Executive Director  
Department of Taxation

CEC:ph