

BILL NO. 2004-79

ORDINANCE NO. 5742

AN ORDINANCE CONCERNING CITY OF LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 1480 – BUFFALO DRIVE (CHEYENNE AVENUE TO LONE MOUNTAIN ROAD); PROVIDING FOR THE PAYMENT OF THE COSTS AND EXPENSES OF SAID IMPROVEMENTS; ASSESSING A PORTION OF THE COST OF SAID IMPROVEMENTS AGAINST THE ASSESSABLE LOTS, TRACTS, AND PARCELS OF LAND BENEFITED BY SAID IMPROVEMENTS; RATIFYING, APPROVING AND CONFIRMING ALL ACTION PREVIOUSLY TAKEN; PRESCRIBING DETAILS IN CONNECTION THEREWITH.

Summary: Levy Ordinance

WHEREAS, the City Council of the City of Las Vegas (hereinafter the "City Council" and "City", respectively) in the County of Clark and State of Nevada, has heretofore, pursuant to the requisite preliminary proceedings, created Las Vegas, Nevada, Special Improvement District No. 1480 – Buffalo Drive (Cheyenne Avenue to Lone Mountain Road) (hereinafter the "District"), for the purpose of acquiring a Street Project, a Sanitary Sewer Project, and a Water Project as defined in Chapter 271, Nevada Revised Statutes (hereinafter the "Project") and has provided that a portion of the entire cost and expense of the Project shall be paid by special assessments, according to benefits, levied against the benefited lots, tracts and parcels of land in the District; and

WHEREAS, the District has been properly created by an ordinance heretofore adopted under the provisions of the Consolidated Local Improvement Law; and

WHEREAS, the City Council has heretofore determined that a portion of the cost and expense of the Project is to be paid by special assessments levied against the benefited lots, tracts and parcels of land in the District which the City Council has determined will receive special benefits (and corresponding market value increases) from the improvements of the Project; and

WHEREAS, in accordance with NRS 271.360, the City Council has heretofore determined, and does hereby declare, that the net cost of all improvements in the District (including all necessary incidentals which either have been or will be incurred in connection with the District) is \$11,759,710.00, of which, \$11,451,101.98 is available from other sources and of which \$308,608.02 is to be assessed upon the benefited lots, tracts and parcels of land in the District which the City Council has determined will receive special benefits (and corresponding market value increases) from the improvements of the Project; and

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WHEREAS, the City Council, by resolution heretofore adopted and directed the City Engineer of the City (hereinafter the "City Engineer") to make out a final assessment roll; and

WHEREAS, after a determination of the portion of the costs of such work to be paid by the property specially benefited, the City Council, together with the City Engineer (with the assistance of the Engineering Integration Division) made out a final assessment roll containing, among other things, the names and addresses of the last known owners of the property to be assessed, a description of each lot, tract, or parcel of land to be assessed, and the amount of the assessment thereon. The City Engineer has reported the final assessment roll to the City Council and the City Engineer has filed the final assessment roll with the City Clerk; and

WHEREAS, the City Council thereupon fixed a time and place, to wit: Wednesday, November 17, 2004, at 1:00 p.m., at the Las Vegas City Council Chambers, 400 Stewart Avenue, in Las Vegas, Nevada, when all complaints, protests and objections to the final assessment roll, to the amount of the assessments, and to the regularity of the proceedings in making such assessments, by the owners of the property specially benefited by, and proposed to be assessed for, the improvements in the District, by any person interested, and by any parties aggrieved by such assessments, would be heard and considered by the City Council; and

WHEREAS, the City Engineer (with the assistance of Engineering Integration Division) has, in accordance with the provisions of law relating thereto, given the requisite legal notice by both mail and publication that complaints, protests and objections to assessments for improvements in the District should be filed with the City Clerk, and that the City Council would hear and consider any and all complaints, protests or objections on Wednesday, November 17, 2004, at 1:00 p.m., at the Las Vegas City Council Chambers, 400 Stewart Avenue, in Las Vegas, Nevada; and

WHEREAS, the City Council caused the final assessment roll ("Tabulation of Parcels") to be filed in the records of the office of the City Clerk on October 20, 2004. The City Clerk, by publication and by mail, gave the requisite notice of the time and place of such hearing, of the filing of the final assessment roll in her office, of the date of filing the same, and of the right of any such person to object specifically in writing and of the waiver of any objection in the absence of such objection; and

WHEREAS, at the time and place so designated, the City Council met to hear and determine all objections filed or made orally by any interested party; and

WHEREAS, all complaints, protests and objections, both written and oral, were found to be without sufficient merit and overruled, except as provided in the District No. 1480 Assessment Protest Resolution; and

WHEREAS, by the District No. 1480 Assessment Protest Resolution, the City Council modified, corrected and revised the final assessment roll and modified, corrected, revised and confirmed the final assessment roll to be in final form; and

WHEREAS, the assessments do not exceed the benefits to the property assessed nor that portion of the total cost of the Project payable from assessments as heretofore determined; and

WHEREAS, it is incumbent upon the City Council to provide when said assessments shall become due and penalties payable after any delinquency; and

WHEREAS, the City Council has determined, and does hereby determine, that the City shall pay the costs of the Project, in part, with funds derived from the levy of assessments, and the City will pay one-half or more of the costs of the Project with monies derived from other than the levy of special assessment, and that the exception provided by NRS 271.306(2)(a) does exist with respect to the Project; and

WHEREAS, the owners of certain property to be located within the proposed District have requested the City to include as part of the improvements to be constructed within the District, for such property, water and/or sewer improvements and such owners have executed an affidavit of waiver and consent (hereinafter the "Affidavit"), consenting to the construction of such improvements and the assessment of the cost of such improvements on such property.

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

Section 1. This Ordinance shall be known as, and may be cited by, the short title "District No. 1480 Levy Ordinance" (hereinafter the "Ordinance").

Section 2. The City Council has heretofore determined, and does hereby declare, that each and every complaint, protest and objection made in connection with the District is without sufficient merit

and the same be, and the same hereby is, overruled, and finally passed on by the City Council, except as provided in the District No. 1480 Assessment Protest Resolution.

Section 3. All actions, proceedings, matters and things heretofore taken, had and done by the City and the officers thereof (not inconsistent with the provisions of this Ordinance) concerning Special Improvement District No. 1480 – Buffalo Drive (Cheyenne Avenue to Lone Mountain Road), including, but not limited to, the creation of the District, the acquisition of the Project, the amount of the construction contract, the levy of assessments for those purposes, the determination that the tracts in the District will receive special benefits and market value increases, and the validation and confirmation of the final assessment roll and the assessments therein, be, and the same hereby is, ratified, approved and confirmed.

Section 4. For the purpose of paying a portion of the costs and expenses of the Project, the amounts and assessments shown in the final assessment roll (as so filed, modified and confirmed) are hereby levied and assessed against the lots, tracts and parcels of land in the District (being all those specially benefited by said improvements) and described in the final assessment roll for the District, as filed in the office of the City Clerk on October 20, 2004, and as modified and confirmed by the District No. 1480 Assessment Protest Resolution duly adopted by the City Council on December 1, 2004.

Section 5. The assessments shall be due and payable at the office of the City Treasurer within 30 days after this Ordinance becomes effective, without interest and without demand, provided that all or any part of such assessments may, at the election of the owner, be paid in installments, with interest, as hereinafter provided. Failure to pay the whole assessment within said period of 30 days shall be conclusively considered and held an election on the part of all persons interested, whether under disability or otherwise, to pay in installments, the amount of the assessment then unpaid. In case of such election to pay in installments, the unpaid assessments shall be payable in twenty (20) substantially equal semiannual installments of principal until paid in full, with interest in all cases on the unpaid and deferred installments of principal from the effective date of this Ordinance, at a rate or rates which shall not exceed by more than one percent (1%) the highest rate of interest on the assessment bonds issued for the District, both principal and interest on such assessments being payable semiannually at the office of the City Treasurer on April 1 and October 1 in each year, commencing on October 1, 2005. After the effective

date of this Ordinance and before assessment bonds are issued (or if bonds are not issued), the City Council shall by resolution provide the rate of interest on the unpaid and deferred installments of assessments. If assessment bonds are sold the rate will not exceed by more than one percent (1%) the highest rate of interest on the assessment bonds for the district. The effective interest rate on the assessment bonds of the District will not exceed the statutory maximum rate, i.e., will not exceed by more than three percent (3%) the "Index of Twenty Bonds", which is most recently published before the bids for such bonds are received, or at the time a negotiated offer for the sale of such bonds is accepted. Failure to pay any installment, whether of principal or interest, when due, shall cause the whole amount of the unpaid principal to become due and payable immediately, at the option of the City. The exercise of said option to be indicated by the commencement of foreclosure proceedings by the City. The whole amount of the unpaid principal and accrued interest shall, after such delinquency, whether or not said option is exercised, bear penalty interest at the rate of two percent (2%) (or at any higher rate authorized by statute, or any lower rate, which may be zero percent, for such period as determined by the City Treasurer) per month (not prorated for any portion of the month) on the unpaid balance of the assessment and accrued interest, until the day of sale or until paid. At any time prior to the date of the sale, the owner may pay the amount of all delinquent installments originally becoming due on or before the date of said payment, with interest thereon, and all penalties accrued, and shall thereupon be restored to the right thereafter to pay in installments in the same manner as if default had not been suffered. The owner of any property assessed and not in default as to any installment or payment, may at any time (at the option of such owner), pay the whole or any semiannual installment of the unpaid principal with interest accruing thereon to the next interest payment date. If such prepayment takes place after February 8, 2005, but before the adoption of the aforementioned resolution establishing the rate of interest on deferred installments of assessments, such interest accruing thereon to the next interest payment date shall be calculated at seven and 57/100 percent (7.57%) per annum (i.e., the presumed rate of interest on the assessment bonds for the District plus one percent).

Pursuant to NRS 271.357 and NRS 271.360, any assessment against property for which an application for Hardship Determination has been approved by the City Council shall be postponed, but the owner shall make payments of interest on the unpaid balance of previous and current assessments at the

same rate and terms as are established for other assessments in the manner provided. The assessment shall remain postponed until the earlier of the following occurrences: (a) the property is sold or transferred to a person other than one to whom a Hardship Determination has been granted; (b) the term of the bonds expire; (c) the property owner's application for renewal of the Hardship Determination is disapproved; (d) the property owner fails to pay interest on the unpaid balance of assessments in a timely manner; or (e) the property owner pays all previous and current assessments. The owner shall also be subject to the lien as provided in Section 6 hereof.

Section 6. The amounts assessed shall be a lien upon the owner's lots, tracts and parcels of land from the effective date of this Ordinance (i.e. January 9, 2005) until paid. The lien shall be co-equal with the latest lien thereon to secure the payment of general taxes and prior and superior to all other liens, claims, encumbrances and titles (other than the liens of assessments and general taxes). The sale of any such lot, tract or parcel of land for general or other taxes shall not relieve such lot, tract or parcel of land from such assessment or the lien therefor. Such amounts shall continue to be a lien upon the lots, tracts and parcels of land assessed until paid in full (including all principal and the interest thereon, and any penalties and collection costs).

Section 7. Should any lot, tract or parcel of land within the District be divided after the effective date of this Ordinance and before the collection of all the assessment installments, or if any property in the District makes a request to do so, the City Council may require the City Treasurer to apportion, combine or reapportion the uncollected amounts upon the several parts of land so divided or combined in accordance with the provisions of NRS 271.425. The report of such an apportionment, combination or reapportionment, when approved, shall be conclusive on all the parties, and all assessments thereafter made upon the tracts shall thereafter be according to the subdivision. The report, when approved, shall be recorded in the office of the County Recorder of Clark County, Nevada, together with a statement that the current payment status of any of the assessments may be obtained from the City Treasurer. Neither the failure to record the report, nor any defect in the report as recorded, shall affect the validity of the assessments, the lien for the payment thereof or the priority of that lien.

Section 8. In case any lot, tract or parcel of land so assessed is delinquent in the payment of the assessment or any installment of principal or interest, the City Council shall forthwith cause the owner

of such delinquent property, if known, to be immediately notified in writing of such delinquency, by first-class mail, postage prepaid, addressed to the addressee's last known address. If such delinquency is not paid within 10 days after such notice was given by deposit in the United States mail, then said assessment shall be enforced by the City Treasurer and other officers of the City, as provided in NRS 271.545 to NRS 271.630. Nothing herein shall be construed as preventing the City, at the direction of the governing body, from collecting any assessment by suit in the name of the governing body. The final assessment roll and the certified copy of this Ordinance shall be prima facie evidence of the regularity of the proceedings in making the assessment and of the right to recover judgment therefor. If a foreclosure is not promptly filed and prosecuted, then any bondholder may file and prosecute said foreclosure action in the name of the City. Any bondholder may also proceed against the City to protect and enforce the rights of the bondholders under this Ordinance by suit, action or special proceedings in equity or at law, either for the appointment of a receiver or for the specific performance of any provision contained herein or in an award of execution of any power herein granted for the enforcement of any proper, legal or equitable remedy as such bondholder or bondholders may deem most effective to protect and enforce the rights aforesaid. All such proceedings, at law or in equity, shall be instituted, had and maintained for the equal benefit of all owners of the bonds then outstanding. The failure of the bondholders to foreclose such delinquent assessments or to proceed against the City shall not relieve the City or any of its officers, agents or employees of any liability for its failure to foreclose such delinquent assessments.

Section 9. The City Clerk is hereby directed to deliver to the City Treasurer a copy of the final assessment roll containing a description of the lots, tracts and parcels of land being assessed, with the amount of the assessment levied upon each and the name and address of the owner or owners against whom the assessment was made. The final assessment roll is to be recorded in the office of the County Recorder together with the statement that the current payment status of any assessment may be obtained from the City Treasurer. The City Treasurer is additionally directed to collect the several sums so assessed as a tax upon the several tracts to which they were assessed.

Section 10. In accordance with NRS 271.405(7) the City Clerk shall give notice by publication in the Las Vegas Review-Journal, a newspaper of general circulation in the City, and such notice to be published at least once a week, for three consecutive publications, by three weekly insertions, the first

such publication to be at least 15 days prior to the end of the 30-day period stating that said assessments have been levied and are due and payable. The notice shall further state that payment must be made in full prior to the end of the 30 day period to avoid paying interest on the assessment. It shall not be necessary that the notice be published on the same day of the week, but not less than 14 days shall intervene between the first publication and the last publication. Service by publication shall be verified by the affidavit of the publisher and filed with the City Clerk of the City. In accordance with NRS 271.390(2), the City Clerk or Deputy City Clerk shall also give written notice of the levying of the assessments by mailing a copy of such notice, postage prepaid, at least 20 days prior to the end of said 30-day period, to the owner or owners of all property upon which the assessment was levied at his or her last known address or addresses. Proof of such mailing shall be made by the affidavit of the City Clerk or Deputy City Clerk and such proof shall be filed with the City Clerk. Failure to mail any such notice or notices shall not invalidate any assessment or any other proceedings concerning the District. Proof of the publication and proof of the mailing shall be maintained in the permanent records of the office of the City Clerk until all special assessments and special assessment bonds issued (if such special assessment bonds are hereafter issued) shall have been paid in full, both principal and interest, or until any claim is barred by an appropriate statute of limitations. The City Council hereby determines that the manner of giving notice herein provided by publication and by mail is reasonably calculated to inform the parties of the proceedings concerning the District and the levy of assessments which may directly and adversely affect their legally protected interests.

Section 11. The notice provided for in NRS 271.390(2) and NRS 271.405(7) and in Section 10 of this Ordinance shall be in substantially the following form:

(Form of Notice)

NOTICE TO PROPERTY OWNERS OF THE LEVY OF ASSESSMENTS FOR IMPROVEMENTS IN CITY OF LAS VEGAS, NEVADA SPECIAL IMPROVEMENT DISTRICT NO. 1480 - BUFFALO DRIVE (CHEYENNE AVENUE TO LONE MOUNTAIN ROAD)

NOTICE IS HEREBY GIVEN to the owners of all property upon which an assessment has been levied, and other interested persons, that District No. 1480 Levy Ordinance (hereinafter the "Levy Ordinance") was duly passed, adopted, signed and approved on January 5, 2005. The Levy Ordinance levied and assessed a portion of the cost and expense of such improvements against the lots, tracts and parcels of land specially benefited by the local improvements in what is commonly designated as "City of Las Vegas, Nevada, Special Improvement District No. 1480 - Buffalo Drive (Cheyenne Avenue to Lone Mountain Road)," (said lots, tracts and parcels of land being more specifically described in the final assessment roll designated in the ordinance).

Assessments are due and payable at the office of the City Treasurer, in Las Vegas, Nevada, on or before February 8, 2005, being 30 days after the effective date of the Levy Ordinance, without interest and without demand, provided that all, or any part of such assessments may, at the election of the owner, be paid in installments, with interest as hereinafter provided. Failure to pay the whole assessment within the 30-day period will be conclusively considered and held an election on the part of all persons interested, whether under disability or otherwise, to pay the unpaid assessment in installments. In case of such election to pay in installments, the unpaid assessments will be payable in twenty (20) substantially equal semi-annual installments of principal until paid in full, with interest in all cases on the unpaid and deferred installments of principal from January 9, 2005 (i.e., the effective date of the Levy Ordinance) both principal and interest being payable semi-annually at the office of the City Treasurer, Las Vegas, Nevada, on April 1 and October 1 in each year, commencing on October 1, 2005. After the effective date of the Levy Ordinance and before assessment bonds are issued (or if bonds are not issued), the City Council shall by Resolution provide the rate of interest on the unpaid and deferred installments of assessments. If assessment bonds are sold, the rate will not exceed by more than one percent (1%) the highest rate of interest on the assessment bonds issued for the District. The effective interest rate on the assessment bonds of the District will not exceed the statutory maximum rate, i.e., will not exceed by more than three

percent (3%) the "Index of Twenty Bonds", which is most recently published before the bids for such bonds are received, or at the time a negotiated offer for the sale of such bonds is accepted. Failure to pay any assessment installment, whether principal or interest, when due will cause the whole of the unpaid principal of such assessment to become due and payable immediately at the City's option, and the whole amount of the unpaid principal and accrued interest will, after such delinquency, whether or not the City's option is exercised, bear penalty interest at the rate of two percent (2%) (or at any higher rate authorized by statute, or any lower rate, which may be zero percent, for such period as determined by the City Treasurer) per month (not prorated for any portion of the month) on the unpaid balance of the assessment and accrued interest, until the day of sale or until paid. At any time prior to the date of the sale, the owner may pay the amount of all delinquent installments originally becoming due on or before the date of payment, with the interest thereon and all penalties accrued, and will thereupon be restored the right, thereafter, to pay in installments in the same manner as if default had not been suffered. The owner of any property not in default as to any assessment installment or payment may, at any time, pay the whole or any semi-annual installment of the unpaid principal with interest accruing thereon to the next interest payment date. If such prepayment takes place after February 8, 2005, but before the adoption of the aforementioned resolution establishing the rate of interest on deferred installments of assessments, such interest accruing thereon to the next interest payment date shall be calculated at seven and 57/100 percent (7.57%) per annum (i.e., the presumed rate of interest on the assessment bonds for the District plus one percent).

Pursuant to NRS 271.357 and NRS 271.360, any assessment against property for which an application for Hardship Determination has been approved by the City Council shall be postponed, but the owner shall make payments of interest on the unpaid balance of previous and current assessments at the same rate and terms as are established for other assessments in the manner provided. The assessment shall remain postponed until the earlier of the following occurrences: (a) the property is sold or transferred to a person other than one to whom a Hardship Determination has been granted; (b) the term of the bonds expires; (c) the property owner's application for renewal of a Hardship Determination is disapproved; (d) the property owner fails to pay interest on the unpaid balance of assessments in a

timely manner, or (e) the property owner pays all previous and current assessments. The owner shall also be subject to the lien as provided in Section 6 hereof.

Pursuant to NRS 271.395, within 15 days after the effective date of the Levy Ordinance, any person who has filed a complaint, protest or objection in writing, pursuant to NRS 271.380, shall have the right to commence an action or suit in any court of competent jurisdiction to correct or set aside such determination. Thereafter, all actions or suits attacking the regularity, validity and correctness of the proceedings, of the final assessment roll, of each assessment contained therein, of the amount of special benefits and market value increases, and of the amount thereof levied on each tract, including, without limiting the generality of the foregoing, the defense of confiscation shall be perpetually barred.

The amounts assessed as aforesaid constitute a lien upon said lots, tracts and parcels of land from January 9, 2005 (i.e., the effective date of the Levy Ordinance), which lien shall be co-equal with the latest lien thereon to secure the payment of general taxes and prior and superior to all other liens, claims, encumbrances and titles (other than the liens of assessments and general taxes). The sale of any such lot, tract or parcel of land for general taxes shall not relieve such lot, tract or parcel of land from such assessment or the lien therefor.

Dated this January 5, 2005.

BARBARA JO RONEMUS, City Clerk

(End of Form of Notice)

Section 12. The officers of the City be, and they hereby are, authorized and directed to take all action necessary and appropriate to effectuate the provisions of this Ordinance, including without limiting the generality of the foregoing, the preparation of all necessary documents, legal proceedings, the recording of the final assessment roll, and other items necessary or desirable for the completion of the levying of the assessments of the District and the issuance of the bonds therefor.

Section 13. All ordinances or resolutions, or parts thereof, in conflict with the provisions of this Ordinance, are hereby repealed to the extent only of such inconsistency. This repealer shall not be construed to revive any ordinance or resolution, or part thereof, heretofore repealed.

Section 14. That in accordance with Section 2.110 of the City Charter, this Ordinance when first proposed is to be read by title to the City Council, immediately after which an adequate number of copies of the proposed Ordinance are to be deposited with the office of the City Clerk for public examination and distribution upon request; thereafter, the City Clerk is authorized and directed to give notice of the deposit together with the title of the Ordinance by publication at least once in the Las Vegas Review-Journal, i.e., a newspaper published and having general circulation in the City, at least ten (10) days before the adoption of the Ordinance, i.e., at least ten (10) days before January 5, 2005, such publication to be in substantially the following form:

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

ORDINANCE NO. _____

AN ORDINANCE CONCERNING CITY OF LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 1480 – BUFFALO DRIVE (CHEYENNE AVENUE TO LONE MOUNTAIN ROAD); PROVIDING FOR THE PAYMENT OF THE COSTS AND EXPENSES OF SAID IMPROVEMENTS; ASSESSING A PORTION OF THE COST OF SAID IMPROVEMENTS AGAINST THE ASSESSABLE LOTS, TRACTS, AND PARCELS OF LAND BENEFITED BY SAID IMPROVEMENTS; RATIFYING, APPROVING AND CONFIRMING ALL ACTION PREVIOUSLY TAKEN; PRESCRIBING DETAILS IN CONNECTION THEREWITH.

PUBLIC NOTICE IS HEREBY GIVEN that an adequate number of typewritten copies of the above-entitled proposed Ordinance were filed with and are available for public inspection and distribution at the office of the City Clerk of the City of Las Vegas, 400 Stewart Avenue, Las Vegas, Nevada, and that such ordinance was proposed on the 1st day of December, 2004, and will be considered for adoption at the regular meeting of the City Council of the City of Las Vegas on the 5th day of January, 2005.

/s/ Barbara Jo Ronemus
City Clerk

(End of Form)

Section 15. That this Ordinance shall be in effect on the day after its publication, as hereinafter provided. After this Ordinance is signed by the Mayor and attested and sealed by the City Clerk, this Ordinance shall be published by title only, together with the names of the City Council voting for or against its passage, and with a statement that typewritten copies of said Ordinance are available for inspection by all interested parties at the office of the City Clerk, such publication to be made in the Las Vegas Review-Journal, a newspaper published and having general circulation in the City, at least once, pursuant to Section 2.110 of the Charter and all laws thereunto enabling, such publication is to be in substantially the following form:

(Form for Publication After Final Adoption of Ordinance)

ORDINANCE NO. _____

AN ORDINANCE CONCERNING CITY OF LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 1480 – BUFFALO DRIVE (CHEYENNE AVENUE TO LONE MOUNTAIN ROAD); PROVIDING FOR THE PAYMENT OF THE COSTS AND EXPENSES OF SAID IMPROVEMENTS; ASSESSING A PORTION OF THE COST OF SAID IMPROVEMENTS AGAINST THE ASSESSABLE LOTS, TRACTS, AND PARCELS OF LAND BENEFITED BY SAID IMPROVEMENTS; RATIFYING, APPROVING AND CONFIRMING ALL ACTION PREVIOUSLY TAKEN; PRESCRIBING DETAILS IN CONNECTION THEREWITH.

PUBLIC NOTICE IS HEREBY GIVEN that the above Ordinance was proposed on December 1, 2004, and was passed at a regular meeting held on January 5, 2005, by the following vote of the City Council of the City of Las Vegas, Nevada:

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 _____, 20____, i.e., the day after its publication by 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.

This _____ day of _____, 20____.

/s/ OSCAR B. GOODMAN
Mayor
City of Las Vegas, Nevada

(SEAL)

Attest:
/s/ BARBARA JO RONEMUS
City Clerk

Section 16. That if any section, paragraph, clause or other provision of this Ordinance shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or other provision shall not affect any of the remaining provisions of this Ordinance.

Introduced December 1, 2004, PASSED, ADOPTED AND APPROVED January 5, 2005.



OSCAR B. GOODMAN, Mayor

Attest:



BARBARA JO RONEMUS, City Clerk

Approved as to Form:

17 NOV 04 W Henry
Date Deputy City Attorney

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

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

1. The foregoing pages constitute a true, correct, complete and compared copy of an ordinance which was introduced at the meeting of the City Council on December 1, 2004 and finally adopted and approved on January 5, 2005.

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

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

3. The foregoing Ordinance was first proposed and read by title to the City Council on December 1, 2004, and referred to a committee for recommendation; thereafter the said committee reported favorably on said Ordinance on January 5, 2005, which was a regular meeting of said City Council; that at said regular meeting, the proposed Ordinance was again read by title to the City Council and adopted. The following members of the City Council were present at the January 5, 2005 meeting and voted upon the adoption of the Ordinance as follows:

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

Those Voting Nay:	NONE
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Those Absent:	Janet Moncrief
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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 City 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 City Council were given due and proper notice of the meetings held on December 1, 2004, and January 5, 2005. Pursuant to § 241.020, Nevada Revised Statutes, written notice of the meetings was given no later than 9:00 a.m. on the third working day before the meetings, including in the notice the time, place, location, and agenda of the meeting:

(a) By posting a copy of the notice by 9:00 a.m. at least three (3) working days before the meetings at the principal office of the City Council, or if there is no principal office, at the building in which the meeting is to be held, and at least three (3) other separate, prominent places within the jurisdiction of the City Council, to wit:

- (i) City Clerk's Bulletin Board
City Hall Plaza
2nd Floor Skybridge
Las Vegas, Nevada
- (ii) Court Clerk's Office Bulletin Board
City Hall Plaza
Las Vegas, Nevada
- (iii) Las Vegas Library
833 Las Vegas Boulevard North
Las Vegas, Nevada
- (iv) Clark County Government Center
500 South Grand Central Parkway
Las Vegas, Nevada
- (v) Grant Sawyer Building
555 E. Washington Avenue
Las Vegas, Nevada

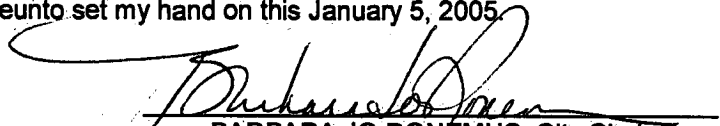
; and

(b) By mailing a copy of the notice by 9:00 a.m. no later than three (3) working days before the meetings to each person, if any, who has requested notice of the meetings of the City Council in the same manner in which notice is required to be mailed to a member of the City Council.

6. A copy of such notice so given of the meeting of the City Council on December 1, 2004, is attached to this certificate as Exhibit A and a copy of the notice so given of the meeting of the City Council on January 5, 2005, is attached to this certificate as Exhibit B.

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

IN WITNESS WHEREOF, I have hereunto set my hand on this January 5, 2005.



BARBARA JO RONEMUS, City Clerk

(SEAL)

EXHIBIT A

(Attach Copy of Notice of December 1, 2004 Meeting)



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)

COUNCIL MEMBERS: LARRY BROWN (Ward 4), LAWRENCE WEEKLY (Ward 5),

MICHAEL MACK (Ward 6), JANET MONCRIEF (Ward 1), STEVE WOLFSON (Ward 2)

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.

DECEMBER 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. 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 - STAKE PRESIDENT GORDON BYWATER, CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS
- PLEDGE OF ALLEGIANCE
- RECOGNITION OF THE CITIZEN OF THE MONTH
- RECOGNITION OF THE SENIOR CITIZEN OF THE QUARTER

BUSINESS ITEMS - MORNING

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 Meeting of September 15, 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 and ratification of Margo Wheeler as Director of the Planning & Development Department (\$110,000 + Benefits - General Fund)

FINANCE & BUSINESS SERVICES - CONSENT

4. Approval of Service and Material Checks/Payroll Checks/Wire Transfers/Other Checks and Investments
5. Approval to allocate \$1,000,000 of the Capital Improvement Plan Bid Reserve to the Mirabelli Community Center reconstruction project - Ward 1 (Moncrief)
6. Approval of a new Supper Club License subject to the provisions of the fire codes and Health Dept. regulations, Acevedo & Acevedo, dba Little Mexico Restaurant, 7280 Azure Drive, Suite 150, Sally Acevedo, 50%, Rito I. Acevedo, 50% - Ward 6 (Mack)
7. Approval of Change of Ownership for a Tavern License subject to Health Dept. regulations, From: U.S.H. Los Prados, Inc., Joe L. Weathersby, Pres, Curtis W. Meyer, Asst Secy, To: Los Prados Community Association, dba Los Prados Clubhouse, 5150 Los Prados Circle, Steven M. Fagnant, Gen Mgr - Ward 6 (Mack)
8. Approval of Change of Location for a Class II Secondhand Dealer License subject to the provisions of the planning and fire codes, Renee Poole, dba Call Renee! Estate Liquidation, From: 3618 Redwood Street, To: 1422 Western Avenue, Renee Poole, 100% - Ward 1 (Moncrief)
9. Approval of Change of Business Name for a Beer/Wine/Cooler Off-sale License and a Restricted Gaming License for 7 slots subject to Health Dept. regulations, Dashmesh Oil Company, dba From: Dashmesh Gas Station and Market, To: Guru Express Market, 6698 Sky Pointe Drive, Gurpreet S. Grewal, Dir, Pres, Secy, Treas, 100% - Ward 6 (Mack)
10. Approval of a new Hypnotist License, Collen Cichocki, dba Advantage Clinical Hypnosis, 416 South Jones Boulevard, Collen A. Cichocki, 100% - Ward 1 (Moncrief)
11. Approval of a new Psychic Art & Science License, Maria Crudele, dba Reverend Maria Crudele, 6848 West Charleston Boulevard, Maria Crudele, 100% - Ward 1 (Moncrief)
12. Approval of Change of Ownership and Business Name for a Tavern License and a new Restricted Gaming License for 15 slots subject to confirmation of approval by the Nevada Gaming Commission, From: Rancho Decatur Restaurants, LLC, dba Doc Holliday's Saloon, Thomas J. Brletic, Mmbr, 91%, Brletic Family Gaming Trust, Mmbr, 9%, Thomas J. Brletic, Grantor, Trustee, To: KBT Enterprises, LLC, dba On The Rocks, 2801 North Tenaya Way, Suite A, Don T. Bartakian, Mmbr, Mgr, 50%, Craig E. Tribus, Mmbr, Mgr, 50% - Ward 4 (Brown)
13. Approval of Contract No. 040396, Municipal Court Software Development, Licensing and Royalty Fee - Municipal Court - Award recommended to: NEVSYS, INC. (\$925,000 - Municipal Court Admin Assessment Special Revenue Fund)
14. Approval of Contract No. 050075 for Microsoft Enterprise Software - Department of Information Technologies - Award recommended to: ASAP SOFTWARE (\$600,000 - Computer Services Internal Service Fund)
15. Approval of award of Contract No. 050125, General and Civil Engineering Services - Department of Field Operations - Award recommended to: HARRIS & ASSOCIATES, INC.(\$350,000 - Public Works Capital Projects Fund)

FINANCE & BUSINESS SERVICES - CONSENT

16. Approval of ratification of purchase order 222219 for Repairs to Lufkin Industries Gear Box - Department of Public Works - Award to: LUFKIN INDUSTRIES, INC. (\$75,716 - Sanitation Enterprise Fund)
17. Approval of issuance of a purchase order for a DekoCast System - Office of Communications, Video Services - Award recommended to: PINNACLE SYSTEMS (\$37,830 - Video Productions Enterprise Fund)
18. Preapproval of award of Bid Number 03.15341.06, Circle Park Tire Wall to the lowest responsive and responsible bidder and the construction conflicts and contingency reserve set by Finance and Business Services - Department of Public Works - (\$34,000 - Parks and Leisure Activities Capital Projects Fund) - Ward 3 (Reese)
19. Approval of five contractors for inclusion on the Qualified Contractor List for the City Hall East Tower Project - Department of Finance and Business Services - Approval of: CLARK & SULLIVAN CONSTRUCTORS, INC., JAYNES CORPORATION, MARTIN-HARRIS CONSTRUCTION, SLETTEN CONSTRUCTION of NEVADA, INC. and WHITING TURNER CONTRACTING COMPANY.
20. Approval of award of Bid No. 04.15341.41-LED, Centennial Hills Park Volleyball Courts and the construction conflicts and contingency reserve set by Finance and Business Services - Department of Public Works - Award recommended to: TRADE WEST CONSTRUCTION, INC. (\$297,200 - Capital Project Fund) - Ward 6 (Mack)

FIRE & RESCUE - CONSENT

21. Approval of a federal grant from the Federal Emergency Management Agency (FEMA) in the amount of \$400,000 for the Metropolitan Medical Response System (MMRS) in order to provide local relief in the event of nuclear, biological or chemical terrorist incidents - All Wards

HUMAN RESOURCES - CONSENT

22. Approval of payment for a Permanent Partial Disability award - Claim WC03110270 - as required under the workers' compensation statutes (\$72,421 - Workers' Compensation Internal Service Fund)

NEIGHBORHOOD SERVICES - CONSENT

23. Approval of an additional \$167,898 of Community Development Block Grant (CDBG) Construction funds for a total allocation of \$242,898 for the construction of an entry vestibule at the Doolittle Senior Center located at 1950 J Street - Ward 5 (Weekly)

PLANNING & DEVELOPMENT - CONSENT

24. Approval of a revised list of Round Six 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 - CONSENT

25. Approval of a Dedication from the City of Las Vegas, for a portion of the Northwest Quarter of Section 30, Township 20 South, Range 61 East, Mount Diablo Meridian, for right-of-way located at the northeast corner of Decatur Boulevard and Washington Avenue for a right turn lane, APN 139-30-201-001 - Ward 5 (Weekly)

PUBLIC WORKS - CONSENT

26. Approval of a Declaration of Utilization from the Bureau of Land Management, for a portion of the Northwest Quarter of Section 1, Township 20 South, Range 59 East, Mount Diablo Meridian, for road, sewer and drainage purposes (30-feet) on the north side of Stange Avenue located between Puli Road and Cliff Shadows Parkway alignments, APN 137-01-201-003 - Ward 4 (Brown)
27. Approval of a Dedication from the City of Las Vegas, for a portion of the Southwest Quarter of Section 28, Township 20 South, Range 60 East, Mount Diablo Meridian for two drainage easements for the Silver Sky Assisted Living Center located at the northeast corner of Roland Wiley Road and Silver Sky Drive, APN 138-28-401-014 - Ward 2 (Wolfson)
28. Approval of an Encroachment Request from Makenzie Corporation, owner (231 West Philadelphia Avenue) - Ward 1 (Moncrief)
29. Approval of a Sewer Connection and Interlocal Contract with Clark County Water Reclamation District - Red Rock Engineering and Surveying, Incorporated, on behalf of NW Investment, LLC, owner (northwest corner of Dapple Gray Road and Hickam Avenue, APN 138-05-301-028) - County (near Ward 4 - Brown)
30. Approval of a Sewer Connection and Interlocal Contract with Clark County Water Reclamation District - Slater Hanifan Group on behalf of Pinnacle-Capriana I, LLC, owner (Farm Road and Jensen Street, APNs 125-18-301-005, 125-18-301-006, 125-18-301-007, 125-18-301-008, 125-18-301-009, 125-18-301-010, 125-18-301-011, 125-18-301-012, 125-18-301-015, 125-18-301-016, 125-18-301-017, 125-18-301-018, 125-18-301-019, 125-18-301-020, 125-18-301-021 and 125-18-301-022) - County (near Ward 6 - Mack)
31. Approval of a Sewer Connection and Interlocal Contract with Clark County Water Reclamation District - Slater Hanifan Group on behalf of Pinnacle-Capriana I, LLC, owner (southeast corner of Hualapai Way and Farm Road, APNs 125-18-301-001 and 125-18-301-013) - County (near Ward 6 - Mack)
32. Approval of an Encroachment Request from Investment Equity Development on behalf of Tech Retail Center, LLC, owner (northeast corner of Smoke Ranch Road and Buffalo Drive) - Ward 4 (Brown)
33. Approval of a Sewer Connection and Interlocal Contract with Clark County Water Reclamation District - Raymond Tagliaferri, IRA, owner (northwest corner of Conquistador Street and Tropical Parkway, APN 125-30-204-004) - County (near Ward 6 - Mack)
34. Approval of a Sewer Connection and Interlocal Contract with Clark County Water Reclamation District - Dwyer Engineering on behalf of Rodney Jordan, owner (southeast corner of Tropical Parkway and Riley Street, APN 125-29-610-003) - County (near Ward 6 - Mack)
35. Approval of a Sewer Connection and Interlocal Contract with Clark County Water Reclamation District - Taney Engineering on behalf of Coleman-Toll, Limited Partnership, owner (southeast corner of Rome Avenue and Torrey Pines Drive, APNs 125-23-802-001, 125-23-802-002, 125-23-802-003 and 125-23-802-004) - County (near Ward 6 - Mack)

RESOLUTIONS - CONSENT

36. R-173-2004 - Approval of a Resolution overruling complaints, protests and objections and confirming the Final Assessment Roll for Special Improvement District No. 1480 - Buffalo Drive (Cheyenne Avenue to Lone Mountain Road) (\$308,608.02 - Capital Projects Fund/Special Assessments) - Ward 4 (Brown)
37. R-174-2004 - Approval of a Resolution overruling complaints, protests and objections and confirming the Final Assessment Roll for Special Improvement District No. 1495 - Buffalo Drive (Cheyenne Avenue to Lone Mountain Road) (\$12,759.92 - Capital Projects Fund/Special Assessments) - Ward 4 (Brown)

DISCUSSION / ACTION ITEMS

ADMINISTRATIVE - DISCUSSION

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

CITY ATTORNEY - DISCUSSION

39. Discussion and possible action on Appeal of Work Card Denial: Martin Shaw Cox, 1957 Bookbinder, Las Vegas, Nevada 89108
40. Discussion and possible action on Appeal of Work Card Denial: Abraham A. Harely, 2445 Carnegie Hall Street, Las Vegas, Nevada 89135
41. ABEYANCE ITEM - Discussion and possible action on Appeal of Work Card Denial: Mary L. Oliphant, 4221 Walnut Family Court, Las Vegas, Nevada 89115
42. ABEYANCE ITEM - Discussion and possible action on Appeal of Work Card Denial: Yolanda Rochelle White, 2762 Eldora Circle #D, Las Vegas, Nevada 89146

FINANCE & BUSINESS SERVICES - DISCUSSION

43. ABEYANCE ITEM - Discussion and possible action regarding an Appeal of Denial for a Child Care Facility License, Sheila Logan, dba Love All Kidz Daycare, 6309 Guadalupe Avenue, Sheila Logan 100% - Ward 6 (Mack)
44. 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: Estela Figueroa, dba El Santaneco Restaurant #2, Estela Figueroa, 100%, To: Ana Maria Bahena Bahena, dba El Arroyo Mexican Restaurant, 1510 Las Vegas Boulevard South, Anna M. Bahena Bahena, 100% - Ward 1 (Moncrief)
45. Discussion and possible action regarding Temporary Approval of Change of Ownership, Location and Business Name for a Beer/Wine/Cooler On-sale License subject to the provisions of the planning and fire codes and Health Dept. regulations, From: Watana Pongpan, dba House of Thai, 210 West Sahara Avenue, Watana Pongpan, 100%, To: Ocha Cuisine, Inc., dba Ocha Cuisine, Inc., 2211 Las Vegas Boulevard South, Suite A, Watana Pongpan, Dir, Pres, Treas, 50%, Vilawan Pongpan, Dir, VP, Secy, 50% - Ward 3 (Reese)
46. Discussion and possible action regarding Temporary Approval of Change of Ownership and Business Name for a Tavern License subject to the provisions of the planning and fire codes and Health Dept. regulations, From: King of Clubs, Inc., dba King of Clubs (Non-operational), Norma C. Kastler, Dir, Pres, 50%, Lois C. Swier, Dir, Secy, Treas, 50%, To: B & B Investors, Inc., dba El Tequila Club, 1401 North Decatur Boulevard, Suite 6, Burt J. Blum, Dir, Pres, Secy, Treas, 100% - Ward 1 (Moncrief)

NEIGHBORHOOD SERVICES - DISCUSSION

47. Discussion and possible action on reprogramming \$43,100 in Community Development Block Grant (CDBG) funds to The Latin Chamber of Commerce for operation of the Arturo Cambiero Senior Citizens Center located at 330 North 13th Street - Ward 5 (Weekly)

PLANNING & DEVELOPMENT - DISCUSSION

48. Discussion regarding possible changes to current Title 19.14.100 of the Las Vegas Zoning Code that would amend certain existing standards for off-premise signs, as well as establish new ones - All Wards

PUBLIC WORKS - DISCUSSION

49. Discussion and possible action on the I-515 Corridor Study prepared for the Nevada Department of Transportation - Wards 3, 4 and 5 (Reese, Brown and Weekly)

RESOLUTIONS - DISCUSSION

50. R-175-2004 - Discussion and possible action regarding a Resolution Concerning the Use of Funds Generated from the Enactment of a Sales and Use Tax Increase in Response to Clark County Advisory Question No. 9
51. R-176-2004 - Discussion and possible action regarding a Resolution Adopting Guidelines for Development Within the Kyle Canyon Gateway Area

BOARDS & COMMISSIONS - DISCUSSION

52. Discussion and possible action on the appointment of a member of the City Council to serve on the Oversight Panel for School Facilities
53. Appointment and reappointment of members to the Youth Neighborhood Association Partnership Program (YNAPP) Grant Review Board

RECOMMENDING COMMITTEE REPORT - DISCUSSION

BILLS ELIGIBLE FOR ADOPTION AT THIS MEETING

54. Bill No. 2004-71 - Expands the boundaries of the Live/Work Overlay District to include the Las Vegas Medical District, and allows medical office uses within the Overlay District. Proposed by: Robert S. Genzer, Director of Planning and Development
55. Bill No. 2004-72 - Revises the standards for converting public streets into private streets in existing subdivisions. Sponsored by: Councilwoman Janet Moncrief
56. Bill No. 2004-74 - Expands the allowability of mixed-use developments in the C-1 and C-2 Zoning Districts, and allow such developments by means of special use permit in the C-PB Zoning District. Sponsored by: Councilman Larry Brown
57. Bill No. 2004-75 - Provides for the relocation of off-premise signs that are required to be removed in connection with the installation of publicly-funded improvements. Proposed by: Robert S. Genzer, Director of Planning and Development

NEW BILLS - DISCUSSION

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.

58. Bill No. 2004-76 - Updates the membership of the Design Review Committee for the Downtown Entertainment Overlay District. Proposed by: Robert S. Genzer, Director of Planning and Development
59. Bill No. 2004-77 - Authorizes the granting of a distance-separation waiver for a tavern to be located within a regional mall. Sponsored by: Councilwoman Janet Moncrief
60. Bill No. 2004-78 - Clarifies the procedures and standards that apply to the installation of speed humps on residential streets. Proposed by: Richard D. Goecke, Director of Public Works

NEW BILLS - DISCUSSION

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.

61. Bill No. 2004-79 - Levies Assessment for Special Improvement District No. 1480 - Buffalo Drive (Cheyenne Avenue to Lone Mountain Road). Sponsored by: Step Requirement
62. Bill No. 2004-80 - Levies Assessment for Special Improvement District No. 1495 - Buffalo Drive (Cheyenne Avenue to Lone Mountain Road). Sponsored by: Step Requirement
63. Bill No. 2004-81 - Updates the description of the City ward boundaries to reflect changes in precinct numbers or descriptions made by the Clark County Election Department, as a result of annexations or otherwise. Proposed by: Barbara Jo Ronemus, City Clerk

1:00 P.M. - AFTERNOON SESSION

BUSINESS ITEMS - AFTERNOON

64. 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

65. Public hearing to consider the report of expenses to recover costs for abatement of dangerous building/demolition located at 1401 Comstock Drive. PROPERTY OWNERS: WILLIS J. JR. & GLINDA BOWDEN - Ward 5 (Weekly)
66. Public hearing to consider the report of expenses to recover costs for abatement of nuisance located at 7009 Dramatic Way. PROPERTY OWNERS: LORI ANN & DALE F. NITZSCHKE - Ward 6 (Mack)
67. Public hearing to consider the report of expenses to recover costs for abatement of nuisance located at Vacant Lot between 5504 & 5516 Alpine Place (Parcel #138-36-407-023). PROPERTY OWNER: SAMER N. NAKHLE - Ward 1 (Moncrief)
68. Public hearing to consider the report of expenses to recover costs for abatement of dangerous building located at 3201 Arlene Way. PROPERTY OWNER: MICHAEL J. MARUNA - Ward 6 (Mack)
69. Public hearing to consider the report of expenses to recover costs for abatement of Zoning/Nuisance violations located at 314 N. 16th Street. PROPERTY OWNER: YVONNE C. FUKUMOTO - Ward 5 (Weekly)
70. Public hearing to consider the report of expenses to recover costs for abatement of nuisance located at Vacant Lot on Maydelle Place (North of 395 Maydelle Place). PROPERTY OWNER: CABRERA INVEST - Ward 3 (Reese)
71. Public hearing to consider the report of expenses to recover costs for abatement of Zoning/Nuisance violations located at 1106 Norman Avenue. PROPERTY OWNER: CARL R. SAUNDERS - Ward 3 (Reese)

PLANNING & DEVELOPMENT

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 - CONSENT

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

72. EOT-5451 - APPLICANT/OWNER: MASONIC MEMORIAL TEMPLE - Request for an Extension of Time of an approved Rezoning (Z-0011-02) FROM: R-1 (SINGLE FAMILY RESIDENTIAL) TO: O (OFFICE) AND C-V (CIVIC) on 13.70 acres adjacent to the northeast corner of Rancho Drive and Mesquite Avenue (APN 139-29-801-005), Ward 5 (Weekly). Staff recommends APPROVAL

PLANNING & DEVELOPMENT - DISCUSSION

73. ROC-5319 - APPLICANT/OWNER: COKE MAGGIE, LLC - Request for a Review of Condition Number 8 of an approved Tentative Map of Coke and Conough (TMP-1179) WHICH REQUIRED OFF-SITE IMPROVEMENTS FOR A 19-LOT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT on 10.72 acres adjacent to the southeast corner of Iron Mountain Road and Conough Lane (APN 125-09-510-001 through 019), R-E (Residence Estates) Zone, Ward 6 (Mack). Staff recommends APPROVAL
74. ROC-5520 - PUBLIC HEARING - APPLICANT/OWNER: RICHMOND AMERICAN HOMES - Request for a Review of Condition Numbers 3 and 4 of an approved Site Development Plan Review [Z-0073-02(1)] TO ALLOW THREE STORIES WHERE TWO STORIES WAS THE MAXIMUM HEIGHT ALLOWED; AND TO CHANGE THE SETBACKS TO A MINIMUM OF 6 FEET IN FRONT OF THE GARAGE, AND 10 FEET IN THE REAR WHERE THE SETBACKS WERE APPROVED AS A MINIMUM OF 10 FEET TO THE FRONT OF THE HOUSE, 18 FEET TO THE FRONT OF THE GARAGE, AND 6 FEET IN THE REAR for an approved 261 lot single family development on 21.5 acres adjacent to the south side of Gowan Road, approximately 700 east of Cliff Shadows Parkway (APN 137-12-311-001 through 145; and 137-12-313-001 through 115), PD (Planned Development) Zone, Ward 4 (Brown). Staff recommends DENIAL
75. SDR-5184 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT/OWNER: INFIELD DEVELOPMENT II, LLC AND JOHN D. FIELD - Request for a Site Development Plan Review FOR A 14,000 SQUARE FOOT OFFICE BUILDING AND A 17,250 SQUARE FOOT COMMERCIAL BUILDING AND A WAIVER OF THE COMMERCIAL DEVELOPMENT STANDARDS TO ALLOW A 10 FOOT REAR SETBACK WHERE 20 FEET IS REQUIRED on 2.49 acres adjacent to the southwest corner of Alexander Road and Leon Avenue (APN 138-12-110-021 and 022), O (Office) Zone [PROPOSED: C-1 (Limited Commercial)], Ward 6 (Mack). The Planning Commission (7-0 vote) and staff recommend DENIAL. (NOTE: The applicant requests to withdraw the portion of this application for APN 138-12-110-021)
76. SDR-5310 - PUBLIC HEARING - APPLICANT/OWNER: LONGFORD AT LAKE MEAD, LLC - Request for a Site Development Plan Review and a Waiver of Title 19.12.050.E to eliminate a required minimum five-foot landscape buffer between the street curb and sidewalk FOR A PROPOSED 41,863 SQUARE-FOOT COMMERCIAL CENTER WITH A DRIVE-THROUGH RESTAURANT on 4.85 acres adjacent to the south side of Lake Mead Boulevard, approximately 300 feet east of Tonopah Drive (APN 139-21-314-001), R-E (Residence Estates) Zone under Resolution of Intent to C-1 (Limited Commercial) Zone, Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend APPROVAL
77. SDR-5314 - PUBLIC HEARING - APPLICANT: STANLEY CONSULTANTS, INC - OWNER: SNIP ST CROIX, LP - Request for Site Development Plan Review FOR A 256-UNIT RESIDENTIAL CONDOMINIUM CONVERSION on 10.62 acres at 6661 Silverstream Avenue (APN 138-26-302-002 and 138-26-401-002), R-3 (Medium Density Residential) Zone, Ward 2 (Wolfson). The Planning Commission (7-0 vote) and staff recommend APPROVAL

PLANNING & DEVELOPMENT - DISCUSSION

78. MOD-5254 - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS - Request for a Major Modification to the Lone Mountain Master Development Plan FROM: PCD (PLANNED COMMUNITY DEVELOPMENT) TO: PR-OS (PARK/SCHOOL/RECREATION/OPEN SPACE) on 2.73 acres adjacent to the southeast corner of Alexander Road and Hualapai Way (APN 138-07-101-002 and 004), U (Undeveloped) Zone [PF (Public Facilities) General Plan Designation] and U (Undeveloped) Zone [PR-OS (Parks/Recreation/Open Space) General Plan Designation] [PROPOSED: PD (Planned Development)], Ward 4 (Brown). The Planning Commission (7-0 vote) and staff recommend APPROVAL

79. ZON-5256 - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS - Request for a Rezoning FROM: U (UNDEVELOPED) [PF (PUBLIC FACILITIES) AND [PR-OS (PARKS/RECREATION/OPEN SPACE) GENERAL PLAN DESIGNATIONS] TO: PD (PLANNED DEVELOPMENT) on 2.73 acres adjacent to the southeast corner of Alexander Road and Hualapai Way (APN 138-07-101-002 and 004), Ward 4 (Brown). The Planning Commission (7-0 vote) and staff recommend APPROVAL

80. SDR-5257 - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS - Request for a Site Development Plan Review FOR A PROPOSED BASEBALL AND SOFTBALL PARK on approximately 102.6 acres adjacent to the southeast corner of Alexander Road and Hualapai Way (APN 138-07-201-006, 138-07-102-001, 138-07-201-010, 138-07-103-002, 138-07-101-002 and 004), U (Undeveloped) Zone [PF (Public Facilities) and PR-OS (Parks/Recreation/Open Space) General Plan Designations] [PROPOSED: PD (Planned Development)], U (Undeveloped) Zone [PR-OS (Parks/Recreation/Open Space) General Plan Designation] under Resolution of Intent to PD (Planned Development), C-V (Civic) Zone under Resolution of Intent to PD (Planned Development) Zone, and PD (Planned Development) Zone, Ward 4 (Brown). The Planning Commission (7-0 vote) and staff recommend APPROVAL

81. VAR-5288 - PUBLIC HEARING - APPLICANT: LARRY S. DAVIS AND ASSOCIATES - OWNER: URBAN LAND ACQUISITION, INC. - Request for a Variance TO ALLOW 78 PERCENT OF THE TOTAL FLOOR AREA OF A LIVE/WORK UNIT TO BE USED FOR RESIDENTIAL PURPOSES WHERE 50 PERCENT IS THE MAXIMUM ALLOWED in conjunction with a proposed 71-unit multi-family live/work development on 4.24 acres at 1980 Fremont Street (APN 139-35-803-010), C-2 (General Commercial), Ward 3 (Reese). The Planning Commission (7-0 vote) and staff recommend APPROVAL

82. SUP-5287 - PUBLIC HEARING - APPLICANT: LARRY S. DAVIS AND ASSOCIATES - OWNER: URBAN LAND ACQUISITION, INC. - Request for a Special Use Permit FOR A PROPOSED 71-UNIT LIVE/WORK DEVELOPMENT on 4.24 acres at 1980 Fremont Street (APN 139-35-803-010), C-2 (General Commercial) Zone, Ward 3 (Reese). The Planning Commission (7-0 vote) and staff recommends APPROVAL

83. WVR-5289 - PUBLIC HEARING - APPLICANT: LARRY S. DAVIS AND ASSOCIATES - OWNER: URBAN LAND ACQUISITION, INC. - Request for a Waiver of Title 18.12.100 TO ALLOW 32-FOOT PRIVATE STREETS WHERE 39 FEET IS THE MINIMUM WIDTH REQUIRED on 4.24 acres at 1980 Fremont Street (APN 139-35-803-010), C-2 (General Commercial) Zone, Ward 3 (Reese). The Planning Commission (7-0 vote) and staff recommend APPROVAL

84. SDR-5286 - PUBLIC HEARING - APPLICANT: LARRY S. DAVIS AND ASSOCIATES - OWNER: URBAN LAND ACQUISITION, INC. - Request for a Site Development Review and Waivers of streetscape and build-to requirements FOR A PROPOSED 71-UNIT LIVE/WORK DEVELOPMENT on 4.24 acres at 1980 Fremont Street (APN 139-35-803-010), C-2 (General Commercial) Zone, Ward 3 (Reese). The Planning Commission (7-0 vote) and staff recommend APPROVAL

85. SUP-4808 - TABLED ITEM - PUBLIC HEARING - APPLICANT: ORION OUTDOOR MEDIA - OWNER: G G P IVANHOE II, INC. - Request for a Special Use Permit FOR A 51 FOOT HIGH, 14 FOOT X 48 FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 4300 Meadows Lane (APN 139-31-510-016), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief). The Planning Commission (5-1-1 vote) and staff recommend APPROVAL

86. SUP-4809 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: ORION OUTDOOR MEDIA - OWNER: G G P IVANHOE II, INC. - Request for a Special Use Permit FOR A 40 FOOT HIGH, 14 FOOT X 48 FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 4300 Meadows Lane (APN 139-31-510-016), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief). The Planning Commission (5-1-1 vote) and staff recommend APPROVAL

PLANNING & DEVELOPMENT - DISCUSSION

87. SUP-4830 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT/OWNER: TWIN LAKES BAPTIST CHURCH - Appeal filed by the applicant from the Denial by the Planning Commission on a request for a Special Use Permit FOR A 40 FOOT HIGH, 14 FOOT BY 48 FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN adjacent to the northwest corner of Westcliff Drive and Rainbow Boulevard (APN 138-27-802-004), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial), Ward 2 (Wolfson). The Planning Commission (6-1 vote) and staff recommend DENIAL
88. SUP-5228 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: GARTH W. LAMB - OWNER: GARTH W. LAMB AND SHARI L. HUMBLE-LAMB - Request for a Special Use Permit FOR AN EXISTING ANIMAL HOSPITAL, CLINIC, OR SHELTER WITH OUTSIDE PENS AND A PROPOSED ADDITION TO THE HOSPITAL at 5000 North Jones Boulevard (APN 125-36-302-005), R-E (Residence Estates), Ward 6 (Mack). The Planning Commission (7-0 vote) and staff recommend APPROVAL
89. SDR-5094 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: GARTH W. LAMB - OWNER: GARTH W. LAMB AND SHARI L. HUMBLE-LAMB - Request for a Site Development Plan Review and a Waiver of perimeter landscaping standards FOR A PROPOSED 2,890 SQUARE-FOOT ADDITION TO AN EXISTING ANIMAL HOSPITAL WITH OUTSIDE PENS on 2.18 acres at 5000 North Jones Boulevard (APN 125-36-302-005), R-E (Residence Estates), Ward 6 (Mack). The Planning Commission (7-0 vote) and staff recommend APPROVAL
90. SUP-5230 - PUBLIC HEARING - APPLICANT: TOMA HERFI INC - OWNER: EL CAPITAN ASSOCIATES, LLC AND HDA EQUITY LLC - Request for Special Use Permit for BEER & WINE SALES, OFF-PREMISE located at 6955 N. Durango, Suite #1113 and #1114 (APN 125-20-201-024), T-C (Town Center) Zone, Ward 6 (Mack). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL
91. SUP-5231 - PUBLIC HEARING - APPLICANT: TOMA HERFI INC - OWNER: EL CAPITAN ASSOCIATES, LLC AND HDA EQUITY LLC - Request for a Special Use Permit FOR PACKAGE LIQUOR SALES located at 6955 N. Durango, Suite #1115 and #1116 (APN 125-20-201-024), T-C (Town Center) Zone, Ward 6 (Mack). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL
92. SUP-5276 - PUBLIC HEARING - APPLICANT/OWNER: DAVID A. TACK AND SUSAN M. TACK - Request for a Special Use Permit FOR A PROPOSED 40-FOOT HIGH, 21-FOOT X 32-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 1720 South Main Street (APN 162-03-301-003), C-2 (General Commercial) Zone, Ward 1 (Moncrief). The Planning Commission (7-0 vote) and staff recommend APPROVAL
93. SUP-5291 - PUBLIC HEARING - APPLICANT/OWNER: HENRIK NAZERIAN - Request for a Special Use Permit FOR A PROPOSED AUTO REPAIR GARAGE (MINOR) at 5001 West Charleston Boulevard (APN 163-01-502-011) C-1 (Limited Commercial) Zone, Ward 1 (Moncrief). The Planning Commission (7-0 vote) and staff recommend APPROVAL
94. SUP-5296 - PUBLIC HEARING - APPLICANT: WP SOUTH ACQUISITIONS, LIMITED LIABILITY COMPANY - OWNER: MONTECITO PADS, LLC - Request for a Special Use Permit TO ALLOW A DENSITY OF 66.94 UNITS PER ACRE WHERE 50 UNITS PER ACRE IS THE MAXIMUM ALLOWED FOR A PROPOSED 399-UNIT HIGH DENSITY RESIDENTIAL DEVELOPMENT adjacent to the southeast corner of Elkhorn Road and Grand Montecito Parkway (APN 125-20-510-002), T-C (Town Center) Zone [UC-TC (Urban Center Mixed Use) Town Center Special Land Use Designation], Ward 6 (Mack). The Planning Commission (5-0-2 vote) and staff recommend APPROVAL
95. SDR-5295 - PUBLIC HEARING - APPLICANT: WP SOUTH ACQUISITIONS, LIMITED LIABILITY COMPANY - OWNER: MONTECITO PADS, LLC - Request for a Site Development Review FOR A PROPOSED 399-UNIT FIVE-STORY HIGH DENSITY RESIDENTIAL DEVELOPMENT on 5.96 acres adjacent to the southeast corner of Elkhorn Road and Grand Montecito Parkway (APN 125-20-510-002), T-C (Town Center) Zone [UC-TC (Urban Center Mixed Use) Town Center Special Land Use Designation], Ward 6 (Mack). The Planning Commission (5-0-2 vote) and staff recommend APPROVAL

PLANNING & DEVELOPMENT - DISCUSSION

96. SUP-5305 - PUBLIC HEARING - APPLICANT: ARIEL VALLI ARCHITECTS - OWNER: GEOFFREY D. COMMONS AND JOHN L. SUTER - Request for a Special Use Permit FOR A PROPOSED MINI-WAREHOUSE FACILITY adjacent to the west side of Jones Boulevard, approximately 250 feet north of Cheyenne Avenue (APN 138-11-804-025), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial) Zone, Ward 6 (Mack). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL
97. SDR-5307 - PUBLIC HEARING - APPLICANT: ARIEL VALLI ARCHITECTS - OWNER: GEOFFREY D. COMMONS AND JOHN L. SUTER - Request for a Site Development Plan Review and Waivers to allow a zero-foot rear yard setback where 20 feet is required and of the perimeter landscaping requirements FOR A PROPOSED 85,555 SQUARE-FOOT MINI-WAREHOUSE FACILITY on 2.69 acres adjacent to the west side of Jones Boulevard, approximately 250 feet north of Cheyenne Avenue (APN 138-11-804-025), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial) Zone, Ward 6 (Mack). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL
98. SUP-5466 - PUBLIC HEARING - APPLICANT/OWNER: FREMONT STREET EXPERIENCE PARKING CORPORATION - Request for a Special Use Permit FOR A PROPOSED LIQUOR ESTABLISHMENT (TAVERN) AND A WAIVER OF THE SEPARATION DISTANCE REQUIREMENT at 425 Fremont Street (APN 139-34-610-045), C-2 (General Commercial) Zone, Ward 1 (Moncrief). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL
99. ZON-5222 - PUBLIC HEARING - APPLICANT: CLEDOUS L DEXTER - OWNER: ODESSA AND JOHNNY PATTILLO TRUST - Request for a Rezoning FROM: R-E (RESIDENCE ESTATES) TO: C-1 (LIMITED COMMERCIAL) on 0.58 acres located between 1000-1100 Martin L. King Boulevard. (APN 139-28-604-004), Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend APPROVAL
100. SUP-5225 - PUBLIC HEARING - APPLICANT: CLEDOUS L DEXTER - OWNER: ODESSA AND JOHNNY PATTILLO TRUST - Request for Special Use Permit FOR A PROPOSED AUTO SMOG CHECK AND CARWASH, SELF SERVICE located between 1000-1100 Martin L. King Boulevard. (APN 139-28-604-004), R-E (Residence Estates) Zone [PROPOSED: C-1 (Limited Commercial) Zone], Ward 5 (Weekly). The Planning Commission (5-2 vote) recommends DENIAL. Staff recommends APPROVAL
101. SDR-5223 - PUBLIC HEARING - APPLICANT: CLEDOUS L DEXTER - OWNER: ODESSA AND JOHNNY PATTILLO TRUST - Request for Site Development Plan Review and a Waiver of perimeter buffering and landscaping standards FOR A PROPOSED SMOG CHECK AND CAR WASH, SELF SERVICE on 0.58 acres located between 1000-1100 Martin L. King Boulevard. (APN 139-28-604-004), R-E (Residence Estates) Zone [PROPOSED: C-1 (Limited Commercial) Zone], Ward 5 (Weekly). The Planning Commission (5-2 vote) recommends DENIAL. Staff recommends APPROVAL
102. ZON-5302 - PUBLIC HEARING - APPLICANT: STERLING S DEVELOPMENT - OWNER: QUARTERHORSE FALLS ESTATES, LLC - Request for a Rezoning FROM: U (UNDEVELOPED) [R-E (RURAL ESTATES) AND RNP (RURAL NEIGHBORHOOD PRESERVATION) GENERAL PLAN DESIGNATIONS] TO: R-PD2 (RESIDENTIAL PLANNED DEVELOPMENT - 2 UNITS PER ACRE) on 15.79 acres adjacent to the southeast corner of Maverick Street and Iron Mountain Road (APN 125-11-507-002, 125-11-507-004, 125-11-503-001 and 002), Ward 6 (Mack). The Planning Commission (3-2-2 vote) and staff recommend APPROVAL
103. VAR-5306 - PUBLIC HEARING - APPLICANT: STERLING S DEVELOPMENT - OWNER: QUARTERHORSE FALLS ESTATES, LLC - Request for a Variance TO ALLOW ZERO ACRES OF OPEN SPACE WHERE 0.54 ACRES OF OPEN SPACE IS REQUIRED in conjunction with a proposed 33-lot single-family residential development on 15.79 acres adjacent to the southeast corner of Maverick Street and Iron Mountain Road (APN 125-11-507-002, 125-11-507-004, 125-11-503-001 and 002), U (Undeveloped) Zone [R-E (Rural Estates) and RNP (Rural Neighborhood Preservation) General Plan Designations] [PROPOSED: R-PD2 (Residential Planned Development - 2 Units per Acre)], Ward 6 (Mack). The Planning Commission (3-2-2 vote) and staff recommend APPROVAL

PLANNING & DEVELOPMENT - DISCUSSION

104. SDR-5304 - PUBLIC HEARING - APPLICANT: STERLING S DEVELOPMENT - OWNER: QUARTERHORSE FALLS ESTATES, LLC - Request for a Site Development Plan FOR A PROPOSED 33-LOT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT on 15.79 acres adjacent to the southeast corner of Maverick Street and Iron Mountain Road (APN 125-11-507-002, 125-11-507-004, 125-11-503-001 and 002), U (Undeveloped) Zone [R-E (Rural Estates) and RNP (Rural Neighborhood Preservation) General Plan Designations] [PROPOSED: R-PD2 (Residential Planned Development - 2 Units per Acre), Ward 6 (Mack). The Planning Commission (3-2-2 vote) and staff recommend APPROVAL
105. ZON-4216 - TABLED ITEM - PUBLIC HEARING - 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
106. ZON-5313 - PUBLIC HEARING - APPLICANT: PARDEE HOMES OF NEVADA - OWNER: DANIEL M. CARPINO - Request for a Rezoning FROM: U (UNDEVELOPED) [TC (TOWN CENTER) [L-TC (LOW DENSITY RESIDENTIAL) TOWN CENTER SPECIAL LAND USE DESIGNATION] TO: T-C (TOWN CENTER) on 2.50 acres adjacent to the southwest corner of Fort Apache Road and Dorrell Lane (APN 125-19-602-002), Ward 6 (Mack). The Planning Commission (7-0 vote) and staff recommend APPROVAL
107. VAC-4218 - TABLED ITEM - PUBLIC HEARING - 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
108. SDR-5317 - PUBLIC HEARING - APPLICANT: PARDEE HOMES OF NEVADA - OWNER: DANIEL M. CARPINO AND PARDEE HOMES OF NEVADA - Request for a Site Development Plan FOR A PROPOSED 108-LOT SINGLE FAMILY RESIDENTIAL DEVELOPMENT on 20.18 acres adjacent to the southwest corner of Fort Apache Road and Dorrell Lane (APN 125-19-602-001 thru 011), U (Undeveloped) Zone [TC (Town Center) L-TC (Low Density Residential Town Center General Plan Designation)] [PROPOSED: T-C (Town Center) Zone], Ward 6 (Mack). The Planning Commission (7-0 vote) and staff recommend APPROVAL
109. GPA-5034 - ABEYANCE - PUBLIC HEARING - APPLICANT: AMBLING MULTI-FAMILY DEVELOPMENT - OWNER: ALTA MLK, LLC - Request to Amend a portion of the Southeast Sector Plan of the General Plan FROM: SC (SERVICE COMMERCIAL) TO: H (HIGH DENSITY RESIDENTIAL) on 16.78 acres north of Alta Drive and west of Martin L. King Boulevard (APN 139-33-202-005), Ward 5 (Weekly). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL
110. ZON-4941 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: AMBLING MULTI-FAMILY DEVELOPMENT - OWNER: ALTA MLK, LLC - Request for a Rezoning FROM: C-1 (LIMITED COMMERCIAL) TO: R-PD50 (RESIDENTIAL PLANNED DEVELOPMENT - 50 UNITS PER ACRE) on 16.78 acres north of Alta Drive and west of Martin L. King Boulevard (APN 139-33-202-005), Ward 5 (Weekly). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL
111. VAR-5035 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: AMBLING MULTI-FAMILY DEVELOPMENT - OWNER: ALTA MLK, LLC - Request for a Variance TO ALLOW A 20 FOOT SETBACK WHERE 1,212 FEET IS REQUIRED on 16.78 acres north of Alta Drive and west Martin L. King Boulevard (APN 139-33-202-005), C-1 (Limited Commercial) Zone [PROPOSED: R-PD50 (Residential Planned Development - 50 Units Per Acre)], Ward 5 (Weekly). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL
112. VAR-5479 - PUBLIC HEARING - APPLICANT: AMBLING MULTI-FAMILY DEVELOPMENT - OWNER: ALTA MLK, LLC - Request for a Variance TO ALLOW 153,879 SQUARE FEET OF OPEN SPACE WHERE 606,678 SQUARE FEET IS REQUIRED FOR AN 854-UNIT MULTIFAMILY DEVELOPMENT on 16.78 acres north of Alta Drive and west of Martin L. King Boulevard (APN 139-33-202-005), C-1 (Limited Commercial) Zone [PROPOSED: R-PD50 (Residential Planned Development - 50 Units Per Acre)], Ward 5 (Weekly). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL

PLANNING & DEVELOPMENT - DISCUSSION

113. SDR-5155 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: AMBLING MULTI-FAMILY DEVELOPMENT - OWNER: ALTA MLK, LLC - Request for a Site Development Plan FOR A PROPOSED 21 STORY, 840 UNIT CONDOMINIUM DEVELOPMENT IN THREE BUILDINGS on 16.78 acres north of Alta Drive and west of Martin L. King Boulevard (APN 139-33-202-005), C-1 (Limited Commercial) Zone [PROPOSED: R-PD50 (Residential Planned Development - 50 Units Per Acre)], Ward 5 (Weekly). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL
114. GPA-5120 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: RICHMOND AMERICAN HOMES - OWNER: RONALD MICH'L AND CAROLYN MICH'L, ET AL - Request to amend a portion of the Southwest Sector Plan of the General Plan FROM: GC (GENERAL COMMERCIAL) TO: ML (MEDIUM-LOW DENSITY RESIDENTIAL) on 5.00 acres adjacent to the southeast corner of Charleston Boulevard and Lindell Road (APN 163-01-501-001 and 002), Ward 1 (Moncrief). Staff recommends DENIAL. The Planning Commission (6-0-1 vote) recommends APPROVAL
115. ZON-5121 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: RICHMOND AMERICAN HOMES - OWNER: RONALD MICH'L AND CAROLYN MICH'L, ET AL - Request for a Rezoning FROM: U (UNDEVELOPED) [GC (GENERAL COMMERCIAL) GENERAL PLAN DESIGNATION] UNDER RESOLUTION OF INTENT TO C-2 (GENERAL COMMERCIAL) TO: R-PD8 (RESIDENTIAL PLANNED DEVELOPMENT - 8 UNITS PER ACRE) on 5.00 acres adjacent to the southeast corner of Charleston Boulevard and Lindell Road (APN 163-01-501-001 and 002), Ward 1 (Moncrief). Staff recommends DENIAL. The Planning Commission (6-0-1 vote) recommends APPROVAL
116. VAR-5124 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: RICHMOND AMERICAN HOMES - OWNER: RONALD MICH'L AND CAROLYN MICH'L, ET AL - Request for a Variance TO ALLOW 0.44 ACRES OF OPEN SPACE WHERE 0.66 ACRES IS THE MINIMUM REQUIRED FOR A PROPOSED 40-LOT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT on 5.00 acres adjacent to the southeast corner of Charleston Boulevard and Lindell Road (APN 163-01-501-001 and 002), GC (General Commercial) Zone [PROPOSED: R-PD8 (Residential Planned Development - 8 Units per Acre)], Ward 1 (Moncrief). Staff recommends DENIAL. The Planning Commission (6-0-1 vote) recommends APPROVAL
117. SDR-5122 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: RICHMOND AMERICAN HOMES - OWNER: RONALD MICH'L AND CAROLYN MICH'L, ET AL - Request for a Site Development Plan Review FOR A PROPOSED 40-LOT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT on 5.00 acres adjacent to the southeast corner of Charleston Boulevard and Lindell Road (APN 163-01-501-001 and 002), U (Undeveloped) Zone [GC (General Commercial) General Plan Designation] under Resolution of Intent to C-2 (General Commercial) Zone [PROPOSED: R-PD8 (Residential Planned Development - 8 Units per Acre)], Ward 1 (Moncrief). Staff recommends DENIAL. The Planning Commission recommends APPROVAL
118. GPA-5157 - ABEYANCE ITEM - PUBLIC HEARING - OWNER/APPLICANT: CITY OF LAS VEGAS - Request to amend the Master Plan Recreation and Transportation Trail Elements TO RE-DESIGNATE PORTIONS OF PROPOSED ALIGNMENTS IN DEVELOPED AREAS AS PEDESTRIAN PATHS, Ward 1, 3, 4, 5 and 6 (Moncrief, Reese, Brown, Weekly and Mack); AND TO REVISE CROSS SECTIONS, All Wards. The Planning Commission (6-1 vote) and staff recommend APPROVAL
119. MOD-5497 - NOT TO BE HEARD BEFORE 4:00 P.M. - PUBLIC HEARING - APPLICANT: TRIPLE FIVE DEVELOPMENT NEVADA - OWNER: GREAT MALL OF LAS VEGAS, LLC - Request for a Major Modification to the Town Center Land Use Plan of the Centennial Hills Sector Plan of the General Plan TO CHANGE THE LAND USE DESIGNATION FROM: MS-TC (MAIN STREET MIXED USE - TOWN CENTER) TO: GC-TC (GENERAL COMMERCIAL - TOWN CENTER) on 24.91 acres adjacent to the northwest corner of Deer Springs Way and U.S. Highway 95 (APN 125-21-201-001), Ward 6 (Mack). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL

SET DATE

120. 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

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 B

(Attach Copy of Notice of January 5, 2005 Meeting)



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)

COUNCIL MEMBERS: LARRY BROWN (Ward 4), LAWRENCE WEEKLY (Ward 5),

MICHAEL MACK (Ward 6), JANET MONCRIEF (Ward 1), STEVE WOLFSON (Ward 2)

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.

JANUARY 5, 2005

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. 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 MARY BREDLAU, PALM MORTUARY
- PLEDGE OF ALLEGIANCE
- RECOGNITION OF THE CITIZEN OF THE MONTH
- RECOGNITION OF WARD 5 TOY DRIVE PARTICIPANTS

BUSINESS ITEMS - MORNING

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 Meeting of October 20, 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 payment to University of Nevada Las Vegas (UNLV) in the amount of \$150,000 (Video Services Enterprise Fund) for the City's share of matching funds owed for support of an Education Television Station

CITY CLERK - CONSENT

4. Approval of the First Amendment to the Cooperative Agreement for Election Services with Clark County for Election Day Team Leader and Assistant Team Leader Expenses (\$32,000 for the 2005 Election Processes - General Fund) - All Wards

FINANCE & BUSINESS SERVICES - CONSENT

5. Approval of Service and Material Checks/Payroll Checks/Wire Transfers/Other Checks and Investments
6. Approval of a report by the City Treasurer of the December 9, 2004 sale of properties subject to the lien of a delinquent assessment in Special Improvement District 505 and multiple other districts - Wards 3 and 6 (Reese and Mack)
7. Approval to allocate \$200,000 of the City Facilities Capital Projects Fund Balance to the Detention and Enforcement Capital Projects Fund to provide additional funds for renovating the former Southeast Area Command facility (\$200,000 - City Facilities Capital Projects Fund [CPF]) - Ward 3 (Reese)
8. Approval to allocate \$620,000 of the Capital Improvement Plan Bid reserve and award of Bid Number 04.15341.10-LED, Detention Facility Culinary Renovation and construction conflicts and contingency reserve set by Finance and Business Services - Department of Public Works - Award recommended to: COBBLESTONE CONSTRUCTION, (\$2,450,000 - Capital Projects Fund) Ward 3 (Reese)
9. 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 Health Dept. regulations and confirmation of approval by the Nevada Gaming Commission, From: Slots Unlimited, Inc., dba Village Shop, Charles R. Hart, Jr., Dir, Pres, Treas, 47.5%, John R. Moorman, Dir, VP, 47.5%, Bennie J. Parker, Dir, EVP, Secy, 5%, To: Zak's Mini Market, Inc., dba Zak's Gas+, 251 North Nellis Boulevard, Thomas F. Schwarz, Dir, Pres, Secy, Treas, 100% - Ward 3 (Reese)
10. Approval of Change of Ownership for a Package License and a new Restricted Gaming License for 7 slots subject to Health Dept. regulations, From: Funston & Funston, Freddie L. Funston, Co-owner, Dorothy D. Funston, Co-owner, To: Funny's I Limited Partnership, dba Funny's, 4747 North Rancho Drive, Crotts, Inc., Gen Ptnr, 50%, Jody R. Crotts, Dir, Pres, 50%, Denise O. Crotts, Dir, Secy, Treas, 50%, Funston Gaming Trust, Ltd Ptnr, 50%, Freddie L. Funston, Trustee, Dorothy D. Funston, Trustee - Ward 6 (Mack)
11. Approval of a new Beer/Wine/Cooler On-sale License, Sushimon, Inc., dba Sushimon, 8320 West Sahara Avenue, Suite 180, Masae Akamine, Dir, Pres, Secy, Treas, 100%, Michiyo Akamine, Principal - Ward 1 (Moncrief)
12. Approval of Change of Ownership for a Pawnbroker License, From: Camco, Inc. (Non-operational), Steven A. Mack, COB, CEO, Bryan W. Waters, Pres, COO, Marco A. Herrera, VP, Secy, Steven Mack Revocable Trust, 100%, Steven A. Mack, Trustee, To: Cash America, Inc. of Nevada, dba SuperPawn, 3081 South Valley View Boulevard (Non-operational), Daniel R. Feehan, Dir, CEO, Pres, Cash America International, Inc., 100%, Daniel R. Feehan, Dir, CEO, Pres - Ward 1 (Moncrief)

FINANCE & BUSINESS SERVICES - CONSENT

13. Approval of Change of Ownership for a Tavern License and a new Restricted Gaming License for 15 slots subject to Health Dept. regulations and confirmation of approval by the Nevada Gaming Commission, From: SKRR, LLC, Richard L. Stevens, Mmbr, Mgr, 25%, Richard A. Pollack, Mmbr, Mgr, 25%, Stanley H. Wasserkrug, Mmbr, 25%, Keith K. Lyon, Mmbr, 25%, To: The Fieldhouse Group, LLC, dba Mulligan's Landing, 2851 North Rancho Drive, David M. Winiarczyk, Mmbr, 47%, Duane Forte, Mmbr, 33%, James J. Guanci, Mmbr, 20% - Ward 5 (Weekly)
14. Approval of a new Psychic Art and Science License, Joan Taylor, dba Joan Taylor, 6848 West Charleston Boulevard, Joan A. Taylor, 100% - Ward 1 (Moncrief)
15. Approval of award of Bid No. 05.1730.03-LED, Bonanza Road, Pecos Road and Stewart Avenue Sanitary Sewer Rehabilitation and the construction conflicts and contingency reserve set by Finance and Business Services - Department of Public Works - Award recommended to: LAS VEGAS PAVING, INC. (\$3,571,703 - Sanitation Enterprise Fund) - Ward 3 (Reese).
16. Approval of award of Contract No. 050084 for Program Management Services for the Water Control Pollution Facility's Strategic Information Technology Plan - Department of Public Works - Award recommended to: MWH AMERICAS, INC. (\$2,482,860 - Sanitation Enterprise Fund)
17. Approval of revision to purchase order 215281 for an annual requirements contract for Food Services for Detention and Enforcement Facility, 3300 Stewart Avenue - Department of Detention and Enforcement - Award to: INSTITUTIONAL FOODSERVICE MANAGEMENT (\$750,000 - General Fund) - Ward 3 (Reese)
18. Approval of award of Agreement No. 050191, annual ordering of 3M Pre-empt encoding upgrade equipment - Department of Public Works - Award recommended to: 3M (Estimated annual amount of \$400,000 - General Fund)
19. Approval of the rejection of bid and award of Bid No. 050087-TG, Type VIII R Traffic Signal Cabinets - Department of Public Works - Award recommended to: PHOENIX HIGHWAY PRODUCTS (Estimated annual amount \$400,000 - General Fund)
20. Approval of award of Agreement No. 40389 legal services - Department of Public Works - Award recommended to: STOEL RIVES, LLP (\$300,000 - Sanitation Enterprise Fund)
21. Approval of award of Contract No.040180 for Audio,Visual,Videoconferencing Design and Install - Department of Public Works - Award recommended to: SYSTEM SERVICES, INC. (\$108,300.00 - Sanitation Enterprise Fund)
22. Preapproval of award of Bid No. 04.15341.43-LED, Post Office Soft Demolition to the lowest responsive and responsible bidder and the construction conflicts and contingency reserve set by Finance and Business Services - Department of Public Works - (\$99,000 - Parks and Leisure Activities Special Revenue Fund) - Ward 5 (Weekly)
23. Approval of Modification No. 1 of Letter of Engagement for Legislative and Governmental Relations Consulting Services - Office of the City Manager, Administrative Services - Award recommended to: LIONEL SAWYER & COLLINS (\$90,000 - General Fund)
24. Approval of the award of Bid No. 050167-LED, Circle Park Tire Wall and the construction conflicts and contingency reserve set by Finance and Business Services - Department of Public Works - Award recommended to: CAPRIATI CONSTRUCTION CORPORATION (\$38,400 - Parks and Leisure Activities Capital Projects Fund) - Ward 3 (Reese)
25. Approval of award of Contract No. 050096 for Architectural Survey and Inventory Services - Department of Planning - Award recommended to: DIANA PAINTER (\$38,000 - MultiPurpose Special Revenue Fund) Wards 1, 3 and 5 (Moncrief, Reese and Weekly)
26. Approval of ratification of a purchase order for four (4) Seepex Model BN 15-6LT metering pumps - Department of Public Works - Award recommended to: GOBLE SAMPSON ASSOCIATES, INC. (\$29,944 - Sanitation Enterprise Fund)
27. Approval of issuance of a purchase order for printing services for the Ward 1 Special Election scheduled for January of 2005 - Office of the City Clerk - Award recommended to: NEVADA COLOR LITHO (\$26,000 - General Fund)

FINANCE & BUSINESS SERVICES - CONSENT

28. Approval of ratification of purchase order 216080 for Janitorial Services - Department of Field Operations - Award to: BEST JANITORIAL SERVICES OF NEVADA, INC. (\$500,000 - General Fund)

FIRE & RESCUE - CONSENT

29. Approval of a usage fee schedule recommended increase associated with the Department of Fire Services performing emergency medical services transports - All Wards

HUMAN RESOURCES - CONSENT

30. Approval of payment for a permanent partial disability award - Claim 9606-31 - as required under the workers' compensation statutes (\$31,254 - Workers' Compensation Internal Service Fund)
31. Approval to create one regular full time Clean Water Coalition Deputy Administrator, Contracts & Finance position to be funded by Clean Water Coalition (\$64,000 - Sanitation Enterprise Fund)

LEISURE SERVICES - CONSENT

32. Approval of Memorandum of Understanding between the City of Las Vegas and Whirlygig, Inc., to support production of First Friday in the Arts District (\$19,980 - General Fund) - Ward 1 (Moncrief)
33. Approval of the Las Vegas Arts Commission's expenditure of \$95,000 for fabrication of a public art sculpture for the East Las Vegas Community/Senior Center (\$80,000 - Las Vegas Arts Commission General Fund/\$15,000 - Arts Fund) - Ward 3 (Reese)

NEIGHBORHOOD SERVICES - CONSENT

34. Approval of a reimbursement agreement with United Way of Southern Nevada to reimburse up to \$40,000 of operating expenses (General Fund/Weather Shelter) incurred by the Fertitta Community Assistance Center in service to homeless individuals seeking assistance - Weekly (Ward 5)
35. Approval of a conditional allocation of the estimated \$3,866,221 in FY2005 Federal and State Home Investment Partnership (HOME) funds subject to final HUD approval of the Environmental Review process, pursuant to 24 CFR Part 58 and Low Income Housing Trust Funds (LIHTF) from the Clark County Consortium - All Wards

PUBLIC WORKS - CONSENT

36. Approval of an Encroachment Request from JHR Associates on behalf of Soho Lofts, LLC, owner (southwest corner of Hoover Avenue and Las Vegas Boulevard) - Ward 5 (Weekly)
37. Approval of a Sewer Connection and Interlocal Contract with Clark County Water Reclamation District - Las Vegas Valley Water District, owner (southwest corner of El Capitan Way and Azure Way, APN 125-29-201-006, 125-29-201-007 and 125-29-201-014) - County (near Ward 6 - Mack)
38. Approval of a Sewer Connection and Interlocal Contract with Clark County Water Reclamation District - Thomas Family Trust, Rick R. Thomas and Kimberly Thomas, Trustees, owners (southeast corner of Rainbow Boulevard and Whispering Sands Drive, APN 125-14-201-001) - County (near Ward 6 - Mack)

PUBLIC WORKS - CONSENT

39. Approval of an Encroachment Request from Coleman-Toll, Limited Partnership, owner (southwest corner of Farm Road and Rainbow Boulevard) - Ward 6 (Mack)
40. Approval of an Encroachment Request from Slater Hanifan Group on behalf of Pardee Homes Nevada, owner (area bound by Tee Pee Lane, Severance Lane, Fort Apache Road and Elkhorn Road) - Ward 6 (Mack)
41. Approval of a Sewer Connection and Interlocal Contract with Clark County Water Reclamation District - Catherine Jaramillo, owner (south of Craig Road, east of Kevin Way, APN 138-05-301-051) - County (near Ward 4 - Brown)
42. 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 dedication of additional rights of way located along Bonanza Road between Biltmore Drive and Las Vegas Boulevard, APN 139-27-803-003; 803-004 - Ward 1 (Moncrief)

RESOLUTIONS - CONSENT

43. R-1-2005 - Approval of a Resolution overruling complaints, protests, and objections and confirming the Final Assessment Roll for Special Improvement District No. 1478 - Vegas Drive (Rancho Drive to I-15) (\$176,765.66 - Capital Projects Fund/Special Assessments) - Ward 5 (Weekly)
44. R-2-2005 - Approval of a Resolution of the City Council of the City of Las Vegas, Nevada, Approving a Cooperative Agreement with Clark County, Nevada, the Cities of North Las Vegas and Henderson for the Joint use of Animal Control Records Management Software - Ward 3 (Reese)
45. R-3-2005 - Approval of a Resolution Ratifying the Appointment of Mark R. Vincent as City Treasurer

REAL ESTATE COMMITTEE - CONSENT

46. Approval of an Exclusive Negotiating Agreement with Expertise School of Beauty, LLC, to develop an approximate 8,000 square-foot office building on a site approximately 0.8-acres in the Las Vegas Enterprise Park (a portion of APN 139-21-313-001) - Ward 5 (Weekly)
47. Approval of an Exclusive Negotiating Agreement with the Foundation for an Independent Tomorrow to develop a 12,600 square-foot office building on an approximate 1-acre site in the Las Vegas Enterprise Park (a portion of APN 139-21-313-001) - Ward 5 (Weekly)
48. Approval of a Land Purchase Agreement between the City of Las Vegas (City) and Investment Equity Development (IED) for the sale of approximately 4.58-acres of City owned land located in the vicinity of Cheyenne Avenue and Durango Drive, APNs 138-08-801-006 and -007 for development of an office park (\$2,900,700 revenue less shared closing costs - Golf Course Enterprise Fund) - Ward 4 (Brown)

DISCUSSION / ACTION ITEMS

CITY ATTORNEY - DISCUSSION

49. Discussion and possible action on Appeal of Work Card Denial: Jay Timetri Collins, 4536 Soda Ash Avenue, Las Vegas, NV 89110

CITY CLERK - DISCUSSION

50. Discussion and possible action regarding the Proclamation and Order declaring the 2005 City of Las Vegas Municipal Election - All Wards

FINANCE & BUSINESS SERVICES - DISCUSSION

51. Discussion and possible action on a policy to manage the Capital Improvement Plan (CIP) Bid Reserve Fund
52. ABEYANCE ITEM - Discussion and possible action regarding a new Nonprofit Club General License, Mesquite Club, Inc., dba Mesquite Club, 702 East St. Louis Avenue, Phyllis V. Noblitt, Pres - Ward 3 (Reese)
53. Discussion and possible action regarding Temporary Approval of New Licenses and Key Employees for a Package License subject to the provisions of the fire codes and Health Dept. regulations, Wal-Mart Stores, Inc., dba Wal-Mart Neighborhood Market 5258, 5850 West Craig Road, Wal-Mart Neighborhood Market 5259, 6151 West Lake Mead Boulevard, H. Lee Scott, Jr., Dir, Pres, CEO, David L. Bullington, VP, Rick W. Brazile, VP, Thomas D. Hyde, EVP, Secy, Joseph J. Fitzsimmons, SVP, Treas, Miklos J. Pena, Store Mgr, 5258, Matthew S. Pinal, Store Mgr, 5259 - Ward 6 (Mack)
54. Discussion and possible action regarding Temporary Approval of Change of Ownership and Business Name and Approval of Key Employee for a Supper Club License subject to the provisions of the planning and fire codes and Health Dept. regulations, From: Roadhouse Operating Company II, LLC, dba Roadhouse Grill Restaurant II (Non-operational), Roadhouse West, Gen Ptnr, Mmbr, 99%, Roadhouse West, Inc., Managing Ptnr, 40%, Charles Bell, Dir, Pres, 25%, Brian K. Zeller, Dir, Secy, Treas, 25%, Roadhouse Investors, LLC, Ptnr, 60%, One Percent, Inc., Mgr, Mmbr, 1%, Charles L. Bell, Pres, Brian K. Zeller, Dir, Secy, Treas, To: Kahuna Grill Lake Mead, LLC, dba Kahuna Grill, 7341 West Lake Mead Boulevard, David Z. Tuttleman, Mgr, Mmbr, 100%, Paul S. Clunan, Gen Mgr (NOTE: Item to be heard in the afternoon session in conjunction with Item #89 - SUP-5422) - Ward 4 (Brown)

BOARDS & COMMISSIONS - DISCUSSION

55. PARK & RECREATION ADVISORY COMMISSION - Brent Blackburn, Term Expiration 1-6-2005
56. SENIOR CITIZENS ADVISORY BOARD - Al Gallego - Term Expires 6/2007 (Resigned)

REAL ESTATE COMMITTEE - DISCUSSION

57. ABEYANCE ITEM - Discussion and possible action regarding an Exclusive Negotiating Agreement between City Parkway V and Related Companies for the Union Park property bounded by Grand Central Parkway, Bonneville Avenue and the UPRR Rail line, APN 139-34-110-003 - Ward 5 (Weekly)

RECOMMENDING COMMITTEE REPORT - DISCUSSION

BILLS ELIGIBLE FOR ADOPTION AT THIS MEETING

58. Bill No. 2004-76 - Updates the membership of the Design Review Committee for the Downtown Entertainment Overlay District. Proposed by: Robert S. Genzer, Director of Planning and Development
59. Bill No. 2004-78 - Clarifies the procedures and standards that apply to the installation of speed humps on residential streets. Proposed by: Richard D. Goecke, Director of Public Works
60. Bill No. 2004-79 - Levies Assessment for Special Improvement District No. 1480 - Buffalo Drive (Cheyenne Avenue to Lone Mountain Road). Sponsored by: Step Requirement

RECOMMENDING COMMITTEE REPORT - DISCUSSION

BILLS ELIGIBLE FOR ADOPTION AT THIS MEETING

61. Bill No. 2004-80 - Levies Assessment for Special Improvement District No. 1495 - Buffalo Drive (Cheyenne Avenue to Lone Mountain Road). 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.

62. Bill No. 2004-77 - Authorizes the granting of a distance-separation waiver for a tavern to be located within a regional mall. Sponsored by: Councilwoman Janet Moncrief
63. Bill No. 2004-82 - Expands the boundaries of the Live/Work Overlay District to include the East Fremont District, as identified in the Downtown Centennial Plan. Proposed by: Robert S. Genzer, Director of Planning and Development
64. Bill No. 2004-83 - Prohibits motorized vehicles on equestrian trails, multi-use trails, and other trails not intended for motorized vehicles. Sponsored by: Councilman Michael Mack

NEW BILLS - DISCUSSION

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.

65. Bill No. 2005-1 - Annexation No. ANX-5329 - Property location: On the southeast corner of Jones Boulevard and Madre Mesa Drive; Petitioned by: S. F. Investments, LLC; Acreage: 2.42 acres; Zoned: R-E (County zoning), U (R) (City equivalent). Sponsored by: Councilman Lawrence Weekly
66. Bill No. 2005-2 - Eliminates the term limits applicable to voting members of the Historic Preservation Commission. Sponsored by: Mayor Oscar B. Goodman
67. Bill No. 2005-3 - Modifies the disclosure requirements for merchants who sell motorized skateboards or motorized scooters, and requires merchants to make certain disclosures in connection with the sale of mini-motorcycles. Sponsored by: Councilman Michael Mack
68. Bill No. 2005-4 - Repeals the Municipal Code provision that requires persons who hold certain City offices to submit a resignation before filing for election to another City office. Proposed by: Bradford R. Jerbic, City Attorney
69. Bill No. 2005-5 - Levies Assessment for Special Improvement District No. 1478 - Vegas Drive (Rancho Drive to I-15) Sponsored by: Step Requirement

1:00 P.M. - AFTERNOON SESSION

BUSINESS ITEMS - AFTERNOON

70. 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

71. Public hearing to consider the report of expenses to recover costs for abatement of dangerous buildings located at 4820 Alpine Place (APNs 138-36-811-001 through 138-36-811-034 - All Units). PROPERTY OWNER: MOGEN HOLDINGS CO LLC - Ward 1 (Moncrief)
72. Public hearing to consider the report of expenses to recover costs for abatement of nuisance/litter located at 2916 Armin Avenue. PROPERTY OWNER: YVES VITAL - Ward 3 (Reese)
73. Public hearing to consider the report of expenses to recover costs for abatement of nuisance/litter located at 617 W. Adams Avenue. PROPERTY OWNER: JOYCE STEWART - Ward 5 (Weekly)

PLANNING & DEVELOPMENT

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 - CONSENT

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

74. EOT-5631 - APPLICANT: TANEY ENGINEERING - OWNER: LEWIS CENTER PARKING, LIMITED LIABILITY COMPANY - Request for an Extension of Time on an approved Site Development Plan Review (SDR-1298) FOR A PROPOSED EIGHT LEVEL PARKING GARAGE WITH GROUND LEVEL RETAIL (17,959 Square Feet) on 0.56 acres adjacent to the northeast corner of Lewis Avenue and Casino Center Boulevard (APN 139-34-201-020), C-2 (General Commercial), Ward 1 (Moncrief). Staff recommends APPROVAL
75. EOT-5743 - APPLICANT: EN ENGINEERING, INC. - OWNER: WAL-MART STORES, INC. - Request for an Extension of Time for an approved Special Use Permit (U-0071-02) which ALLOWED PACKAGED LIQUOR SALES FOR OFF-PREMISES CONSUMPTION IN CONJUNCTION WITH A PROPOSED NEIGHBORHOOD MARKET located adjacent to the northeast corner of Craig Road and Jones Boulevard (APN 138-01-219-002), C-1 (Limited Commercial) Zone, Ward 6 (Mack). Staff recommends APPROVAL
76. EOT-5744 - APPLICANT: EN ENGINEERING, INC. - OWNER: WAL-MART STORES, INC. - Request for an Extension of Time for an approved Special Use Permit (U-0128-02) which ALLOWED PACKAGED LIQUOR SALES FOR OFF-PREMISES CONSUMPTION IN CONJUNCTION WITH A PROPOSED WAL-MART NEIGHBORHOOD MARKET adjacent to the southwest corner of Lake Mead Boulevard and Jones Boulevard (APN 138-23-719-004), R-E (Residence Estates) Zone under Resolution of Intent to C-1 (Limited Commercial), Ward 6 (Mack). Staff recommends APPROVAL

PLANNING & DEVELOPMENT - DISCUSSION

77. DIR-5543 -- PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS - Request to Adopt the Northwest Open Space Plan as an Element of the Master Plan 2020 for property generally located north of Cheyenne Avenue, west of Decatur Boulevard, and east of Puli Drive, Ward 4 (Brown) and Ward 6 (Mack). The Planning Commission (7-0 vote) and staff recommend APPROVAL. [Heading should state "Request to accept (not adopt) the Northwest Open Space Plan for property generally located ... (proposed plan is not an Element of the Master Plan 2020)]

PLANNING & DEVELOPMENT - DISCUSSION

78. SDR-5493 - PUBLIC HEARING - APPLICANT: COLERAINE CAPITAL GROUP, INC - OWNER: BOULDERS APARTMENTS, LLC - Request for a Site Development Plan Review FOR THE CONVERSION OF A 388 UNIT APARTMENT PROJECT TO A CONDOMINIUM DEVELOPMENT on 21.30 acres at 3450 North Hualapai Way (APN 138-07-301-002,-008,-009, and 138-07-401-002), PD (Planned Development) Zone, Ward 4 (Brown). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL

79. SDR-5452 - PUBLIC HEARING - APPLICANT: PRO REALTY PARTNERS, LLC - OWNER: E & F HORIZONS ASSOCIATES, LLC - Request for a Site Development Plan Review FOR THE CONVERSION OF A 408 UNIT APARTMENT PROJECT TO A CONDOMINIUM DEVELOPMENT on 20.20 acres at 8600 West Charleston Boulevard (APN 138-32-801-001), R-3 (Medium Density Residential) Zone, Ward 2 (Wolfson). Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL

80. WVR-5487 - PUBLIC HEARING - APPLICANT: RICHMOND AMERICAN HOMES - OWNER: THE KUSHROW ROOHANI FAMILY TRUST - Request for a Waiver of Title 18.12.510 AND SECTION D.2.A.6 OF THE TOWN CENTER DEVELOPMENT STANDARDS TO ALLOW AN EIGHT-FOOT RETAINING WALL WHERE SIX FEET IS THE MAXIMUM ALLOWED on 15 acres along the south side of Elkhorn Road, between Campbell Road and Durango Drive(APN 125-20-101-007, 015, and 016), T-C (Town Center) Zone, Ward 6 (Mack). Staff recommends DENIAL. The Planning Commission (6-0-1 vote) recommends APPROVAL

81. VAC-5408 - PUBLIC HEARING - APPLICANT/OWNER: SHADOW HILLS PLAZA, LLC - Petition to Vacate a Drainage Easement generally located between Cheyenne Avenue and Buckskin Avenue, west of Shady Timber Street, Ward 4 (Brown). The Planning Commission (7-0 vote) and staff recommend APPROVAL

82. VAC-5464 - PUBLIC HEARING - APPLICANT: STERLING S DEVELOPMENT - OWNER: QUARTERHORSE FALLS ESTATES, LLC - Petition to Vacate a portion of Maggie Avenue generally located east of Maverick Street, Ward 6 (Mack). The Planning Commission (5-0-2 vote) and staff recommend APPROVAL

83. VAC-5477 - PUBLIC HEARING - APPLICANT: CW GROUP - OWNER: FORT APACHE/CHEYENNE HOLDINGS LLC - Petition to Vacate U.S. Government Patent Easements generally located west of Fort Apache Road and north of Cheyenne Avenue, Ward 4 (Brown). The Planning Commission (7-0 vote) and staff recommend APPROVAL

84. VAR-5227 - PUBLIC HEARING - APPLICANT/OWNER: COKE AND MAGGIE LLC - Appeal filed by the Applicant from the Denial by the Planning Commission of a request for a Variance TO ALLOW A 25-FOOT FRONT YARD SETBACK WHERE 30 FEET IS REQUIRED AND TO ALLOW A 25-FOOT REAR YARD SETBACK WHERE 35 FEET IS REQUIRED on 10.25 acres adjacent to the northeast corner of Maggie Avenue and Coke Street (APN 125-09-501-003), U (Undeveloped) Zone [RE (Rural Estates) General Plan Designation], Ward 6 (Mack). The Planning Commission (5-1-1 vote) and staff recommend DENIAL

85. VAR-5483 - PUBLIC HEARING - APPLICANT: H.E.L.P. DEVELOPMENT CORP. - OWNER: CITY OF LAS VEGAS - Request for a Variance TO ALLOW 50 PARKING SPACES WHERE 107 PARKING SPACES ARE REQUIRED FOR A PROPOSED 75-UNIT SINGLE ROOM OCCUPANCY HOUSING COMPLEX on 4.84 acres approximately 500 feet south of the intersection of Owens Avenue and Main Street (APN 139-27-502-015), C-V (Civic District) Zone, Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend APPROVAL

86. SDR-5481 - PUBLIC HEARING - APPLICANT: H.E.L.P. DEVELOPMENT CORP. - OWNER: CITY OF LAS VEGAS - Request for a Site Development Plan Review FOR A 75-UNIT SINGLE ROOM OCCUPANCY HOUSING COMPLEX on 4.84 acres approximately 500 feet south of the intersection of Owens Avenue and Main Street (APN 139-27-502-015), C-V (Civic District) Zone, Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend APPROVAL

87. VAR-5484 - PUBLIC HEARING - APPLICANT: TETRA TECH, INC.- OWNER: SPINNAKER HOMES V, LLC - Request for a Variance TO ALLOW A PROPOSED 17-FOOT FRONT SET BACK WHERE 18 FEET IS REQUIRED for a proposed single-family dwelling on Lot 24 of the Spinnaker at Town Center 1 Unit 4 Subdivision located approximately at the southeast corner of Dorrell Lane and Fort Apache Road (APN 125-20-201-009, 010, and 029), U (Undeveloped) [TC (Town Center) General Plan Designation] Under Resolution of Intent to T-C (Town Center) Zone, Ward 6 (Mack). Staff recommends DENIAL. The Planning Commission (6-0-1 vote) recommends APPROVAL

PLANNING & DEVELOPMENT - DISCUSSION

88. RQR-5630 - PUBLIC HEARING - APPLICANT: NEISSAN KOROGHLI - OWNER: FREMONT PLACE, LIMITED LIABILITY COMPANY - Required Six Month Review of an Approved Special Use Permit (U-0106-02) WHICH ALLOWED A LIQUOR ESTABLISHMENT (OFF-PREMISES CONSUMPTION) IN CONJUNCTION WITH AN EXISTING CONVENIENCE STORE/ DELICATESSEN at 228 Las Vegas Boulevard North (APN 139-34-511-001, 002 and 003), C-2 (General Commercial) Zone, Ward 5 (Weekly). Staff recommends APPROVAL
89. SUP-5422 - PUBLIC HEARING - APPLICANT: KAHUNA GRILL LAKE MEAD, LLC - OWNER: AMERICAN PACIFIC CAPITAL PAVILION COMPANY, LLC - Request for a Special Use Permit and a Waiver from the 400 foot distance separation requirement for a City Park FOR A SUPPER CLUB at 7341 West Lake Mead Boulevard (APN 138-22-317-003), C-1 (Limited Commercial) Zone, Ward 4 (Brown). (NOTE: This Item to be heard in conjunction with Morning Session Item #54) The Planning Commission (7-0 vote) and staff recommend APPROVAL
90. SUP-5423 - PUBLIC HEARING - APPLICANT/OWNER: NORTHWEST 95, LLC - Request for a Special Use Permit FOR A CONVENIENCE STORE (WITH FUEL PUMPS) adjacent to the northeast corner of Durango Drive and Oso Blanca Road (APN 125-17-701-001), T-C (Town Center) Zone, [SC-TC (Service Commercial) Town Center Special Land Use Designation], Ward 6 (Mack). The Planning Commission (7-0 vote) and staff recommend APPROVAL
91. SUP-5424 - PUBLIC HEARING - APPLICANT/OWNER: NORTHWEST 95, LLC - Request for a Special Use Permit FOR A CAR WASH (AUTOMATIC) adjacent to the northeast corner of Durango Drive and Oso Blanca Road (APN 125-17-701-001), T-C (Town Center) Zone, [SC-TC (Service Commercial - Town Center) Special Land Use Designation], Ward 6 (Mack). The Planning Commission (7-0 vote) and staff recommend APPROVAL
92. SUP-5425 - PUBLIC HEARING - APPLICANT/OWNER: NORTHWEST 95, LLC - Request for a Special Use Permit FOR ALCOHOLIC BEVERAGE SALES / LIQUOR STORE adjacent to the northeast corner of Durango Drive and Oso Blanca Road (APN 125-17-701-001), T-C (Town Center) Zone, [SC-TC (Service Commercial - Town Center) Special Land Use Designation], Ward 6 (Mack). The Planning Commission (7-0 vote) and staff recommend APPROVAL
93. SUP-5426 - PUBLIC HEARING - APPLICANT/OWNER: NORTHWEST 95, LLC - Request for a Special Use Permit FOR AN AUTO REPAIR GARAGE (MINOR) adjacent to the northeast corner of Durango Drive and Oso Blanca Road (APN 125-17-701-001), T-C (Town Center) Zone, [SC-TC (Service Commercial - Town Center) Special Land Use Designation], Ward 6 (Mack). The Planning Commission (7-0 vote) and staff recommend APPROVAL
94. SUP-5427 - PUBLIC HEARING - APPLICANT/OWNER: NORTHWEST 95, LLC - Request for a Special Use Permit FOR A RESTAURANT (WITH DRIVE-THRU) adjacent to the southwest of the corner of Farm Road and Oso Blanca Road (APN 125-17-301-003), T-C (Town Center) Zone, [SC-TC (Service Commercial - Town Center) Special Land Use Designation], Ward 6 (Mack). The Planning Commission (7-0 vote) and staff recommend APPROVAL
95. SUP-5428 - PUBLIC HEARING - APPLICANT/OWNER: NORTHWEST 95, LLC - Request for a Special Use Permit FOR A RESTAURANT (WITH DRIVE-THRU) adjacent to the southwest corner of Farm Road and Oso Blanca Road (APN 125-17-301-003), T-C (Town Center) Zone, [SC-TC (Service Commercial - Town Center) Special Land Use Designation], Ward 6 (Mack). The Planning Commission (7-0 vote) and staff recommend APPROVAL
96. SUP-5429 - PUBLIC HEARING - APPLICANT/OWNER: NORTHWEST 95, LLC - Request for a Special Use Permit FOR A RESTAURANT (WITH DRIVE-THRU) adjacent to the southwest corner of Farm Road and Oso Blanca Road (APN 125-17-301-003), T-C (Town Center) Zone, [SC-TC (Service Commercial - Town Center) Special Land Use Designation], Ward 6 (Mack). The Planning Commission (7-0 vote) and staff recommend APPROVAL
97. SUP-5430 - PUBLIC HEARING - APPLICANT/OWNER: NORTHWEST 95, LLC - Request for a Special Use Permit FOR A RESTAURANT (WITH DRIVE-THRU) adjacent to the southwest corner of Farm Road and Oso Blanca Road (APN 125-17-301-003), T-C (Town Center) Zone, [SC-TC (Service Commercial) Town Center Special Land Use Designation], Ward 6 (Mack). The Planning Commission (7-0 vote) and staff recommend APPROVAL
98. SUP-5431 - PUBLIC HEARING - APPLICANT/OWNER: NORTHWEST 95, LLC - Request for a Special Use Permit FOR A SUPPER CLUB adjacent to the southwest corner of Farm Road and Oso Blanca Road (APN 125-17-301-003), T-C (Town Center) Zone, [SC-TC (Service Commercial - Town Center) Special Land Use Designation], Ward 6 (Mack). The Planning Commission (7-0 vote) and staff recommend APPROVAL

PLANNING & DEVELOPMENT - DISCUSSION

99. SUP-5432 - PUBLIC HEARING - APPLICANT/OWNER: NORTHWEST 95, LLC - Request for a Special Use Permit FOR A SUPPER CLUB adjacent to the southwest corner of Farm Road and Oso Blanca Road (APN 125-17-301-003), T-C (Town Center) Zone, [SC-TC (Service Commercial) Town Center Special Land Use Designation], Ward 6 (Mack). The Planning Commission (7-0 vote) and staff recommend APPROVAL
100. SUP-5433 - PUBLIC HEARING - APPLICANT/OWNER: NORTHWEST 95, LLC - Request for a Special Use Permit FOR A SUPPER CLUB adjacent to the southwest corner of Farm Road and Oso Blanca Road (APN 125-17-301-003), T-C (Town Center) Zone, [SC-TC (Service Commercial - Town Center) Special Land Use Designation], Ward 6 (Mack). The Planning Commission (7-0 vote) and staff recommend APPROVAL
101. SUP-5434 - PUBLIC HEARING - APPLICANT/OWNER: NORTHWEST 95, LLC - Request for a Special Use Permit FOR SUPPER CLUB adjacent to the southwest corner of Farm Road and Oso Blanca Road (APN 125-17-301-003), T-C (Town Center) Zone, [SC-TC (Service Commercial - Town Center) Special Land Use Designation], Ward 6 (Mack). The Planning Commission (7-0 vote) and staff recommend APPROVAL
102. SUP-5435 - PUBLIC HEARING - APPLICANT/OWNER: NORTHWEST 95, LLC - Request for a Special Use Permit FOR SUPPER CLUB adjacent to the southwest corner of Farm Road and Oso Blanca Road (APN 125-17-301-003), T-C (Town Center) Zone, [SC-TC (Service Commercial - Town Center) Special Land Use Designation], Ward 6 (Mack). The Planning Commission (7-0 vote) and staff recommend APPROVAL
103. SUP-5457 - PUBLIC HEARING - APPLICANT: LPN ARCHITECT - OWNER: BRE/ESA PROPERTIES, LLC - Request for a Special Use Permit FOR A 120-UNIT RESIDENCE HOTEL at 2000 Paradise Road (APN 162-03-411-012), R-5 (Apartment) Zone, Ward 3 (Reese). Staff recommends DENIAL. The Planning Commission (4-1-2 vote) recommends APPROVAL
104. VAR-5458 - PUBLIC HEARING - APPLICANT: LPN ARCHITECT - OWNER: BRE/ESA PROPERTIES, LLC - Request for a Variance TO ALLOW 107 PARKING SPACES WHERE 120 SPACES ARE REQUIRED FOR A PROPOSED 120-UNIT RESIDENCE HOTEL on 1.63 acres at 2000 Paradise Road (APN 162-03-411-012), R-5 (Apartment) Zone, Ward 3 (Reese). Staff recommends DENIAL. The Planning Commission (4-1-2 vote) recommends APPROVAL
105. SDR-5456 - PUBLIC HEARING - APPLICANT: LPN ARCHITECT - OWNER: BRE/ESA PROPERTIES, LLC - Request for a Site Development Plan Review and Waivers of landscaping standards FOR A 120-UNIT RESIDENCE HOTEL on 1.63 acres at 2000 Paradise Road (APN 162-03-411-012), R-5 (Apartment) Zone, Ward 3 (Reese). Staff recommends DENIAL. The Planning Commission (4-1-2 vote) recommends APPROVAL
106. ZON-5488 - PUBLIC HEARING - APPLICANT: ALL INVESTMENTS, LLC - OWNER: LAWRENCE E. LERMUSIAUX FAMILY TRUST - Request for a Rezoning FROM: U (Undeveloped) [PCD (Planned Community Development) General Plan Designation] TO: PD (Planned Development) on 5.00 acres adjacent to the northeast corner of Farm Road and Jensen Street (APN 125-18-201-008), Ward 6 (Mack). The Planning Commission (7-0 vote) and staff recommend APPROVAL
107. WVR-5603 - PUBLIC HEARING - APPLICANT: ALL INVESTMENTS, LLC - OWNER: LAWRENCE E. LERMUSIAUX FAMILY TRUST - Request for a Waiver to Title 18.12.160 TO ALLOW APPROXIMATELY 180 FEET BETWEEN STREET INTERSECTIONS WHERE 220 FEET IS THE MINIMUM DISTANCE SEPARATION REQUIRED adjacent to the northeast corner of Farm Road and Jensen Street (APN 125-18-201-008), U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] [PROPOSED: PD (Planned Development)], Ward 6 (Mack). The Planning Commission (7-0 vote) and staff recommend APPROVAL
108. SDR-5490 - PUBLIC HEARING - APPLICANT: ALL INVESTMENTS, LLC - OWNER: LAWRENCE E. LERMUSIAUX FAMILY TRUST - Request for a Site Development Plan Review FOR A 21-LOT SINGLE-FAMILY DEVELOPMENT on 5.00 acres (4.2 units per acre) adjacent to the northeast corner of Farm Road and Jensen Street (APN 125-18-201-008), U (Undeveloped) [PCD (Planned Community Development) General Plan Designation], [PROPOSED: PD (Planned Development)], Ward 6 (Mack). The Planning Commission (7-0 vote) and staff recommend APPROVAL

PLANNING & DEVELOPMENT - DISCUSSION

- 109. GPA-2993 - RESCIND PREVIOUS ACTION - PUBLIC HEARING - MOLASKY COMPANIES ON BEHALF OF WILLIAM L. CULLINGS AND THE SCHNEIDER FAMILY TRUST - Request to amend a portion of the Southwest Sector Plan of the General Plan FROM: DR (DESERT RURAL) TO: O (OFFICE) on 4.26 acres adjacent to the northeast and southeast corners of Buffalo Drive and Del Rey Avenue (APN 163-03-101-002 and 003), Ward 1 (Moncrief). (NOTE: This application is for the two lots on the northeast corner only.) Staff recommends APPROVAL
- 110. DIR-5728 - PUBLIC HEARING - Discussion and possible action to consider whether the application for GPA-2993, as supplemented by the applicant, complies with either LVMC Section 19.18.030(C)(3)(a) or LVMC Section 19.18.030(C)(5) and other matters related thereto. Staff recommends APPROVAL
- 111. GPA-2993 - REHEAR - PUBLIC HEARING - MOLASKY COMPANIES ON BEHALF OF WILLIAM L. CULLINGS AND THE SCHNEIDER FAMILY TRUST - Request to amend a portion of the Southwest Sector Plan of the General Plan FROM: DR (DESERT RURAL) TO: O (OFFICE) on 4.26 acres adjacent to the northeast corner of Buffalo Drive and Del Rey Avenue (APN 163-03-101-002 and 003), Ward 1 (Moncrief). The Planning Commission (3-1-2 vote on a motion for approval) failed to obtain a super majority vote, which is tantamount to DENIAL. Staff recommends APPROVAL

SET DATE

- 112. 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

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

RECEIVED
CITY CLERK

2004 DEC 30 A 10: 17

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
3756616

2296311LV

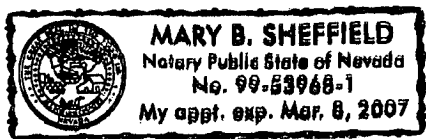
was continuously published in said Las Vegas Review Journal and/or Las Vegas Sun in 1 edition(s) of said newspaper issued from 12/23/2004 to 12/23/2004, on the following days: DEC. 23, 2004

Signed: Donna Stark

SUBSCRIBED AND SWORN BEFORE ME THIS THE 29

day of December 2004

Mary B. Sheffield
Notary Public



BILL NO. 2004-79
AN ORDINANCE CONCERNING CITY OF LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 1480 - BUFFALO DRIVE (CHEYENNE AVENUE TO LONE MOUNTAIN ROAD); PROVIDING FOR THE PAYMENT OF THE COSTS AND EXPENSES OF SAID IMPROVEMENTS; ASSESSING A PORTION OF THE COST OF SAID IMPROVEMENTS AGAINST THE ASSESSABLE LOTS, TRACTS, AND PARCELS OF LAND BENEFITTED BY SAID IMPROVEMENTS; RATIFYING, APPROVING AND CONFIRMING ALL ACTION PREVIOUSLY TAKEN; PRESCRIBING DETAILS IN CONNECTION THEREWITH.
PUBLIC NOTICE IS HEREBY GIVEN that an adequate number of typewritten copies of the above-entitled proposed Ordinance were filed with and are available for public inspection and distribution at the office of the City Clerk of the City of Las Vegas, 400 Stewart Avenue, Las Vegas, Nevada, and that such ordinance was proposed on the 1st day of December, 2004, and will be considered for adoption at the regular meeting of the City Council of the City of Las Vegas on the 5th day of January, 2005.
/s/ Barbara Jo Ronemus,
City Clerk
PUB: December 23, 2004
LV Review-Journal

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CITY CLERK

2005 JAN 14 A 10:43

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
3781909

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was continuously published in said Las Vegas Review Journal and/or Las Vegas Sun in 1 edition(s) of said newspaper issued from 01/08/2005 to 01/08/2005, on the following days: JAN. 8, 2005

BILL NO. 2004-79
Ordinance No. 5742

AN ORDINANCE CONCERNING CITY OF LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 1480 - BUFFALO DRIVE (CHEYENNE AVENUE TO LONE MOUNTAIN ROAD); PROVIDING FOR THE PAYMENT OF THE COSTS AND EXPENSES OF SAID IMPROVEMENTS; ASSESSING A PORTION OF THE COST OF SAID IMPROVEMENTS AGAINST THE ASSESSABLE LOTS, TRACTS, AND PARCELS OF LAND BENEFITED BY SAID IMPROVEMENTS; RATIFYING, APPROVING AND CONFIRMING ALL ACTION PREVIOUSLY TAKEN; PRESCRIBING DETAILS IN CONNECTION THEREWITH.

PUBLIC NOTICE IS HEREBY GIVEN that the above Ordinance was proposed on December 1, 2004, and was passed at a regular meeting held on January 5, 2005, by the following vote of the City Council of the City of Las Vegas, Nevada:

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

This Ordinance shall be in full force and effect from and after January 9, 2005, i.e., the day after its publication by 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. This 5th day of January 2005

/s/ OSCAR B. GOODMAN
Mayor City of Las Vegas, Nevada
(SEAL)
Attest: /s/ BARBARA JO RONEMUS, City Clerk

PUB: January 8, 2005
LV Review-Journal

Signed: Donna Stark

SUBSCRIBED AND SWORN BEFORE ME THIS THE 11

day of January 2005

Mary B. Sheffield
Notary Public

