

BILL NO. 2005-56

ORDINANCE NO. 5799

AN ORDINANCE CONCERNING CITY OF LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 1503 - DURANGO DRIVE PHASE IV (TROPICAL PARKWAY TO CLARK COUNTY HIGHWAY 215); 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. 1503 - Durango Drive Phase IV (Tropical Parkway to Clark County Highway 215) (hereinafter the "District"), for the purpose of acquiring a Street 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 \$5,143,900.00, of which, \$4,841,770.35 is available from other sources and of which \$302,129.65 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

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, September 7, 2005, 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, September 7, 2005, 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 August 3, 2005. 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. 1503 Assessment Protest Resolution; and

WHEREAS, by the District No. 1503 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

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. 1503 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. 1503 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. 1503 – Durango Drive Phase IV (Tropical Parkway to Clark County Highway 215), 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 August 3, 2005, and as modified and confirmed by the District No. 1503 Assessment Protest Resolution duly adopted by the City Council on September 21, 2005.

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 and interest 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 April 1, 2006. 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 November 22, 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 25/100th percent (7.25%) per annum (i.e., the presumed rate of interest on the assessment bonds for the District plus three 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. October 23, 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. 1503 – DURANGO DRIVE PHASE IV (TROPICAL PARKWAY TO CLARK COUNTY HIGHWAY 215).

NOTICE IS HEREBY GIVEN to the owners of all property upon which an assessment has been levied, and other interested persons, that District No. 1503 Levy Ordinance (hereinafter the "Levy Ordinance") was duly passed, adopted, signed and approved on October 19, 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. 1503 – Durango Drive Phase IV (Tropical Parkway to Clark County Highway 215)," (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 November 22, 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 and interest until paid in full, with interest in all cases on the unpaid and deferred installments of principal from October 23, 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 April 1, 2006. 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 November 22, 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 25/100th percent (7.25%) per annum (i.e., the presumed rate of interest on the assessment bonds for the District plus three 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 October 23, 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 October 19, 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 October 19, 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. 1503 – DURANGO DRIVE PHASE IV (TROPICAL PARKWAY TO CLARK COUNTY HIGHWAY 215); 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 21st day of September, 2005, and will be considered for adoption at the regular meeting of the City Council of the City of Las Vegas on the 19th day of October, 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. 1503 – DURANGO DRIVE PHASE IV (TROPICAL PARKWAY TO CLARK COUNTY HIGHWAY 215); 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 September 21, 2005, and was passed at a regular meeting held on October 19, 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
Steve Wolfson
Lois Tarkanian
Steven D. Ross

Those Voting Nay:

Those Absent:

This Ordinance shall be in full force and effect from and after October 23, 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 _____ day of _____, 2005.

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

(SEAL)

Attest:
/s/ BARBARA JO RONE MUS
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 September 21, 2005, PASSED, ADOPTED AND APPROVED October 19, 2005.


OSCAR B. GOODMAN, Mayor

Attest:


BARBARA JO RONECUS, City Clerk

Approved as to Form:

8 SEPT 05 W F 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 September 21, 2005, and finally adopted and approved on October 19, 2005.

2. The following members of the City Council were present at the September 21, 2005 Council meeting:

Mayor:	Oscar B. Goodman
Councilmembers:	Gary Reese
	Larry Brown
	Lawrence Weekly
	Steve Wolfson
	Lois Tarkanian
	Steven D. Ross

3. The foregoing Ordinance was first proposed and read by title to the City Council on September 21, 2005, and referred to a committee for recommendation; thereafter the said committee reported favorably on said Ordinance on October 19, 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 October 19, 2005 meeting and voted upon the adoption of the Ordinance as follows:

Those Voting Aye:	Oscar B. Goodman
	Gary Reese
	Larry Brown
	Lawrence Weekly
	Steve Wolfson
	Lois Tarkanian
	Steven D. Ross

Those Voting Nay:	NONE
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Those Absent:	NONE
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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 September 21, and October 19, 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

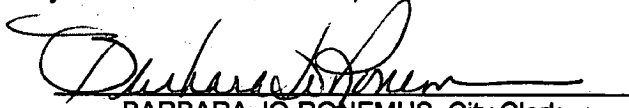
; and

(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 September 21, 2005, is attached to this certificate as Exhibit A and a copy of the notice so given of the meeting of the City Council on October 19, 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 October 19, 2005.


BARBARA JO RONEMUS, City Clerk

(SEAL)

EXHIBIT A

(Attach Copy of Notice of September 21, 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),
STEVE WOLFSON (Ward 2), LOIS TARKANIAN (Ward 1), STEVEN D. ROSS (Ward 6)

Facilities are provided throughout City Hall for the convenience of persons with disabilities. For meetings held in the Council Chambers, sound equipment is available for persons with hearing impairments. If you need an accommodation to attend and participate in this meeting, please call the City Clerk's office at 229-6311 and advise of your need at least 48 hours in advance of the meeting. The City's TDD number is 386-9108.

SEPTEMBER 21, 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 DEAN McQUILLAN, NEVADA STATE DIRECTOR, FELLOWSHIP OF CHRISTIAN ATHLETES
- PLEDGE OF ALLEGIANCE
- RECOGNITION OF THE EMPLOYEE OF THE MONTH
- RECOGNITION OF HISPANIC HERITAGE MONTH

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 Meetings of August 3, 2005 and August 17, 2005

CONSENT AGENDA

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

ADMINISTRATIVE - CONSENT

3. Approval of the First Amended and Restated Lease Agreement for Animal Shelter Facility between the City and The Animal Foundation for the lease of an approximately 8 acre parcel located at Mojave Road and Harris Street (APN 139-25-405-008) - Ward 3 (Reese)
4. Approval of an Interlocal Agreement with Clark County and the Las Vegas Metropolitan Police Department (LVMPD) to share in the funding of legal representation related to the Las Vegas Police Protective Association (LVPPA) fact finding and interest arbitration, with the City's maximum obligation not to exceed \$52,533
5. Approval of an Interlocal Agreement with Clark County to share in the funding of a replacement helicopter for the Las Vegas Metropolitan Police Department, with the City's maximum obligation not to exceed \$877,150

FIELD OPERATIONS - CONSENT

6. Approval of a Grant of Easement between the City of Las Vegas and Nevada Power Company for placement of a capacitor and switch manhole located along APN 138-07-301-005, commonly referred to as Police Memorial Park located at 3250 Metro Academy Way - Ward 4 (Brown)
7. Approval of a Land Lease Agreement between the City of Las Vegas and Mountain Union Telecom, LLC, for a wireless communications system located in the vicinity of Buffalo Drive and Wittig Avenue commonly known as Centennial Hills Park (\$413,823.36 revenue for duration of contract) - Ward 6 (Ross)
8. Approval of an Interlocal Agreement with the Las Vegas Housing Authority for repair, maintenance, fuel and after hour call out services for vehicles and equipment (\$166,000 revenue) - All Wards

FINANCE & BUSINESS SERVICES - CONSENT

9. Approval of Service and Material Checks/Payroll Checks/Wire Transfers/Other Checks and Investments
10. Approval of a Special Event License for Milly's Delicatessen, Location: 9340 West Sahara Avenue, Suite 106, Dates: October 3-4, 2005, Type: Special Event Beer/Wine, Event: Jewish Holiday, Responsible Person in Charge: Nancy M. Burke - Ward 2 (Wolfson)
11. Approval of a Special Event License for Saint Francis de Sales Catholic Church, Location: Church Grounds, 1111 North Michael Way, Date: October 23, 2005, Type: Special Event General, Event: International Carnival and Bazaar Fundraiser, Responsible Person in Charge: Ed Irigoyen - Ward 5 (Weekly)
12. Approval of a Special Event License for Northshore Entertainment Group, LLC, dba Steiner's A Nevada Style Pub, Location: Steiner's A Nevada Style Pub, Parking Lot, 8410 West Cheyenne Avenue, Suite 107, Date: October 15, 2005, Type: Special Event General, Event: Oktoberfest 2005, Responsible Person in Charge: Roger Sachs - Ward 4 (Brown)
13. Approval of a new Restricted Gaming License for 4 slots subject to confirmation of approval by the Nevada Gaming Commission, Lloyd Smith, LLC, dba Fabulous Freddy's Car Wash, 6451 West Charleston Boulevard, Fred L. Smith, Mmbr, 100% - Ward 1 (Tarkanian)

FINANCE & BUSINESS SERVICES - CONSENT

14. Approval of a new Restricted Gaming License for 7 slots subject to confirmation of approval by the Nevada Gaming Commission, Nameer I. Kalandos, dba MIC Market, 5000 West Charleston Boulevard, Suite 7, Nameer I. Kalandos, 100% - Ward 1 (Tarkanian)
15. Approval of Change of Location for a Slot Operator License, Eagle Rock Gaming (A Nevada Corporation), dba Eagle Rock Gaming, From: 3013 North Rancho Drive, Suite 115, To: 8090 South Durango Drive, Suite 115, Kimberly B. Riggs, Dir, Pres, 25%, Ernest A. Becker V, Dir, Secy, 25%, Brian T. Becker, Dir, Treas, 25%, Sallie E. Becker, Dir, 25% - County
16. Approval of a new Slot Operator License subject to confirmation of approval by the Nevada Gaming Commission, GNLV Corporation, dba GNLV Corporation, 129 Fremont Street, Tilman J. Fertitta, COB, Pres, Steven L. Scheinthal, Dir, VP, Secy, Richard H. Liem, VP, Treas, Poster Financial Group, Inc., 100%, Tilman J. Fertitta, COB, Pres, Steven L. Scheinthal, Dir, VP, Secy, Richard H. Liem, VP, Treas, Landry's Gaming, Inc., 100%, Tilman J. Fertitta, COB, Pres, Steven L. Scheinthal, Dir, VP, Secy, Richard H. Liem, VP, Treas, Landry's Restaurants, Inc., a Delaware publicly traded corporation, 100%, Tilman J. Fertitta, COB, CEO, Pres, 20%, Steven L. Scheinthal, Dir, EVP, Gen Counsel, Secy, Richard H. Liem, CFO, Sr VP - Ward 1 (Tarkanian)
17. Approval of Officers/Stockholders for a Tavern License, a Non-restricted Gaming License, and a Massage Establishment License subject to confirmation of approval by the Nevada Gaming Commission, GNLV Corporation, dba Golden Nugget, 129 Fremont Street, Tilman J. Fertitta, COB, Pres, Steven L. Scheinthal, Dir, VP, Secy, Richard H. Liem, VP, Treas, Poster Financial Group, Inc., 100%, Tilman J. Fertitta, COB, Pres, Steven L. Scheinthal, Dir, VP, Secy, Richard H. Liem, VP, Treas, Landry's Gaming, Inc., 100%, Tilman J. Fertitta, COB, Pres, Steven L. Scheinthal, Dir, VP, Secy, Richard H. Liem, VP, Treas, Landry's Restaurants, Inc., a Delaware publicly traded corporation, 100%, Tilman J. Fertitta, COB, CEO, Pres, 20%, Steven L. Scheinthal, Dir, EVP, Gen Counsel, Secy, Richard H. Liem, CFO, Sr VP - Ward 1 (Tarkanian)
18. Approval of Change of Location, Change of Name and Reclassification subject to the provisions of the planning and fire codes, Layne C. Keck, dba From: 1833 West Charleston, Hypnotist License, To: Capstone Hypnotherapy, 612 South Jones Boulevard, Hypnotherapy License, Layne C. Keck, 100% - Ward 1 (Tarkanian)
19. Approval of a new Class IIIA Secondhand Dealer License, Roundstone Estate Buyers Limited, dba Roundstone Estate Buyers Limited, 208 Edgemont Avenue, Ardmore, Pennsylvania, Matthew E. Malloy, Mmbr, 100% - Pennsylvania
20. Approval of issuance of Purchase Order, Workers Compensation Insurance for Community Schools Employees - Department of Leisure Services - Award recommended to: FIRST COMP (\$38,279 - Community Recreation Services Special Revenue Fund)
21. Approval of award of Bid No. 05.1730.10-LED, Rancho Drive, Owens Avenue, Harris Avenue and Charleston Boulevard Sanitary Sewer Rehabilitation and the construction conflicts and and contingency reserve set by Finance and Business Services - Department of Public Works - Award recommended to: MICHELS CORPORATION (\$3,800,356 - Sanitation Enterprise Fund) - Ward 5 (Weekly)
22. Approval of award of Contract No. 050599 for Investment Management Services - Department of Finance and Business Services - Award recommended to: WELLS CAPITAL MANAGEMENT (\$127,500 - General Fund)
23. Approval of award of Bid No. 060021, Police Mobile Communications Vehicle - Department of Fire and Rescue - Award recommended to: ARIES INDUSTRIES, INCORPORATED (\$105,678 - Multipurpose Special Revenue Fund)
24. Approval of award of Contract No. 060040 for Investment Management Services - Department of Finance and Business Services - Award recommended to: MELLON PRIVATE TRUST COMPANY, NATIONAL ASSOCIATION (\$147,750 - General Fund)
25. Approval of award of Contract No. 060052 for Program Value Assessment Consulting Services - Office of the City Manager - Award recommended to: RETENTION MASTERY SYSTEMS, INC. (\$113,000 - General Fund)
26. Approval of award of Bid No. 050660-TG, Annual Requirements Contract for Various Traffic Sign Material - Department of Public Works - Award recommended to: OSBURN ASSOCIATES, INC. (\$1,040,168 - General Fund)

FINANCE & BUSINESS SERVICES - CONSENT

27. Approval of award of Change Order No. 1 to Agreement No. 040246 for Phase II of Offendertrak Corrections Management System - Department of Detention and Enforcement - Award recommended to: MOTOROLA, INC. (\$217,912 - General Fund)
28. Approval of issuance of a Purchase Order for Phones and Expansion Modules - Department of Information Technologies - Award recommended to: SHARED TECHNOLOGIES (\$65,214 - Communications Internal Service Fund)
29. Approval of award of Bid No. 060012, 2006 GMC TC7500 Truck - Department of Fire and Rescue - Award recommended to: PRO VAN USA (\$116,307 - General Fund)
30. Award of Bid No. 05.19402.05-LED, Installation of Hardwood Floor, Doolittle Gym located at 1950 North "J" Street and the construction conflicts and contingency reserve set by Finance and Business Services - Department of Field Operations - Award recommended to: E.B. EAMES CO., INC. dba EAMES HARDWOOD (\$98,840 - Parks and Leisure Activities Capital Projects Fund) - Ward 5 (Weekly)

HUMAN RESOURCES - CONSENT

31. Approval to create one regular full time City Attorney Investigator position; funded through VAWA grant 09/2005-WF-AX-0023 - \$53,333 (\$40,000 Grant Funds/\$13,333 Matching in-kind services)

NEIGHBORHOOD SERVICES - CONSENT

32. Approval of reprogramming \$34,609 in Community Development Block Grant (CDBG) funds to Nevada Health Centers, Inc. for operation of the Bridger Health Center located in the Downtown Senior Services Center, 302 South 9th Street - Ward 5 (Weekly)
33. Approval of an allocation of \$1,000,000 of Home Investment Partnership (HOME) funds to the Housing Authority of the City of Las Vegas for the purpose of providing housing assistance to evacuees from Hurricane Katrina - All Wards

PUBLIC WORKS - CONSENT

34. Approval to file an amendment to Right-of-Way Grant N-41255 with the Bureau of Land Management for roadway, sanitary sewer and drainage purposes on portions of land lying within the Southeast Quarter of Section 27, Township 20 South, Range 60 East, Mount Diablo Meridian, for portions of Tenaya Way, south of the Summerlin Parkway for the Tenaya Way Overpass Project, APN 138-27-802-006 - Ward 2 (Wolfson)
35. Approval to file a Right-of-Way Grant with the Bureau of Land Management for the City of Las Vegas to obtain roadway, sanitary sewer and drainage purposes on portions of land lying within the Southeast Quarter of Section 17, Township 19 South, Range 60 East, Mount Diablo Meridian, for the new alignment of Grand Montecito Parkway, between Elkhorn Road and Severance Lane, APN 125-17-801-001 - Ward 6 (Ross)
36. Approval of a Quitclaim Deed from Olympic Nevada General Partnership for a portion of the Southwest Quarter of Section 17, Township 19 South, Range 60 East, Mount Diablo Meridian, for rights-of-way located along Oso Blanca Road, 100 feet in width, between Farm Road and Severance Lane, APN 125-17-301-003 - Ward 6 (Ross)
37. Approval of a Sewer Connection and Interlocal Contract with Clark County Water Reclamation District - Signature Land and Investment, LLC, owner (northwest corner of Torrey Pines Drive and Centennial Parkway, APN 125-23-403-004 and -005) - County (near Ward 6 - Ross)
38. Approval of an Encroachment Request from Amti-Sunbelt Engineering on behalf of Kyle Witch, LLC, owner (southwest corner of Lake Mead Boulevard and Rock Springs Drive) - Ward 4 (Brown)

RESOLUTIONS - CONSENT

- 39. R-83-2005 - Approval of a Resolution overruling complaints, protests, and objections and confirming the Final Assessment Roll for Special Improvement District No. 1487 - Jones Boulevard (Beltway to Elkhorn Road) (\$1,145,839.50 - Capital Projects Fund/Special Assessments) - Ward 6 (Ross)
- 40. R-84-2005 - Approval of a Resolution overruling complaints, protests, and objections and confirming the Final Assessment Roll for Special Improvement District No. 1503 - Durango Drive Phase IV (Tropical Parkway to Clark County Highway 215) (\$302,129.65 - Capital Projects Fund/Special Assessments) - Ward 6 (Ross)
- 41. R-85-2005 - Approval of a Resolution adopting "18b The Las Vegas Arts District" as the official name of the downtown arts district - Ward 1 (Tarkanian)

DISCUSSION / ACTION ITEMS

ADMINISTRATIVE - DISCUSSION

- 42. Report from the City Manager on Emerging Issues
- 43. Discussion and possible action regarding the City's role and involvement in the Veteran's Day Parade (\$16,379 - Special Revenue Fund) - All Wards

CITY ATTORNEY - DISCUSSION

- 44. Discussion and possible action on Appeal of Work Card Denial: Artemesia R. Colbert, 2209 James Bilbray Drive #102, Las Vegas, Nevada 89102
- 45. Discussion and possible action on Appeal of Work Card Denial: Teila Marie Moore, 4980 East Owens #5-C, Las Vegas, Nevada 89110
- 46. Discussion and possible action on Appeal of Work Card Denial: Robert Keith Ethridge, 2200 West Bonanza #138, Las Vegas, Nevada 89106
- 47. ABEYANCE ITEM - Discussion and possible action on Appeal of Work Card Denial: Cheryl Lynn Rankin, 5333 Las Cruces Heights, Las Vegas, Nevada 89081

FINANCE & BUSINESS SERVICES - DISCUSSION

- 48. Discussion and possible action regarding a Review of a Tavern License and a Restricted Gaming License for 9 slots, Golamis Ventures, Inc., dba Kiss, 4760 West Sahara Avenue, Suite 13, Anthony P. Golamis, Dir, Pres, and Marlene E. Golamis, Dir, Secy, Treas, 100% jointly as husband and wife - Ward 1 (Tarkanian)
- 49. Discussion and possible action regarding a Review of a Package License and a Restricted Gaming License for 7 slots, Shoshani and Jarjees, dba Family Food II, 1602 H Street, Salar Shoshani, Ptnr, 50%, Thamer Jarjees, Ptnr, 50% - Ward 5 (Weekly)
- 50. Discussion and possible action regarding a Six Month Review of a Supper Club License, Viengsamai Monsay, dba Lan Xang Cafe, 2327 South Eastern Avenue, Viengsamai Monsay and Gniam Monsay, 100% jointly as husband and wife - Ward 3 (Reese)
- 51. Discussion and possible action regarding Change of Location for a Pawnbroker/Class II Secondhand Dealer License and Pistol Permit subject to the provisions of the planning and fire codes, EZPAWN Nevada, Inc., dba EZPAWN, From: 808 Las Vegas Boulevard South, To: 3862 West Sahara Avenue, Vincent A. Lambiase, Pres, CEO, Daniel N. Tonissen, Sr VP, Michael E. Garman, Area Mgr (NOTE: Item to be heard in conjunction with Item 102 - SUP-8044) - Ward 1 (Tarkanian)

FINANCE & BUSINESS SERVICES - DISCUSSION

52. Discussion and possible action regarding a Six Month Review of a Beer/Wine/Cooler Off-sale License, Sabah Shoshani, dba Bells Market, 720 West Owens Avenue, Sabah H. Shoshani, 100% - Ward 5 (Weekly)

PUBLIC WORKS - DISCUSSION

53. Report on the Nevada Department of Transportation's Project Neon – All Wards
54. Discussion and possible action on a request to install Speed Humps on Jansen Avenue between Eastern Avenue and MacFarlane Street (\$17,000 - Neighborhood Traffic Management Program) - Wards 3 and 5 (Reese and Weekly)

RESOLUTIONS - DISCUSSION

55. R-86-2005 - Discussion and possible action regarding a Resolution consenting to the undertakings of the City of Las Vegas Redevelopment Agency (RDA) in connection with the Commercial Visual Improvement Program (CVIP) Agreement between the Redevelopment Agency and the Michael and Beatrice Katz Family Trust Bypass Trust, located at 231 South 3rd Street, to be in compliance with and in furtherance of the goals and objectives of the Redevelopment Agency - Ward 1 (Tarkanian) [NOTE: This item is related to Redevelopment Agency Item 7 (RA-10-2005) and Redevelopment Agency Item 8]

BOARDS & COMMISSIONS - DISCUSSION

56. ABEYANCE ITEM - Discussion and possible action to appoint an alternate member to the Criminal Justice Advisory Council
57. ABEYANCE ITEM - CITIZENS PRIORITY ADVISORY COMMITTEE (CPAC) - Lori Harrison, Term Expiration 6-2005
58. Discussion and possible action to nominate two City of Las Vegas residents to the Southern Nevada Recycling Advisory Committee

REAL ESTATE - DISCUSSION

59. ABEYANCE ITEM - Discussion and possible action regarding the First Amended and Restated Lease Agreement for Animal Shelter Facility between the City and The Animal Foundation for the lease of an approximately 8 acre parcel located at Mojave Road and Harris Street (APN 139-25-405-008) - Ward 3 (Reese)

RECOMMENDING COMMITTEE REPORT - DISCUSSION

BILLS ELIGIBLE FOR ADOPTION AT THIS MEETING

60. Bill No. 2005-45 - Removes the expiration provision applicable to Ordinance No. 5521, relating to the Downtown Entertainment Overlay District. Proposed by: Scott Adams, Director of Business Development
61. Bill No. 2005-47 - Establishes the means for allowing amphitheaters in certain commercial and industrial districts. Sponsored by: Councilwoman Lois Tarkanian
62. Bill No. 2005-48 - Establishes an appraiser selection process, in accordance with State law, for certain real property transactions. Proposed by: Douglas Selby, City Manager

RECOMMENDING COMMITTEE REPORT - DISCUSSION

BILLS ELIGIBLE FOR ADOPTION AT A LATER MEETING

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

63. Bill No. 2005-42 - ABEYANCE ITEM - Establishes the "Rural Preservation Overlay District." Proposed by: M. Margo Wheeler, Director of Planning and Development
64. Bill No. 2005-49 - Expands the minimum notification requirements for certain zoning applications, and amends related provisions so as to conform to State law. Proposed by: M. Margo Wheeler, Director of Planning and Development
65. Bill No. 2005-50 - Makes minor revisions to the Town Center Development Standards Manual. Proposed by: M. Margo Wheeler, Director of Planning and Development
66. Bill No. 2005-51 - Modifies the criteria for designating landmarks and historic properties for purposes of historic preservation. Proposed by: M. Margo Wheeler, Director of Planning and Development
67. Bill No. 2005-52 - Revises the zoning definitions and standards that apply to certain establishments that sell or serve alcoholic beverages. Proposed by: M. Margo Wheeler, Director of Planning and Development
68. Bill No. 2005-53 - Annexation No. ANX-7604 - Property location: On the east side of Rio Vista Street, approximately 250 feet north of Azure Drive; Petitioned by: Helen L. Thomas Trust; Acreage: 4.48 acres; Zoned: R-E (County zoning), U (R) (City equivalent). Sponsored by: Councilman Steven D. Ross
69. Bill No. 2005-54 - Annexation No. ANX-7327 - Property location: At the northeast corner of Rainbow Boulevard and El Campo Grande Avenue; Petitioned by: Roberta M. Bartlett, et al.; Acreage: 6.29 acres; Zoned: R-E (County zoning), U (DR) (City equivalent). Sponsored by: Councilman Steven D. Ross

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.

70. Bill No. 2005-55 - Levies Assessment for Special Improvement District No. 1487 - Jones Boulevard (Beltway to Elkhorn Road). Sponsored by: Step Requirement
71. Bill No. 2006-56 - Levies Assessment for Special Improvement District No. 1503 - Durango Drive Phase IV (Tropical Parkway to Clark County Highway 215). Sponsored by: Step Requirement
72. Bill No. 2005-57 - Updates the development standards, including parking and landscaping standards, that apply to commercial and industrial developments. Proposed by: M. Margo Wheeler, Director of Planning and Development

1:00 P.M. - AFTERNOON SESSION

BUSINESS ITEMS - AFTERNOON

73. 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

74. ABEYANCE ITEM - Hearing to consider the appeal regarding the Notice and Order to Abate Dangerous Building/Demolition located at 3340 N. Rainbow Boulevard. PROPERTY OWNER: STAR LIVING TRUST - SADRI FARBORZ TRS - Ward 6 (Ross)
75. Public hearing to consider the report of expenses to recover costs for abatement of nuisance/litter located at 508 W. Van Buren Avenue. PROPERTY OWNER: HENRY D. STAMPS - Ward 5 (Weekly)
76. Public hearing to consider the report of expenses to recover costs for abatement of nuisance/litter located at 314 N. 16th Street. PROPERTY OWNER: YVONNE C. FUKUMOTO - Ward 5 (Weekly)
77. Public hearing to consider the report of expenses to recover costs for abatement of nuisance/litter located at 7224 Richmond Heights Drive. PROPERTY OWNERS: STEPHEN R. & PHYLLIS A. COOPER - Ward 4 (Brown)
78. Hearing to consider the appeal regarding the Zoning Violations/Nuisance Notice and Order to Comply located at 328 Vassar Lane. PROPERTY OWNERS: DENNIS & DEBORAH MACKAY - Ward 1 (Tarkanian)
79. Public hearing to consider the report of expenses to recover costs for abatement of nuisance/litter located at 3220 Mariner Bay Street. PROPERTY OWNER: TAMBORINE BORRELLI - Ward 2 (Wolfson)

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 - DISCUSSION

80. ROC-7652 - ABEYANCE ITEM - RENOTIFICATION - PUBLIC HEARING - APPLICANT: BUDGET CAR AND TRUCK RENTAL - OWNER: J & L PROPERTIES GENERAL PARTNERSHIP - Request for a Review of Condition Number 6 of an approved Rezoning (Z-0051-95) TO ALLOW 7,438 SQUARE FEET OF OFFICE/SHOWROOM SPACE WHERE 6,000 SQUARE FEET WAS REQUIRED AND A TWO STORY, 22,195 SQUARE FOOT SERVICE FACILITY WHERE AN 11,000 SQUARE FOOT BUILDING WAS ALLOWED on 2.55 acres at 5650 West Sahara Avenue (APN 163-01-404-021), C-2 (General Commercial) Zone, Ward 1 (Tarkanian). Staff recommends DENIAL
81. ROC-8165 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: BUDGET CAR AND TRUCK RENTAL - OWNER: J & L PROPERTIES GENERAL PARTNERSHIP - Request for a Review of Condition Number 6 of an approved Rezoning (Z-0001-97) TO REMOVE THE REQUIRED DEED RESTRICTION LIMITING THE SITE TO CAR DEALERSHIP PARKING ONLY, IN ORDER TO ALLOW CONSTRUCTION OF A PROPOSED SERVICE FACILITY ADDITION on 0.86 acres at 5600 West Sahara Avenue (APN 163-01-404-014), C-2 (General Commercial) Zone, Ward 1 (Tarkanian). Staff recommends DENIAL
82. ROC-7694 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: ORION OUTDOOR MEDIA - OWNER: GGP IVANHOE II, INC. - Request for a Review of Conditions Number 1 and 10 of an approved Special Use Permit (SUP-4808) TO ALLOW A HEIGHT OF 51 FEET WHERE 40 FEET WAS REQUIRED AND A FLAG MOUNT WHERE A CENTER MOUNT WAS REQUIRED for an existing 14 foot by 48 foot Off-Premise Advertising (Billboard) Sign at 4300 Meadows Lane (APN 139-31-510-019), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). Staff recommends DENIAL
83. ROC-8754 - PUBLIC HEARING - APPLICANT/OWNER: D.R. HORTON, INC. - Request for a Review of Condition Number 6 of an approved Site Development Plan Review (SDR-4641) TO ALLOW A THREE FOOT SIDE YARD SETBACK WHERE FIVE FEET WAS THE MINIMUM APPROVED in conjunction with a 77-lot single-family residential development on 12.56 acres adjacent to the southwest corner of Horse Drive and Fort Apache Road (APNs 125-07-714-001 through 021 and 125-08-327-001 through 056), R-E (Residence Estates) and C-2 (General Commercial) Zones under Resolution of Intent to R-PD6 (Residential Planned Development - 6 units per acre), Ward 6 (Ross). Staff recommends APPROVAL

PLANNING & DEVELOPMENT - DISCUSSION

84. SDR-7968 - PUBLIC HEARING - APPLICANT: ARCHITECT GERALD GARAPICH - OWNER: TRIPLE A, LLC - Request for a Site Development Plan Review FOR A PROPOSED 5,000 SQUARE-FOOT RETAIL BUILDING IN CONJUNCTION WITH AN EXISTING SHOPPING CENTER AND WAIVERS OF THE 60% GLAZING REQUIREMENT, AND FOR A REDUCTION OF FOUNDATION AND PARKING AREA LANDSCAPING STANDARDS on 4.09 acres adjacent to the northwest corner of Washington Avenue and Lamb Boulevard (APN 140-30-601-016), C-1 (Limited Commercial) Zone, Ward 3 (Reese). The Planning Commission (7-0 vote) and staff recommend APPROVAL

85. VAC-7690 - PUBLIC HEARING - APPLICANT: RICHMOND AMERICAN HOMES - OWNER: SCHNIPPEL FAMILY LP, ET AL - Petition to Vacate AN EXISTING PUBLIC INGRESS/EGRESS EASEMENT AND ASSOCIATED SIGHT VISIBILITY RESTRICTION ZONES (SVRZ) generally located to the south of the southeast corner of Torrey Pines Drive and Lake Mead Boulevard, Ward 6 (Ross). The Planning Commission (7-0 vote) and staff recommend APPROVAL

86. VAC-8037 - PUBLIC HEARING - APPLICANT/OWNER: BATH SCHAMBER, LLC - Petition to Vacate U.S. Government Patent Easements generally located between Puli Road and Shaumber Road, approximately 670 feet north of Rome Boulevard, Ward 6 (Ross). The Planning Commission (7-0 vote) and staff recommend APPROVAL

87. VAR-6953 - PUBLIC HEARING - APPLICANT: CREATIVE DESIGN ARCHITECTURE - OWNER: MEZZA, LLC. - Request for a Variance TO ALLOW A 43-FOOT SETBACK WHERE RESIDENTIAL ADJACENCY STANDARDS REQUIRE A MINIMUM SETBACK OF 69 FEET FOR A PROPOSED COMMERCIAL BUILDING on 0.53 acres at 2200 North Decatur Boulevard (APN 138-24-511-059), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial) Zone, Ward 5 (Weekly). Staff recommends DENIAL. The Planning Commission (5-2 vote) recommends APPROVAL

88. SDR-6950 - PUBLIC HEARING - APPLICANT: CREATIVE DESIGN ARCHITECTURE - OWNER: MEZZA, LLC. - Request for a Site Development Plan Review FOR A PROPOSED 4,900 SQUARE FOOT COMMERCIAL BUILDING AND A WAIVER OF THE PERIMETER LANDSCAPING REQUIREMENTS on 0.53 acres at 2200 North Decatur Boulevard (APN 138-24-511-059), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial) Zone, Ward 5 (Weekly). Staff recommends DENIAL. The Planning Commission (5-2 vote) recommends APPROVAL

89. VAR-7303 - PUBLIC HEARING - APPLICANT/OWNER: NANCY ESTOCADO - Request for a Variance TO ALLOW A SIX-FOOT HIGH WALL IN THE FRONT YARD WHERE FOUR FEET (TOP TWO FEET 50% OPEN) IS THE MAXIMUM HEIGHT ALLOWED IN THE FRONT YARD AND TO ALLOW A DETACHED ACCESSORY STRUCTURE TO EXCEED THE FLOOR AREA AND BE PLACED IN FRONT OF THE PRINCIPAL DWELLING UNIT on 4.94 acres adjacent to the northwest corner of La Madre Way and Leon Avenue (APN 125-36-302-008), R-E (Residence Estates) Zone, Ward 6 (Ross). The Planning Commission (7-0 vote) and staff recommend APPROVAL

90. SUP-7299 - PUBLIC HEARING - APPLICANT/OWNER: NANCY ESTOCADO - Request for a Special Use Permit FOR A PROPOSED HORSE CORRAL OR STABLE (COMMERCIAL) FOR 33 HORSES adjacent to the northwest corner of La Madre Way and Leon Avenue (APN 125-36-302-008), R-E (Residence Estates) Zone, Ward 6 (Ross). The Planning Commission (7-0 vote) and staff recommend APPROVAL

91. SDR-7306 - PUBLIC HEARING - APPLICANT/OWNER: NANCY ESTOCADO - Request for a Site Development Plan Review FOR A PROPOSED 4,795 SQUARE-FOOT HORSE CORRAL OR STABLE (COMMERCIAL) on 4.94 acres adjacent to the northwest corner of La Madre Way and Leon Avenue (APN 125-36-302-008), R-E (Residence Estates) Zone, Ward 6 (Ross). The Planning Commission (7-0 vote) and staff recommend APPROVAL

92. VAR-8591 - PUBLIC HEARING - APPLICANT: WARMINGTON HOMES - OWNER: WARMINGTON CLIFFS EDGE ASSOCIATES, LIMITED PARTNERSHIP - Request for a Variance FROM CLIFFS EDGE DEVELOPMENT STANDARDS TO ALLOW A 10 FOOT SETBACK FOR A TWO STORY STRUCTURE FOR PRINCIPAL BUILDINGS AND ACCESSORY STRUCTURES ADJACENT TO STREET RIGHT-OF-WAY AT PARCEL PERIMETER WHERE 20 FEET IS REQUIRED on 20.9 acres adjacent to the southwest corner of Hualapai Way and Farm Road (APN 126-13-710-001), PD (Planned Development) Zone, Ward 6 (Ross). Staff recommends DENIAL. The Planning Commission (5-2 vote) recommends APPROVAL

PLANNING & DEVELOPMENT - DISCUSSION

93. VAR-8592 - PUBLIC HEARING - APPLICANT: WARMINGTON HOMES - OWNER: WARMINGTON CLIFFS EDGE ASSOCIATES, LIMITED PARTNERSHIP - Request for a Variance TO ALLOW 647 PARKING SPACES WHERE 686 ARE REQUIRED FOR A PROPOSED CONDOMINIUM DEVELOPMENT on 20.9 acres adjacent to the southwest corner of Hualapai Way and Farm Road (APN 126-13-710-001), PD (Planned Development) Zone, Ward 6 (Ross). Staff recommends DENIAL. The Planning Commission (5-2 vote) recommends APPROVAL

94. SDR-7650 - PUBLIC HEARING - APPLICANT: WARMINGTON HOMES - OWNER: WARMINGTON CLIFFS EDGE ASSOCIATES, LIMITED PARTNERSHIP - Request for a Site Development Plan Review FOR A PROPOSED 347 UNIT CONDOMINIUM DEVELOPMENT AND WAIVERS OF THE PARKING LOT AND FOUNDATION LANDSCAPING REQUIREMENTS on 20.9 acres adjacent to the southwest corner of Hualapai Way and Farm Road (APN 126-13-710-001), PD (Planned Development) Zone, Ward 6 (Ross). Staff recommends DENIAL. The Planning Commission (5-2 vote) recommends APPROVAL

95. RQR-6792 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: LAMAR OUTDOOR ADVERTISING - OWNER: BARTSAS MARY 1, LLC - Request for a Required Two-Year Review of an approved Special Use Permit (U-0260-94) FOR A 14-FOOT X 48-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN on 0.51 acres adjacent to the northwest corner of Cheyenne Avenue and Rancho Drive (APN 138-12-801-011), C-2 (General Commercial) Zone, Ward 6 (Ross). Staff recommends DENIAL. The Planning Commission (6-1 vote) recommends APPROVAL

96. SUP-6719 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: VINCENT GINN - OWNER: WAI CHUN GINN - Appeal filed by the applicant from the Denial by the Planning Commission of a request for a Special Use Permit FOR A PROPOSED LIQUOR ESTABLISHMENT (OFF-PREMISE CONSUMPTION) AND A WAIVER OF THE 400-FOOT DISTANCE SEPARATION REQUIREMENT FROM AN EXISTING SCHOOL AND CHILD CARE FACILITY at 1451 West Owens Avenue (APN 139-28-501-001), C-2 (General Commercial) Zone, Ward 5 (Weekly). The Planning Commission (6-0 vote) and staff recommend DENIAL

97. SUP-6690 - PUBLIC HEARING - APPLICANT: CINGULAR WIRELESS - OWNER: HAROUN YAMINI, ET AL - Request for a Special Use Permit FOR A PROPOSED 80-FOOT TALL WIRELESS COMMUNICATION FACILITY, STEALTH DESIGN at 4480 East Charleston Boulevard (APN 140-32-401-005), C-1 (Limited Commercial) Zone, Ward 3 (Reese). The Planning Commission (6-1 vote) and staff recommend APPROVAL

98. SUP-7326 - PUBLIC HEARING - APPLICANT/OWNER: CARINA CORPORATION - Request for a Special Use Permit FOR A PROPOSED TEMPORARY REAL ESTATE SALES OFFICE AND A WAIVER OF THE SIX-MONTH TIME LIMITATION adjacent to the west side of Tule Springs Road, approximately 1,100 feet southwest of the intersection of Tule Springs Road and El Capitan Way (APN 125-17-702-005), T-C (Town Center) Zone [SX-TC (Suburban Mixed-Use - Town Center) Special Land Use Designation], Ward 6 (Ross). The Planning Commission (7-0 vote) and staff recommend APPROVAL

99. SDR-8288 - PUBLIC HEARING - APPLICANT/OWNER: CARINA CORPORATION - Request for a Site Development Plan Review FOR A PROPOSED 1,400 SQUARE-FOOT TEMPORARY REAL ESTATE SALES OFFICE WITH WAIVERS TO PERIMETER AND PARKING LOT LANDSCAPE REQUIREMENTS on 0.16 acres adjacent to the west side of Tule Springs Road, approximately 1,100 feet southwest of the intersection of Tule Springs Road and El Capitan Way (APN 125-17-702-005), T-C (Town Center) Zone [SX-TC (Suburban Mixed-Use - Town Center) Special Land Use Designation], Ward 6 (Ross). Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL

100. SUP-7538 - PUBLIC HEARING - APPLICANT: CINGULAR WIRELESS - OWNER: J K TENAYA PROPERTIES, LLC - Request for a Special Use Permit TO ALLOW A PROPOSED 80 FOOT TALL WIRELESS COMMUNICATION FACILITY, STEALTH DESIGN at 3900 North Tenaya Way (APN 138-10-516-003), C-1 (Limited Commercial) Zone, Ward 4 (Brown). Staff recommends DENIAL. The Planning Commission (4-2-1 vote) recommends APPROVAL

101. SUP-7615 - PUBLIC HEARING - APPLICANT: CASH BOX - OWNER: CHARLESTON FESTIVAL, LLC - Appeal filed by the Applicant from the Denial by the Planning Commission of a request for a Special Use Permit FOR A PROPOSED FINANCIAL INSTITUTION, SPECIFIED (AUTO TITLE LOAN, WITH CHECK CASHING) AND A WAIVER OF THE 200-FOOT SEPARATION REQUIREMENT FROM A RESIDENTIAL USE adjacent to the north side of Charleston Boulevard, approximately 510 feet west of Salem Drive (APN 138-35-803-001 and 138-35-801-002), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). The Planning Commission (5-2 vote) and staff recommend DENIAL

PLANNING & DEVELOPMENT - DISCUSSION

102. SUP-8044 - PUBLIC HEARING - APPLICANT: EZ PAWN NEVADA, INC. - OWNER: JO WADE CORPORATION - Request for a Special Use Permit FOR A PROPOSED 5,000 SQUARE-FOOT PAWN SHOP at 3862 West Sahara Avenue (APN 162-06-813-007), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). [NOTE: Item to be heard in conjunction with Morning Session Item 51] The Planning Commission (4-3 vote) and staff recommend APPROVAL
103. SUP-8446 - PUBLIC HEARING - APPLICANT/OWNER: ERUDITE TUGBOAT EXPEDITION COMPANY, LTD., LLC - Request for a Special Use Permit FOR A PROPOSED BAILBOND SERVICE at 528 South Casino Center Boulevard (APN 139-34-311-048), C-2 (General Commercial) Zone, Ward 1 (Tarkanian). The Planning Commission (6-0 vote) and staff recommend APPROVAL
104. ZON-7086 - PUBLIC HEARING - APPLICANT: FILEMON C. SALCEDO III - OWNERS: GERMAN JOSE L. SALCEDO, ET AL - Request for a Rezoning FROM: R-3 (MEDIUM DENSITY RESIDENTIAL) TO: R-5 (APARTMENT) on 0.16 acres adjacent to the southeast corner of Stewart Avenue and 13th Street (APN 139-35-211-094), Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend DENIAL
105. VAR-7088 - PUBLIC HEARING - APPLICANT: FILEMON C. SALCEDO III - OWNERS: GERMAN JOSE L. SALCEDO, ET AL - Request for Variances TO ALLOW A REDUCTION IN THE MINIMUM LOT SIZE; TO ALLOW A ZERO-FOOT SIDE YARD SETBACK AND ZERO-FOOT CORNER SIDE YARD SETBACK WHERE FIVE FEET IS THE MINIMUM SETBACK REQUIRED; AND TO ALLOW 14 PARKING SPACES WHERE 20 PARKING SPACES IS THE MINIMUM PARKING SPACES REQUIRED FOR A PROPOSED 20-UNIT RESIDENCE HOTEL on 0.16 acres adjacent to the southeast corner of Stewart Avenue and 13th Street (APN 139-35-211-094), R-3 (Medium Density Residential) Zone [PROPOSED: R-5 (Apartment) Zone], Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend DENIAL
106. SUP-7648 - PUBLIC HEARING - APPLICANT: FILEMON C. SALCEDO III - OWNERS: GERMAN JOSE L. SALCEDO, ET AL - Request for a Special Use Permit FOR A PROPOSED 20-UNIT RESIDENCE HOTEL adjacent to the southeast corner of Stewart Avenue and 13th Street (APN 139-35-211-094), Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend DENIAL
107. SDR-7085 - PUBLIC HEARING - APPLICANT: FILEMON C. SALCEDO III - OWNERS: GERMAN JOSE L. SALCEDO, ET AL - Request for a Site Development Plan Review FOR A PROPOSED 20-UNIT RESIDENCE HOTEL on 0.16 acres adjacent to the southeast corner of Stewart Avenue and 13th Street (APN 139-35-211-094), R-3 (Medium Density Residential) Zone [PROPOSED: R-5 (Apartment) Zone] Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend DENIAL
108. ZON-7675 - PUBLIC HEARING - APPLICANT/OWNER: CLARK COUNTY SCHOOL DISTRICT - Request for a Rezoning FROM: U (UNDEVELOPED) [PF (PUBLIC FACILITIES) GENERAL PLAN DESIGNATION] TO: C-V (CIVIC) on 25.36 acres adjacent to the southeast corner of Grand Canyon Drive and Rome Drive (APN 125-19-701-011), Ward 6 (Ross). The Planning Commission (7-0 vote) and staff recommend APPROVAL
109. SDR-7676 - PUBLIC HEARING - APPLICANT/OWNER: CLARK COUNTY SCHOOL DISTRICT - Request for a Site Development Plan Review FOR A PROPOSED MIDDLE SCHOOL on 25.36 acres adjacent to the southeast corner of Grand Canyon Drive and Bath Drive (APN 125-19-701-011), U (Undeveloped) Zone [PF (Public Facilities) General Plan Designation] [PROPOSED: C-V (Civic) Zone], Ward 6 (Ross). The Planning Commission (7-0 vote) and staff recommend APPROVAL
110. GPA-7289 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: NEW MARKET LAND COMPANY, LLC - OWNER: R. DOUGLAS SPEDDING - Request to amend a portion of the Centennial Hills Sector Plan of the General Plan FROM: PCD (PLANNED COMMUNITY DEVELOPMENT) TO: SC (SERVICE COMMERCIAL) on 5.03 acres adjacent to the northwest corner of Tee Pee Lane and Oso Blanca Road (APN 125-07-701-002), Ward 6 (Ross). The Planning Commission (7-0 vote) and staff recommend APPROVAL
111. ZON-7290 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: NEW MARKET LAND COMPANY, LLC - OWNER: R. DOUGLAS SPEDDING - Request for a Rezoning FROM: U (UNDEVELOPED) [PCD (PLANNED COMMUNITY DEVELOPMENT) GENERAL PLAN DESIGNATION] TO: C-1 (LIMITED COMMERCIAL) on 5.03 acres adjacent to the northwest corner of Tee Pee Lane and Oso Blanca Road (APN 125-07-701-002), Ward 6 (Ross). The Planning Commission (7-0 vote) and staff recommend APPROVAL

PLANNING & DEVELOPMENT - DISCUSSION

112. VAR-7992 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: NEW MARKET LAND COMPANY, LLC - OWNER: R. DOUGLAS SPEDDING - Request for a Variance TO ALLOW A 20-FOOT REAR SETBACK WHERE RESIDENTIAL ADJACENCY STANDARDS REQUIRE A 96-FOOT REAR SETBACK for a Retail Center on 5.03 acres adjacent to the northwest corner of Tee Pee Lane and Oso Blanca Road (APN 125-07-701-002), U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] [PROPOSED: C-1 (Limited Commercial) Zone], Ward 6 (Ross). The Planning Commission (7-0 vote) and staff recommend APPROVAL

113. SUP-7757 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: NEW MARKET LAND COMPANY, LLC - OWNER: R. DOUGLAS SPEDDING - Request for a Special Use Permit FOR A PROPOSED SERVICE STATION adjacent to the northwest corner of Tee Pee Lane and Oso Blanca Road (APN 125-07-701-002), U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] [PROPOSED: C-1 (Limited Commercial) Zone], Ward 6 (Ross). The Planning Commission (7-0 vote) and staff recommend APPROVAL

114. SDR-7291 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: NEW MARKET LAND COMPANY, LLC - OWNER: R. DOUGLAS SPEDDING - Request for a Site Development Plan Review FOR A 27,980 SQUARE-FOOT RETAIL CENTER on 5.03 acres adjacent to the northwest corner of Tee Pee Lane and Oso Blanca Road (APN 125-07-701-002), U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] [PROPOSED: C-1 (Limited Commercial) Zone], Ward 6 (Ross). The Planning Commission (7-0 vote) and staff recommend APPROVAL

115. GPA-6273 - PUBLIC HEARING - APPLICANT: ROSE BUD DEVELOPMENT, LLC - OWNER: JEFF JORDAN, ET AL - Request to Amend a portion of the Southeast Sector Plan of the General Plan FROM: ML (MEDIUM-LOW DENSITY RESIDENTIAL) TO: SC (SERVICE COMMERCIAL) on 0.89 acres adjacent to the east side of Dike Road, approximately 150 feet north of Bonanza Road (139-29-704-019 through 023), Ward 5 (Weekly). Staff recommends DENIAL. The Planning Commission (5-2 vote) recommends APPROVAL

116. ZON-6510 - PUBLIC HEARING - APPLICANT: ROSE BUD DEVELOPMENT, LLC - OWNER: JEFF JORDAN, ET AL - Request for a Rezoning FROM: R-1 (SINGLE FAMILY RESIDENTIAL), AND R-1 (SINGLE FAMILY RESIDENTIAL) UNDER RESOLUTION OF INTENT TO R-2 (MEDIUM-LOW DENSITY RESIDENTIAL) TO: C-1 (LIMITED COMMERCIAL) on 0.89 acres adjacent to the east side of Dike Lane, approximately 150 feet north of Bonanza Road (APNs 139-29-704-019 through 021 and a portion of 022), Ward 5 (Weekly). Staff recommends DENIAL. The Planning Commission (5-2 vote) recommends APPROVAL

117. VAR-6506 - PUBLIC HEARING - APPLICANT: ROSE BUD DEVELOPMENT, LLC - OWNER: JEFF JORDAN, ET AL - Request for a Variance TO ALLOW A ZERO FOOT STEPBACK RATIO WHERE A 1:1 STEPBACK RATIO IS REQUIRED ALONG A COLLECTOR OR LARGER STREET FOR A 500-FOOT TALL BUILDING IN CONJUNCTION WITH A PROPOSED MIXED-USE DEVELOPMENT on 1.79 acres adjacent to the northeast corner of Bonanza Road and Dike Lane (APNs 139-29-704-019 through 025), R-1 (Single Family Residential) Zone, R-1 (Single Family Residential) Zone under Resolution of Intent to R-2 (Medium-Low Density Residential) Zone, and C-1 (Limited Commercial) Zone [PROPOSED: C-1 (Limited Commercial) Zone], Ward 5 (Weekly). The Planning Commission (5-2 vote) and staff recommend DENIAL

118. VAR-7665 - PUBLIC HEARING - APPLICANT: ROSE BUD DEVELOPMENT, LLC - OWNER: JEFF JORDAN, ET AL - Request for a Variance TO ALLOW 566 PARKING SPACES WHERE 606 ARE REQUIRED on 1.79 acres at 2230 W. Bonanza Road (APNs 139-29-704-019 through 025), R-1 (Single Family Residential) Zone, R-1 (Single Family Residential) Zone under Resolution of Intent to R-2 (Medium-Low Density Residential) Zone, and C-1 (Limited Commercial) Zone [PROPOSED: C-1 (Limited Commercial) Zone], Ward 5 (Weekly). The Planning Commission (5-2 vote) and staff recommend DENIAL. [NOTE: The original notification should have read 566 parking spaces where 624 are required]

119. SUP-6504 - PUBLIC HEARING - APPLICANT: ROSE BUD DEVELOPMENT, LLC - OWNER: JEFF JORDAN, ET AL - Request for a Special Use Permit FOR A PROPOSED MIXED-USE DEVELOPMENT adjacent to the northeast corner of Bonanza Road and Dike Lane (APNs 139-29-704-019 through 025), R-1 (Single Family Residential) Zone, R-1 (Single Family Residential) Zone under Resolution of Intent to R-2 (Medium-Low Density Residential) Zone and C-1 (Limited Commercial) Zone [PROPOSED: C-1 (Limited Commercial) Zone], Ward 5 (Weekly). Staff recommends DENIAL. The Planning Commission (5-2 vote) recommends APPROVAL

PLANNING & DEVELOPMENT - DISCUSSION

120. SUP-8067 - PUBLIC HEARING - APPLICANT: ROSE BUD DEVELOPMENT, LLC - OWNER: JEFF JORDAN, ET AL - Request for a Special Use Permit TO ALLOW A PROPOSED 350 FOOT TALL BUILDING WHERE 140 FEET IS THE MAXIMUM HEIGHT ALLOWED IN THE AIRPORT OVERLAY ZONE adjacent to the northeast corner of Bonanza Road and Dike Lane (APNs 139-29-704-019 through 025), R-1 (Single Family Residential) Zone, R-1 (Single Family Residential) Zone under Resolution of Intent to R-2 (Medium-Low Density Residential) Zone and C-1 (Limited Commercial) Zone [PROPOSED: C-1 (Limited Commercial) Zone], Ward 5 (Weekly). The Planning Commission (4-3 vote) and staff recommend DENIAL

121. SDR-6507 - PUBLIC HEARING - APPLICANT: ROSE BUD DEVELOPMENT, LLC - OWNER: JEFF JORDAN, ET AL - Request for a Site Development Plan Review FOR A PROPOSED MIXED USE DEVELOPMENT INCLUDING: A 38-STORY TOWER CONTAINING 311 RESIDENTIAL UNITS, A 32-STORY TOWER CONTAINING 160 RESIDENTIAL UNITS AND 40,000 SQUARE FEET OF COMMERCIAL SPACE AND WAIVERS FOR A ZERO-FOOT SIDE YARD SETBACK WHERE 10 FEET IS THE MINIMUM REQUIRED, A ZERO-FOOT CORNER SIDE YARD SETBACK WHERE 15 FEET IS THE MINIMUM REQUIRED, A 10-FOOT REAR YARD SETBACK WHERE 20 FEET IS THE MINIMUM REQUIRED, 62 PERCENT LOT COVERAGE WHERE 50 PERCENT IS THE MAXIMUM ALLOWED, PERIMETER BUFFER LANDSCAPING, AND RESIDENTIAL ADJACENCY HEIGHT AND SETBACK REQUIREMENTS on 1.79 acres adjacent to the northeast corner of Bonanza Road and Dike Lane (APNs 139-29-704-019 through 025), R-1 (Single Family Residential) Zone, R-1 (Single Family Residential) Zone under Resolution of Intent to R-2 (Medium-Low Density Residential) Zone, and C-1 (Limited Commercial) Zone [PROPOSED: C-1 (Limited Commercial) Zone], Ward 5 (Weekly). The Planning Commission (5-2 vote) and staff recommend DENIAL

122. VAC-7679 - PUBLIC HEARING - APPLICANT: HORIZON SURVEYS - OWNER - JEFF JORDAN, ET AL - Petition to Vacate the east five feet of a portion of Dike Lane, north of Bonanza Road, Ward 5 (Weekly). The Planning Commission (6-1 vote) and staff recommend DENIAL

123. ZON-7254 - NOT TO BE HEARD BEFORE 4:00 P.M. - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: GARY NELSON ARCHITECT - OWNERS: 609 SOUTH 8TH STREET, LLC, ET AL - Request for a Rezoning FROM: R-1 (SINGLE FAMILY RESIDENTIAL) TO: P-R (PROFESSIONAL OFFICE AND PARKING) on 0.48 acres adjacent to the southeast corner of Bonneville Avenue and 8th Street (APN 139-34-810-048, 049 and 050), Ward 5 (Weekly). The Planning Commission (5-2 vote) and staff recommend APPROVAL

124. VAR-6937 - NOT TO BE HEARD BEFORE 4:00 P.M. - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: GARY NELSON ARCHITECT - OWNERS: 609 SOUTH 8TH STREET, LLC, ET AL - Request for a Variance TO ALLOW A FIVE-FOOT SETBACK WHERE RESIDENTIAL ADJACENCY STANDARDS REQUIRE 105 FEET FOR A PROPOSED PROFESSIONAL OFFICE BUILDING on 0.32 acres approximately 50 feet south of the southeast corner of Bonneville Avenue and 8th Street (APNs 139-34-810-048 and 049), R-1 (Single Family Residential) Zone [PROPOSED: P-R (Professional Office and Parking) Zone], Ward 5 (Weekly). Staff recommends DENIAL. The Planning Commission (5-2 vote) recommends APPROVAL

125. VAR-6938 - NOT TO BE HEARD BEFORE 4:00 P.M. - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: GARY NELSON ARCHITECT - OWNERS: 609 SOUTH 8TH STREET, LLC, ET AL - Request for a Variance TO ALLOW 24 PARKING SPACES WHERE 43 PARKING SPACES IS THE MINIMUM NUMBER OF PARKING SPACES REQUIRED FOR A PROPOSED 12,857 SQUARE-FOOT OFFICE BUILDING on 0.32 acres approximately 50 feet south of the southeast corner of Bonneville Avenue and 8th Street (APNs 139-34-810-048 and 049), R-1 (Single Family Residential) Zone [PROPOSED: P-R (Professional Office and Parking) Zone], Ward 5 (Weekly). Staff recommends DENIAL. The Planning Commission (5-2 vote) recommends APPROVAL

126. SDR-6934 - NOT TO BE HEARD BEFORE 4:00 P.M. - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: GARY NELSON ARCHITECT - OWNERS: 609 SOUTH 8TH STREET, LLC, ET AL - Request for a Site Development Plan Review FOR A PROPOSED 12,857 SQUARE-FOOT OFFICE BUILDING AND WAIVERS OF PERIMETER LANDSCAPING, PARKING LOT LANDSCAPING, BUILDING SETBACKS, LOT COVERAGE AND BUILDING HEIGHT on 0.32 acres approximately 50 feet south of the southeast corner of Bonneville Avenue and 8th Street (APNs 139-34-810-048 and 049), R-1 (Single Family Residential) Zone [PROPOSED: P-R (Professional Office and Parking) Zone], Ward 5 (Weekly). Staff recommends DENIAL. The Planning Commission (5-2 vote) recommends APPROVAL

SET DATE

127. 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 October 19, 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),
STEVE WOLFSON (Ward 2), LOIS TARKANIAN (Ward 1), STEVEN D. ROSS (Ward 6)

Facilities are provided throughout City Hall for the convenience of persons with disabilities. For meetings held in the Council Chambers, sound equipment is available for persons with hearing impairments. If you need an accommodation to attend and participate in this meeting, please call the City Clerk's office at 229-6311 and advise of your need at least 48 hours in advance of the meeting. The City's TDD number is 386-9108.

OCTOBER 19, 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 - ROBERT VANCE, LDS INSTITUTE OF RELIGION AT THE UNIVERSITY OF NEVADA, LAS VEGAS
- PLEDGE OF ALLEGIANCE
- RECOGNITION OF THE EMPLOYEE OF THE MONTH
- RECOGNITION OF THE SENIOR OF THE QUARTER
- RECOGNITION OF MIDDLE SCHOOL STUDENT GOVERNMENT LEADERSHIP
- RECOGNITION OF DOMESTIC VIOLENCE AWARENESS MONTH

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 21, 2005 and the Special City Council Meeting (Strategic Planning Session) of September 19, 2005

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 contract award for Governmental Taxation and Finance Consulting Services - City Manager's Office - Award recommended to: Marvin Leavitt (Estimated \$119,144 - General Fund)

ADMINISTRATIVE SERVICES - CONSENT

4. Approval of a revised transfer of Real Estate Agreement with the Nevada Division of Lands regarding the transfer of Floyd Lamb State Park, located south of Moccasin Road and north of Grand Teton, to the City of Las Vegas - Ward 6 (Ross)

DETENTION & ENFORCEMENT - CONSENT

5. Approval of Federal Equitable Sharing Agreement between the City of Las Vegas Detention and Enforcement Department and the U.S. Department of Justice for participation in the federal equitable sharing program and the restrictions upon use of federally forfeited cash, property, proceeds and any interest earned thereon - All Wards

FIELD OPERATIONS - CONSENT

6. Approval of a Bill of Sale from the City of Las Vegas (City) to the Rape Crisis Center for a City owned 1,200 square foot building located at 741 Veterans Memorial Drive - Ward 5 (Weekly)

FINANCE & BUSINESS SERVICES - CONSENT

7. Approval of Service and Material Checks/Payroll Checks/Wire Transfers/Other Checks and Investments
8. Approval of a transfer of \$800,000 from the Alexander/Hualapai Park project to the General Fund to cover the Tennis Channel ATP Tennis Tournament Agreement (\$800,000 - Parks and Leisure Activities Capital Projects Fund) - Ward 4 (Brown)
9. Approval of a Special Event License for Beauty Bar, Location: Beauty Bar, 517 Fremont Street, Suite 150, Dates: October 28, 31, November 4, 5, December 2, 3, 2005, Type: Special Event General, Event: First Friday, Responsible Person in Charge: Shelly Barger - Ward 5 (Weekly)
10. Approval of a Special Event License for Sandra Varela, Location: East Las Vegas Community Senior Center, 250 North Eastern Avenue, Date: October 22, 2005, Type: Special Event Beer/Wine/Cooler, Event: Sweet Fifteen Birthday Party, Responsible Person in Charge: Bertoldo Escamilla - Ward 3 (Reese)
11. Approval of a new Package License subject to the provisions of the fire codes and Health Dept. regulations, Costco Wholesale Corporation, dba Costco Wholesale 737, 6555 North Decatur Boulevard, James D. Sinegal, Dir, CEO, Pres, Jeffrey H. Brotman, Dir, Harold E. Kaplan, VP, Treas - Ward 6 (Ross)

FINANCE & BUSINESS SERVICES - CONSENT

12. Approval of Change of Location for a Slot Operator License, A. C. Coin-Nevada, dba A. C. Coin-Nevada, From: 1120 Palms Airport Drive, Suite F, To: 6770 Paradise Road, Max E. Seelig, Dir, Pres, Thomas McCormick, Secy, Atlantic City Coin & Slot Service Company, Inc., 100% - Clark County
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: Donjon Enterprises, Inc., Don M. Bourcier, Dir, Pres, Treas, 50%, John W. Laughlin, Dir, Secy, 50%, To: Five Star Gaming, Inc., dba Gecko's Lounge, 4402 North Rancho Drive, Jimmy L. Minchey, Dir, Pres and Stephanie A. Minchey, Dir, Secy, Treas, 100% joint tenancy with right of survivorship - Ward 6 (Ross)
14. Approval of a new Auctioneer License, Grafe Auction Company, dba Grafe Auction Company, 1025 Industrial Drive, Spring Valley, MN, Judd T. Grafe, Dir, Pres, Secy, Treas, 100% - Minnesota
15. Approval of Change of Location, Corporate Name and Business Name for a Burglar Alarm Service License subject to the provisions of the planning and fire codes, From: ADT Security Services Mid-South, Inc., dba ADT Security Services, 2411 Tech Center Court, Suite 101, To: ADT Security Services, Inc., dba ADT Security Services, Inc., 2588 Fire Mesa Street, Suite 140, Michael F. Snyder, Pres, P. Gray Finney, VP, Secy - Ward 4 (Brown)
16. Preapproval of award of Bid No. 060075-LED, Filtration Valve Replacement, Water Pollution Control Facility, 6005 East Vegas Valley Drive to the lowest responsive and responsible bidder - Department of Public Works - (\$300,000 - Sanitation Enterprise Fund) - County
17. Approval of award of Contract Modification No. 2 to Contract No. 050000 for Website Usability Consulting Services - Department of Information Technologies - Award recommended to: DELPHIA CONSULTING, LLC (\$150,990 - Computer Services Internal Service Fund)
18. Approval of award of Modification No. 3 to Master Software Agreement No. 040013 for RedDot Software Professional Services - Department of Information Technologies - Award recommended to: REDDOT SOLUTIONS CORPORATION (\$52,450 - Computer Services Internal Service Fund)
19. Approval of issuance of a Purchase Order for Fybroc Pumps - Department of Public Works - Award recommended to: PROCESS EQUIPMENT COMPANY (\$136,000 - Sanitation Enterprise Fund)
20. Approval of Agreement No. 060091-TB for Enterprise Software Licenses - Department of Information Technologies - Award recommended to: NETMOTION WIRELESS, INC. (\$71,944 - Computer Services Internal Services Fund)
21. Approval of revision to Purchase Order No. 219665 for Bullard Fire Helmets - Department of Fire and Rescue - Award recommended to: L.N. CURTIS AND SONS (\$20,000 - General Fund)
22. Approval of issuance of a Purchase Order for four Bomb Squad Bombsuits and associated accessories - Department of Fire and Rescue - Award recommended to: MED-ENG SYSTEMS, INC. (\$75,628 - Fire Equipment Internal Service Fund)

LEISURE SERVICES - CONSENT

23. Approval of State of Nevada Division of Aging Services/Independent Living Grant (Grant #0309-11-06L) monies of \$75,000 to the Senior Citizens Law Project for legal services to senior citizens 60 years of age and older throughout Clark County (\$11,250 Grant Match - Special Revenue Fund) - All Wards

PUBLIC WORKS - CONSENT

24. Approval of a Sewer Connection and Interlocal Contract with Clark County Water Reclamation District - JHR Associates on behalf of Tuscany Hills Estates, LLC, owner (southwest corner of Homestead Street and Copper Avenue, APN 125-08-505-001) - County (near Ward 6 - Ross)

PUBLIC WORKS - CONSENT

25. Approval of a Sewer Connection and Interlocal Contract with Clark County Water Reclamation District - James A. Carletta and Alfred Carletta, owners (north of Whispering Sands Drive between Garehime Street and Sisk Street, APN 125-14-105-018) - County (near Ward 6 - Ross)
26. Approval of a Sewer Connection and Interlocal Contract with Clark County Water Reclamation District - R. Lucero and Associates, Incorporated, on behalf of TLC Investing, LLC, owner (southeast corner of Grand Canyon Drive and Hammer Lane, APN 125-31-201-008 and -009) - County (near Ward 4 - Brown)
27. Approval of a Sewer Connection and Interlocal Contract with Clark County Water Reclamation District - R. Lucero & Associates, Incorporated, on behalf of Helena Development, LLC, owner (northeast corner of Valadez Street and Hickam Avenue, APN 138-04-706-001, -004, -005 and -006) - County (near Ward 4 - Brown)
28. Approval of a Sewer Connection and Interlocal Contract with Clark County Water Reclamation District - Ronald W. Tyler and Dianna L. Tyler, owners (southwest corner of Bonita Vista Street and Tropical Parkway, APN 125-29-203-012) - County (near Ward 6 - Ross)
29. Approval of an Encroachment Request from Valerie Livengood of Hawkes & Livengood on behalf of SF Investments, LLC, owner (Dorshester Heights Court) - Ward 5 (Weekly)
30. Approval of an Encroachment Request from DRC Engineering on behalf of Richmond American Homes Nevada, Incorporated, owner (Bath Drive at Chieftain Street) - Ward 6 (Ross)
31. Approval of a Grant of Easement from the City of Las Vegas, a Municipal Corporation, to Newport Lofts, LLC, for a portion of the Southwest Quarter of Section 34, Township 20 South, Range 61 East, Mount Diablo Meridian, for aerial easements lying within right-of-way for Casino Center Boulevard, Hoover Avenue, and an alleyway north of Hoover Avenue located near the northeast corner of Casino Center Boulevard and Hoover Avenue, APN 139-34-499-001 - Ward 1 (Tarkanian)
32. Approval of an Engineering Design Services Agreement with CH2M Hill, Inc., for engineering services to aid in the analysis of residential development impacts on the City's Water Pollution Control Facility located at 6005 E. Vegas Valley Drive and to obtain requirements for mitigation measures (\$52,765 - Sanitation Fund) - County (near Ward 3 - Reese)
33. Approval of Interlocal Agreement 111474 between the City of Las Vegas and the Las Vegas Valley Water District to provide fire-fighting water for the Water Pollution Control Facility (WPCF) located at 6005 E. Vegas Valley Drive (\$654 - Sanitation Fund) - County (near Ward 3 - Reese)
34. Approval of the installation of Speed Humps on Ogden Avenue between Bruce Street and Eastern Avenue (\$13,600 - Neighborhood Traffic Management Program) - Ward 3 (Reese)

RESOLUTIONS - CONSENT

35. R-91-2005 - Approval of a Resolution directing the City Treasurer to prepare the First Assessment Lien Apportionment Report for Special Improvement District No. 1471 - Jones Boulevard (Rancho Drive to Centennial Parkway) (Levy Assessments) - Ward 6 (Ross)
36. R-92-2005 - Approval of a Resolution approving the First Assessment Lien Apportionment Report for Special Improvement District No. 1471 - Jones Boulevard (Rancho Drive to Centennial Parkway) (Levy Assessments) - Ward 6 (Ross)
37. R-93-2005 - Approval of a Resolution directing the City Treasurer to give notice of the sale of properties subject to the lien of a delinquent assessment in Special Improvement District 505 and in certain other districts and providing other matters properly relating thereto - Wards 1, 2, 5, and 6 (Tarkanian, Wolfson, Weekly and Ross)
38. R-94-2005 - Approval of a Resolution directing the City Treasurer to give notice of the sale of properties subject to the lien of a delinquent assessment in Improvement Districts in all wards - All Wards

DISCUSSION / ACTION ITEMS

ADMINISTRATIVE - DISCUSSION

39. Report from the City Manager on Emerging Issues

CITY ATTORNEY - DISCUSSION

40. ABEYANCE ITEM - Discussion and possible action on Appeal of Work Card Denial: Veronica Kim Lopez, 3890 Cambridge #208, Las Vegas, Nevada 89119
41. ABEYANCE ITEM - Discussion and possible action on Appeal of Word Card Denial: Natalee Llyn Brunson, 1200 South Torrey Pines Drive #121, Las Vegas, Nevada 89146
42. Discussion and possible action on Appeal of Work Card Denial: Abramson Dacanay Velasco, 309 Coconut Grove Court, Las Vegas, Nevada 89145

FINANCE & BUSINESS SERVICES - DISCUSSION

43. ABEYANCE ITEM - Discussion and possible action regarding Change of Location for a Pawnbroker/Class II Secondhand Dealer License and Pistol Permit subject to the provisions of the planning and fire codes, EZPAWN Nevada, Inc., dba EZPAWN, From: 808 Las Vegas Boulevard South, To: 3862 West Sahara Avenue, Vincent A. Lambiase, Pres, CEO, Daniel N. Tonissen, Sr VP, Michael E. Garman, Area Mgr (NOTE: Item to be heard in conjunction with Item 81 - SUP-8044) - Ward 1 (Tarkanian)
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: LivingTheDream, Inc., dba Aurelio's, David L. Jones, Dir, Pres, 10%, Lisa M. Jones, Treas, 85%, To: Virgo Investments, Inc., dba Aurelio's Pizza, 7660 West Cheyenne Avenue, Suite 122, Yatin P. Daulat, Dir, Pres, Treas, 50%, Uday K. Mehta, Dir, Secy, 50% - Ward 4 (Brown)
45. Discussion and possible action regarding a Six Month Review of a Beer/Wine/Cooler Off-sale License, 7-Eleven of Nevada, Inc., dba 7-Eleven Food Store 15889F, 3033 Arville Street, Dale R. Clayton, Franchise Mgr, Lori B. Clayton, Franchise Mgr. - Ward 1 (Tarkanian)
46. Discussion and possible action regarding a Six Month Review of a Tavern License and a Restricted Gaming License for 10 slots, The Bunkhouse, LLC, dba The Bunkhouse, 124 South 11th Street, Charles J. Fox, Mgr, Mmbr, 100% - Ward 1 (Tarkanian)
47. Discussion and possible action regarding a Six Month Review of a Tavern License, Nashs', Inc., dba H & H Discount Liquor, 1916 North Decatur Boulevard, Mae S. Gappy, Dir, Pres, Secy, Treas, 100% - Ward 5 (Weekly)

NEIGHBORHOOD SERVICES - DISCUSSION

48. Discussion and possible action on replacing an allocation of \$1,000,000 of Home Investment Partnership (HOME) funds to the Housing Authority of the City of Las Vegas for the purpose of providing housing assistance to evacuees from Hurricane Katrina with \$847,365 of State Low Income Housing Trust Funds (LIHTF) and \$152,635 of 18% Set-Aside Funds - All Wards

RESOLUTIONS - DISCUSSION

49. R-95-2005 - Discussion and possible action regarding a Resolution consenting to the undertakings of the City of Las Vegas Redevelopment Agency (RDA) in connection with the Entertainment Visual Improvement Program (EVIP) Agreement between the Redevelopment Agency and 511 Fremont, LLC, (DBA The Griffin) located at 511 East Fremont Street (APN 139-34-611-014) to be in compliance with and in furtherance of the goals and objectives of the Redevelopment Agency - Ward 5 (Weekly) [NOTE: This item is related to Redevelopment Agency Item 2 (RA-11-2005) and to Redevelopment Agency Item 3]
50. R-96-2005 - Discussion and possible action regarding a Resolution consenting to the undertakings of the City of Las Vegas Redevelopment Agency (RDA) in connection with the Entertainment Visual Improvement Program (EVIP) Agreement between the Redevelopment Agency and Creative Nightlife Concepts, LLC, (DBA Downtown Cocktail Room) located at 111 Las Vegas Boulevard South (APN 139-34-611-013) to be in compliance with and in furtherance of the goals and objectives of the Redevelopment Agency - Ward 5 (Weekly) [NOTE: This item is related to Redevelopment Agency Item 4 (RA-12-2005) and to Redevelopment Agency Item 5]

BOARDS & COMMISSIONS - DISCUSSION

51. ABEYANCE ITEM - Discussion and possible action to nominate one City of Las Vegas resident to the Southern Nevada Recycling Advisory Committee

RECOMMENDING COMMITTEE REPORT - DISCUSSION

BILLS ELIGIBLE FOR ADOPTION AT THIS MEETING

52. Bill No. 2005-55 - Levies Assessment for Special Improvement District No. 1487 - Jones Boulevard (Beltway to Elkhorn Road). Sponsored by: Step Requirement
53. Bill No. 2005-56 - Levies Assessment for Special Improvement District No. 1503 - Durango Drive Phase IV (Tropical Parkway to Clark County Highway 215). 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.

54. Bill No. 2005-57 - Updates the development standards, including parking and landscaping standards, that apply to commercial and industrial developments. Proposed by: M. Margo Wheeler, Director of Planning and Development
55. Bill No. 2005-58 - Establishes new criteria for determining ambulance response time compliance, increases fees chargeable for ambulance services and loaded mileage, and permits annual fee increases based on the Consumer Price Index. Proposed by: Mark Vincent, Director of Finance and Business Services
56. Bill No. 2005-59 - Specifies the circumstances under which the display of a vehicle for sale on certain residential property may be considered an accessory use. Sponsored by: Councilman Gary Reese
57. Bill No. 2005-60 - Revises the provisions governing abandoned vehicles on certain types of private property. Sponsored by: Councilman Gary Reese
58. Bill No. 2005-61 - Includes unoccupied lots in the general prohibition on the display or sale of motor vehicles on parking lots and vacant lots. Sponsored by: Councilman Gary Reese

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.

59. Bill No. 2005-62 - Amends Ordinance No. 5756, relating to the annexation of property, to correct the legal description contained therein (General Location - northeast corner of Centennial Parkway and Kevin Way). Proposed by: Bradford R. Jerbic, City Attorney

1:00 P.M. - AFTERNOON SESSION

BUSINESS ITEMS - AFTERNOON

60. 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

61. Public hearing to consider the report of expenses to recover costs for abatement of nuisance/litter located at 371 Maydelle Place. PROPERTY OWNER: DAVID H. MEEHAN - Ward 3 (Reese)
62. Public hearing to consider the report of expenses to recover costs for abatement of nuisance/litter located at 1364 Hart Avenue. PROPERTY OWNER: ERIKA MIMMS - Ward 5 (Weekly)
63. Public hearing to consider the report of expenses to recover costs for abatement of dangerous building located at 2316 Dori Avenue. PROPERTY OWNERS: FOGEL JUDITH SABATH LIVING TRUST - FOGEL JUDITH SABATH TRS - Ward 5 (Weekly)
64. Public hearing to consider the report of expenses to recover costs for abatement of dangerous building located at 4300 Beth Avenue. PROPERTY OWNERS: PAMELA C. MILLER TRUST - LISA FISHER TRS - Ward 5 (Weekly)
65. Hearing to consider the appeal regarding the Zoning Violations/Nuisance Notice and Order to Comply located at 6209 W. Alexander Road. PROPERTY OWNERS: RICHARD J. & JILL A. BURNS - Ward 6 (Ross)
66. ABEYANCE ITEM - Public hearing to consider the report of expenses to recover costs for abatement of Zoning Violations/Nuisance located at 1524 Raúl Court. PROPERTY OWNER: PHEBE HUNTSMAN - 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.

67. EOT-9267 - APPLICANT/OWNER: BSR VEGAS CONDOS, LLC - Request for an Extension of Time of an approved Rezoning (ZON-3007) FROM: M (INDUSTRIAL) TO: C-1 (LIMITED COMMERCIAL) on 15.97 acres adjacent to the northwest corner of Desert Inn Road and Rancho Drive (APN 162-08-418-002), Ward 1 (Tarkanian). Staff recommends APPROVAL
68. EOT-9268 - APPLICANT/OWNER: BSR VEGAS CONDOS, LLC - Request for an Extension of Time of an approved Special Use Permit (SUP-3100) FOR MULTI-FAMILY RESIDENTIAL UNITS on property adjacent to the northwest corner of Desert Inn Road and Rancho Drive (APN 162-08-418-002), Ward I (Tarkanian). Staff recommends APPROVAL

PLANNING & DEVELOPMENT - DISCUSSION

69. TMP-8349 - ABEYANCE ITEM - GILMORE GROVE RESIDENTIAL PLANNED DEVELOPMENT - APPLICANT/OWNER: EL CAPITAN PROPERTIES, LLC - Request for a Tentative Map FOR A 51 LOT SINGLE FAMILY RESIDENTIAL SUBDIVISION on 7.19 acres adjacent to the southwest corner of El Capitan Way and Gilmore Avenue (APNs 138-08-202-002, 003 and 004), R-CL (Single Family Residential Compact-Lot), Ward 4 (Brown). The Planning Commission (7-0 vote) and staff recommend APPROVAL
70. SDR-8583 - PUBLIC HEARING - APPLICANT/OWNER: SPANISH VILLAS AT SAHARA, LLC - Request for a Major Amendment to an approved Site Development Plan Review FOR A SEVEN-STORY MIXED-USE DEVELOPMENT, CONSISTING OF 325 RESIDENTIAL UNITS AND 23,695 SQUARE FEET OF OFFICE SPACE AND A WAIVER TO PERMIT A SIDE YARD SETBACK OF ZERO FEET WHERE 10 FEET IS THE MINIMUM SETBACK REQUIRED on 7.78 acres adjacent to the north side of Sahara Boulevard, between Spanish Oaks Drive and Richfield Boulevard (APNs 162-05-403-001 through 003), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL
71. SDR-8585 - PUBLIC HEARING - APPLICANT: RICHMOND AMERICAN HOMES - OWNER: LAND INVESTMENTS, LLC - Request for a Site Development Plan Review FOR A PROPOSED 27-LOT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT; AND A WAIVER OF SECTION 3.5.3 OF THE LONE MOUNTAIN MASTER DEVELOPMENT PLAN TO ALLOW A 3.5 FOOT SETBACK WHERE A SETBACK OF LESS THAN TWO FEET OR MORE THAN TEN FEET IS REQUIRED on 5.3 acres adjacent to the northwest corner of Cheyenne Avenue and Hualapai Way (APN 137-12-801-006), U (Undeveloped) Zone [M (Medium Density Residential) Lone Mountain Special Land Use Designation] under Resolution of Intent to PD (Planned Development) Zone [M (Medium Density Residential) Lone Mountain Special Land Use Designation], Ward 4 (Brown). The Planning Commission (5-1 vote) and staff recommend APPROVAL
72. WVR-8584 - PUBLIC HEARING - APPLICANT: RICHMOND AMERICAN HOMES - OWNER: RITTER CHARITABLE TRUST - Request for a Waiver of Title 18.12.160 TO ALLOW A 10 FOOT INTERSECTION OFFSET WHERE 220 FEET IS THE MINIMUM INTERSECTION OFFSET DISTANCE REQUIRED on 5.1 acres adjacent to the southwest corner of Alexander Road and Cliff Shadows Parkway (APN 137-12-101-002), U (Undeveloped) Zone [ML (Medium-Low Density Residential) Lone Mountain West Special Land Use Designation] under Resolution of Intent to PD (Planned Development) Zone, Ward 4 (Brown). The Planning Commission (6-0 vote) and staff recommend APPROVAL

PLANNING & DEVELOPMENT - DISCUSSION

73. SDR-8581 - PUBLIC HEARING - APPLICANT: RICHMOND AMERICAN HOMES - OWNER: RITTER CHARITABLE TRUST - Request for a Site Development Plan Review FOR A PROPOSED 43-LOT SINGLE FAMILY RESIDENTIAL DEVELOPMENT; AND A WAIVER OF SECTION 3.5.3 OF THE LONE MOUNTAIN WEST MASTER DEVELOPMENT PLAN TO ALLOW A 3.5 FOOT SETBACK WHERE A SETBACK OF LESS THAN TWO FEET OR MORE THAN TEN FEET IS REQUIRED on 5.1 acres adjacent to the southwest corner of Alexander Road and Cliff Shadows Parkway (APN 137-12-101-002), U (Undeveloped) Zone [ML (Medium-Low Density Residential) Lone Mountain West Special Land Use Designation] under Resolution of Intent to PD (Planned Development) Zone, Ward 4 (Brown). The Planning Commission (6-0 vote) and staff recommend APPROVAL
74. MSP-8642 - PUBLIC HEARING - APPLICANT: YOUNG ELECTRIC SIGN COMPANY - OWNER: SITE FOUR, LLC - Request for a Master Sign Plan TO AMEND AN APPROVED MASTER SIGN PLAN (MSP-0002-02) on a portion of 8.65 acres adjacent to the northwest corner of Cliff Shadows Parkway and the I-215 Beltway (APNs 137-12-410-001, 004, and 005), U (Undeveloped) Zone [VC (Village Commercial) Lone Mountain Special Land Use Designation] under Resolution of Intent to PD (Planned Development) Zone [VC (Village Commercial) Lone Mountain Special Land Use Designation], Ward 4 (Brown). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL
75. VAC-8589 - PUBLIC HEARING - APPLICANT/OWNER: GNLV CORPORATION - Petition to Vacate a portion of First Street, from Fremont Street to approximately 150 feet north of Carson Avenue, Ward 1 (Tarkanian). Staff recommends DENIAL. The Planning Commission (6-0 vote) recommends APPROVAL
76. VAC-8641 - PUBLIC HEARING - APPLICANT: BONAR DEVELOPMENT - OWNER: BEASTAR, LLC. - Petition to Vacate the south half of Horse Drive between Coke Street and Conough Lane, and the east half of Conough Lane from Horse Drive to approximately 375 feet north of Teasha Avenue, Ward 6 (Ross). The Planning Commission (6-0 vote) and staff recommend APPROVAL
77. VAC-8650 - PUBLIC HEARING - APPLICANT/OWNER: SHIRON DEVELOPMENT, LLC. - Petition to Vacate Pioneer Way between Darling Road and Centennial Parkway, generally located adjacent to the north side of Centennial Parkway, approximately 715 feet east of John Herbert Boulevard, Ward 6 (Ross). The Planning Commission (6-0 vote) and staff recommend APPROVAL
78. VAR-8348 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: TOWBIN HUMMER - OWNER: CARDAN LINDELL NORTH, LLC - Council Review of a request for a Variance TO ALLOW A PROPOSED 55-FOOT FREESTANDING SIGN WHERE 40 FEET IS THE MAXIMUM HEIGHT ALLOWED on 4.14 acres at the northwest corner of West Sahara Avenue and Lindell Road (APN 163-01-404-022), C-2 (General Commercial) Zone, Ward 1 (Tarkanian). Staff recommends DENIAL. The Planning Commission (7-0 vote) APPROVED
79. VAR-8631 - PUBLIC HEARING - APPLICANT: TANEY ENGINEERING - OWNER: RICHARD EHRLICH, ET AL - Request for a Variance TO ALLOW 61,000 SQUARE FEET OF OPEN SPACE WHERE 115,724 SQUARE FEET IS THE MINIMUM AMOUNT OF OPEN SPACE REQUIRED IN CONJUNCTION WITH A PROPOSED 161-LOT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT on 17.89 acres adjacent to the south side of Owens Avenue, approximately 460 feet west of Lamb Boulevard (APNs 140-30-520-017 through 033 and 140-03-503-001 and 002), R-PD9 (Residential Planned Development - 9 units per acre) Zone and R-E (Residence Estates) Zone under Resolution of Intent to R-PD9 (Residential Planned Development - 9 units per acre) Zone, Ward 3 (Reese). The Planning Commission (6-0 vote) and staff recommend DENIAL
80. SDR-8630 - PUBLIC HEARING - APPLICANT: TANEY ENGINEERING - OWNER: RICHARD EHRLICH, ET AL - Request for a Site Development Plan Review FOR A PROPOSED 161-LOT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT on 17.89 acres adjacent to the south side of Owens Avenue, approximately 460 feet west of Lamb Boulevard (APNs 140-30-520-017 through 033 and 140-30-503-001 and 002), R-PD9 (Residential Planned Development - 9 units per acre) Zone and R-E (Residence Estates) Zone under Resolution of Intent to R-PD9 (Residential Planned Development - 9 units per acre) Zone, Ward 3 (Reese). The Planning Commission (6-0 vote) and staff recommend DENIAL

PLANNING & DEVELOPMENT - DISCUSSION

81. SUP-8044 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: EZ PAWN NEVADA, INC. - OWNER: JO WADE CORPORATION - Request for a Special Use Permit FOR A PROPOSED 5,000 SQUARE-FOOT PAWN SHOP at 3862 West Sahara Avenue (APN 162-06-813-007), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). [NOTE: Item to be heard in conjunction with Morning Session Item 43] The Planning Commission (4-3 vote) and staff recommend APPROVAL

82. SUP-8526 - PUBLIC HEARING - APPLICANT: CASH BACK TITLE LOANS - OWNER: J. D. CHARLESTON, LP - Request for a Special Use Permit FOR A PROPOSED FINANCIAL INSTITUTION, SPECIFIED (AUTO TITLE LOAN) AND WAIVERS OF THE 200-FOOT SEPARATION REQUIREMENT FROM A PARCEL ZONED FOR RESIDENTIAL USE AND THE 1,500 SQUARE-FOOT MINIMUM FLOOR SPACE REQUIREMENT adjacent to the southwest corner of Charleston Boulevard and Martin L King Boulevard (APN 162-04-501-001), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). Staff recommends DENIAL. The Planning Commission (6-0 vote) recommends APPROVAL

83. SUP-8578 - PUBLIC HEARING - APPLICANT: STANHI LLC - OWNER: CHERRY HOLDINGS, INC., ET AL - Request for a Special Use Permit FOR A PROPOSED MIXED-USE DEVELOPMENT adjacent to the southwest corner of Gass Avenue and Third Street (APNs 139-34-410-072 through 076), C-2 (General Commercial) Zone and R-4 (High Density Residential) Zone under a Resolution of Intent to C-2 (General Commercial) Zone, Ward 1 (Tarkanian). The Planning Commission (6-0 vote) and staff recommend APPROVAL

84. SUP-8579 - PUBLIC HEARING - APPLICANT: STANHI LLC - OWNER: CHERRY HOLDINGS, INC. ET AL - Request for a Special Use Permit FOR A PROPOSED 760-FOOT TALL BUILDING WHERE 200 FEET IS THE MAXIMUM BUILDING HEIGHT ALLOWED IN THE AIRPORT OVERLAY DISTRICT adjacent to the southwest corner of Gass Avenue and Third Street (APN 139-34-410-072 through 076), C-2 (General Commercial) Zone and R-4 (High Density Residential) Zone under a Resolution of Intent to C-2 (General Commercial) Zone, Ward 1 (Tarkanian). The Planning Commission (6-0 vote) and staff recommend APPROVAL

85. SDR-8577 - PUBLIC HEARING - APPLICANT: STANHI LLC - OWNER: CHERRY HOLDINGS, INC. - Request for a Site Development Plan Review FOR A 65-STORY MIXED-USE DEVELOPMENT CONSISTING OF 22,000 SQUARE FEET OF COMMERCIAL SPACE AND 425 RESIDENTIAL UNITS; AND A WAIVER OF THE CENTENNIAL PLAN BUILDING STEPBACK REQUIREMENT on 0.80 acres adjacent to the southwest corner of Gass Avenue and Third Street (APN 139-34-410-072 through 076), C-2 (General Commercial) Zone and R-4 (High Density Residential) Zone under a Resolution of Intent to C-2 (General Commercial) Zone, Ward 1 (Tarkanian). The Planning Commission (6-0 vote) and staff recommend APPROVAL

86. SUP-8639 - PUBLIC HEARING - APPLICANT: TOWER REALTY AND DEVELOPMENT, LLC - OWNER: WESTCOR 1031 EXCHANGE 03-05-0007, LLC - Request for a Special Use Permit FOR A PROPOSED SOCIAL SERVICE PROVIDER adjacent to the east side of Shadow Lane, approximately 70 feet north of Bearden Drive (APN 139-33-402-001), PD (Planned Development) Zone [MD-1 (Medical Support) - Medical District Plan Land Use Designation] Zone, Ward 5 (Weekly). The Planning Commission (5-0 vote) and staff recommend APPROVAL

87. SUP-8672 - PUBLIC HEARING - APPLICANT: JMA ARCHITECTURE - OWNER: LV FLATIRON, LLC - Request for a Special Use Permit TO ALLOW A BUILDING HEIGHT OF 582.5 FEET IN THE AIRPORT OVERLAY DISTRICT WHERE 200 FEET IS THE MAXIMUM HEIGHT ALLOWED FOR A PROPOSED MIXED-USE DEVELOPMENT adjacent to the northwest corner of Las Vegas Boulevard and Fourth Street (APNs 162-03-201-001, 002 and 162-03-101-001), C-2 (General Commercial) Zone, Ward 1 (Tarkanian). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL

88. SUP-8673 - PUBLIC HEARING - APPLICANT: JMA ARCHITECTURE - OWNER: LV FLATIRON, LLC - Request for a Special Use Permit FOR A PROPOSED MIXED-USE DEVELOPMENT adjacent to the northwest corner of Las Vegas Boulevard and Fourth Street (APNs 162-03-201-001, 002 and 162-03-101-001), C-2 (General Commercial) Zone, Ward 1 (Tarkanian). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL

PLANNING & DEVELOPMENT - DISCUSSION

89. SDR-8634 - PUBLIC HEARING - APPLICANT: JMA ARCHITECTURE - OWNER: LV FLATIRON, LLC - Request for a Site Development Plan Review FOR A PROPOSED 50-STORY MIXED-USE DEVELOPMENT CONSISTING OF 5,890 SQUARE FEET OF RETAIL SPACE, 4,765 SQUARE FEET OF RESTAURANT SPACE, AND 320 RESIDENTIAL CONDOMINIUM UNITS; AND WAIVERS OF THE SIDEWALK AND AMENITY STANDARDS AND THE BUILDING STEPBACK REQUIREMENTS OF THE DOWNTOWN CENTENNIAL PLAN on 1.12 acres adjacent to the northwest corner of Las Vegas Boulevard and Fourth Street (APNs 162-03-201-001, 002 and 162-03-101-001), C-2 (General Commercial) Zone, Ward 1 (Tarkanian). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL
90. SUP-8697 - PUBLIC HEARING - APPLICANT: BISON BUILDING MATERIALS NEVADA, LLC - OWNER: FRED KAVLI - Request for a Special Use Permit FOR A PROPOSED BUILDING AND LANDSCAPE MATERIAL/LUMBER YARD IN AN EXISTING BUILDING at 4500 North Tenaya Way (APN 138-03-601-003), C-1 (Limited Commercial) Zone, Ward 4 (Brown). The Planning Commission (6-0 vote) and staff recommend APPROVAL
91. ZON-8432 - PUBLIC HEARING - APPLICANT: RICHARD MORENO - OWNER: ARIK RAITER - Request for a Rezoning FROM: N-S (NEIGHBORHOOD SERVICE) TO: C-1 (LIMITED COMMERCIAL) on 2.38 acres adjacent to the southwest corner of Sandhill Road and Owens Avenue (APN 140-30-102-006), Ward 3 (Reese). The Planning Commission (6-0 vote) and staff recommend APPROVAL
92. SUP-8433 - PUBLIC HEARING - APPLICANT: RICHARD MORENO - OWNER: ARIK RAITER - Request for a Special Use Permit FOR A PROPOSED LIQUOR ESTABLISHMENT (ON-SALE/OFF-SALE/ON-OFF-SALE) WITHIN AN EXISTING MARKET adjacent to the southwest corner of north Sandhill Road and Owens Avenue (APN 140-30-102-006), N-S (Neighborhood Service) Zone [PROPOSED: C-1 (Limited Commercial) Zone], Ward 3 (Reese). The Planning Commission (6-0 vote) and staff recommend APPROVAL
93. ZON-8760 - PUBLIC HEARING APPLICANT/OWNER: GRAND TETON RESIDENTIAL, LLC - Request for Rezoning FROM: U (UNDEVELOPED) [MLA (MEDIUM-LOW ATTACHED RESIDENTIAL) GENERAL PLAN DESIGNATION] under Resolution of Intent to R-PD12 (RESIDENTIAL PLANNED DEVELOPMENT - 12 UNITS PER ACRE) TO: R-PD8 (RESIDENTIAL PLANNED DEVELOPMENT - 8 UNITS PER ACRE), on 10.3 acres adjacent to the southwest corner of Grand Teton Drive and Tee Pee Lane (APN 125-18-501-015), Ward 6 (Ross). The Planning Commission (6-0 vote) and staff recommend APPROVAL
94. SDR-8065 - PUBLIC HEARING - APPLICANT/OWNER: GRAND TETON RESIDENTIAL, LLC - Request for a Site Development Plan Review FOR AN 85-LOT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT on 10.3 acres adjacent to the southwest corner of Grand Teton Drive and Tee Pee Lane (APN 125-18-501-015), U (Undeveloped) Zone [MLA (Medium-Low Attached Residential) General Plan Designation] under Resolution of Intent to R-PD12 (Residential Planned Development - 12 units per acre) Zone [PROPOSED: R-PD8 (Residential Planned Development - 8 units per acre) Zone], Ward 6 (Ross). The Planning Commission (4-2 vote) and staff recommend APPROVAL
95. GPA-4078 - TABLED ITEM - PUBLIC HEARING - APPLICANT/OWNER: QUALITY HOMES - Request to amend the Centennial Hills Interlocal Land Use Plan of the Centennial Hills Sector Plan FROM: DR (DESERT RURAL DENSITY RESIDENTIAL) TO: O (OFFICE) on 2.87 acres adjacent to the southeast corner of Rainbow Boulevard and Buckskin Avenue (APN 138-11-401-001), Ward 6 (Ross). The Planning Commission (5-0 vote) and staff recommend DENIAL
96. ZON-4080 - TABLED ITEM - PUBLIC HEARING - APPLICANT/OWNER: QUALITY HOMES - Request for a Rezoning FROM: R-E (RESIDENCE ESTATES) TO: O (OFFICE) on 2.87 acres adjacent to the southeast corner of Rainbow Boulevard and Buckskin Avenue (APN 138-11-401-001), Ward 6 (Ross). The Planning Commission (5-0 vote) and staff recommend DENIAL

SET DATE

97. 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

City of Las Vegas

CITY COUNCIL MEETING
CITY HALL, 400 STEWART AVENUE
COUNCIL CHAMBERS
WEDNESDAY, OCTOBER 19, 2004
9:00 A.M.

ADDENDUM:

HUMAN RESOURCES - DISCUSSION

CLOSED SESSION: To be held at the conclusion of the morning session

- A. Upon duly carried Motion, a closed meeting is called in accordance with NRS 288.220 to discuss negotiations of the Metro Las Vegas Police Protective Association contract

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

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
4289418

2296311LV

was continuously published in said Las Vegas Review Journal and/or Las Vegas Sun in 1 edition(s) of said newspaper issued from 10/07/2005 to 10/07/2005, on the following days: OCT. 7, 2005

Signed: Donna Stark

SUBSCRIBED AND SWORN BEFORE ME THIS THE 10

day of October 2005

Mary B. Sheffield
Notary Public



MARY B. SHEFFIELD

Notary Public State of Nevada

No. 99-53968-1

My appt. exp. Mar. 8, 2007

2005 OCT 18 A 10:26

RECEIVED
CITY CLERK

BILL NO. 2005-56

AN ORDINANCE CONCERNING CITY OF LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 1503 - DURANGO DRIVE PHASE IV (TROPICAL PARKWAY TO CLARK COUNTY HIGHWAY 215); 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 21st day of September, 2005, and will be considered for adoption at the regular meeting of the City Council of the City of Las Vegas on the 19th day of October, 2005.

/s/ Barbara Jo Ronemus
City Clerk
PUB: October 7, 2005
LV Review-Journal

RECEIVED
CITY CLERK

2005 OCT 31 A 11:12

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
4317641

2296311LV

was continuously published in said Las Vegas Review Journal and/or Las Vegas Sun in 1 edition(s) of said newspaper issued from 10/22/2005 to 10/22/2005, on the following days: OCT. 22, 2005

BILL NO. 2005-56
Ordinance No. 5799

AN ORDINANCE CONCERNING CITY OF LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 1503 - DURANGO DRIVE PHASE IV (TROPICAL PARKWAY TO CLARK COUNTY HIGHWAY 215); 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 September 21, 2005, and was passed at a regular meeting held on October 19, 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
Steve Wolfson
Lois Tarkanian
Steven D. Ross
Those Voting Nay: None
Those Absent: None

This Ordinance shall be in full force and effect from and after October 23, 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 19th day of October 2005.

/s/ OSCAR B. GOODMAN
Mayor
City of Las Vegas, Nevada
(SEAL)
Attest: /s/ BARBARA JO
RONEMUS City Clerk
PUB: October 22, 2005
LV Review-Journal

Signed: Donna Stark

SUBSCRIBED AND SWORN BEFORE ME THIS THE 25

day of October 2005

Mary B. Sheffield
Notary Public

