

BILL NO. 2001-146

ORDINANCE NO. 5420

AN ORDINANCE CONCERNING LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 1469 - 4TH STREET (WASHINGTON AVENUE TO ADAMS AVENUE); 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. 1469 - 4th Street (Washington Avenue to Adams Avenue) (hereinafter the "District"), for the purpose of 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 \$533,850.36, of which \$483,079.25 is available from other sources and of which \$50,771.11 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, 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, December 5, 2001, 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, December 5, 2001, 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 November 7, 2001. 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. 1469 Assessment Protest Resolution; and

WHEREAS, by the District No. 1469 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

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

Section 1. This Ordinance shall be known as, and may be cited by, the short title "District No. 1469 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. 1469 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. 1469 - 4th Street (Washington Avenue to Adams Avenue), 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, there 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 November 7, 2001, and as modified and confirmed by the District No. 1469 Assessment Protest Resolution duly adopted by the City Council on December 19, 2001, the amounts and assessments shown in the final assessment roll (as so filed, modified and confirmed).

Section 5. The assessments shall be due and payable at the office of the City Treasurer within 30 days after this Ordinance becomes effective, without interest and without demand, provided, that all or any part of such assessments may, at the election of the owner, be paid in installments, with interest, as hereinafter provided. Failure to pay the whole assessment within said period of 30 days shall be conclusively considered and held an election on the part of all persons interested, whether under disability or otherwise, to pay in installments, the amount of the assessment then unpaid. In case of such election to pay in installments, the unpaid assessments shall be payable in twenty (20) substantially equal semiannual installments of principal until paid in full, with interest in all cases on the unpaid and deferred installments of principal from the effective date of this Assessment 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 July 21st and January 21st in each year, commencing on July 21, 2002. 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. 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 per cent (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 principle and accrued interest shall, after such delinquency, whether or not said option is exercised, bear penalty interest at the rate of two percent (2%) per month on the unpaid balance, (or at any higher rate authorized by statute) 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 semi-annual installment of the unpaid principal with interest accruing thereon to the next interest payment date, together with the payment of a penalty for such prepayment of three percent (3%) of the principal of the deferred installments so prepaid. If such prepayment takes place after February 20, 2002, 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 five and 5/10th percent (5.5%) per annum (i.e., the presumed rate of interest on the assessment bonds for the District plus one percent).

Pursuant to NRS 271.357 and NRS 271.360, any assessment against property for which an application for Hardship Determination has been approved by the City Council shall be postponed, but the owner shall make payments of interest on the unpaid balance of previous and current assessments at the same rate and terms as are established for other assessments in the manner provided. The assessment shall remain postponed until the earlier of the following occurrences: (a) the property is sold or transferred to a person other than one to whom a Hardship Determination has been granted; (b) the term of the bonds expire; (c) the property owner's application for renewal of the Hardship Determination is disapproved; (d) the property owner fails to pay interest on the unpaid balance of assessments in a timely manner; or (e) the property owner pays all previous and current assessments. The owner shall also be subject to the lien as provided in Section 6 hereof.

Section 6. The amounts assessed shall be a lien upon the owner's lots, tracts and parcels of land from the effective date of this Ordinance (i.e. January 21, 2002) 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 and if such delinquency shall not be paid within 10 days after such notice shall have been 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 effectual to protect and enforce the rights aforesaid. All such proceedings, at law or in equity, shall be instituted, had and maintained for the equal benefit of all 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 and the last day for their payment. 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 or his designee 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 LAS VEGAS, NEVADA SPECIAL IMPROVEMENT DISTRICT NO. 1469 - 4TH STREET (WASHINGTON AVENUE TO ADAMS AVENUE).

NOTICE IS HEREBY GIVEN to the owners of all property upon which an assessment has been levied, and other interested persons that, District No. 1469 Assessment Ordinance (hereinafter the "Assessment Ordinance") was duly passed, adopted, signed and approved on January 16, 2002. The Assessment Ordinance levied and assessed against the lots, tracts and parcels of land specially benefited by the local improvements in what is commonly designated as "Las Vegas, Nevada, Special Improvement District No. 1469 - 4th Street (Washington Avenue to Adams Avenue)," (said lots, tracts and parcels of land being more specifically described in the final assessment roll designated in the Ordinance) a portion of the cost and expense of such improvements.

Assessments are due and payable at the office of the City Treasurer, in Las Vegas, Nevada, on or before February 20, 2002, being 30 days after the effective date of the Assessment Ordinance, without interest and without demand, provided that all, or any part of such assessments may, at the election of the owner, be paid in installments, with interest as hereinafter provided. Failure to pay the whole assessment within the 30-day period will be conclusively considered and held an election on the part of all persons interested, whether under disability or otherwise, to pay the unpaid assessment in installments. In case of such election to pay in installments, the unpaid assessments will be payable in twenty (20) substantially equal semi-annual installments of principal until paid in full, with interest in all cases on the unpaid and deferred installments of principal from January 21, 2002 (i.e., the effective date of the assessment ordinance) both principal and interest being payable semiannually at the office of the City Treasurer, Las Vegas, Nevada, on July 21st and January 21st in each year, commencing on July 21, 2002. After the effective date of the Assessment 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. 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%) per month on the unpaid balance, (or at any higher rate authorized by statute) 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 to 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 and the payment of a penalty for such prepayment of three percent (3%) of the installment or installments of principal so prepaid. The City Council, by the Assessment Ordinance has established a prepayment penalty or premium of three percent (3%) of the principal of deferred installments so prepaid. If such prepayment takes place after February 20, 2002, 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 five and 5/10th percent (5.5%) per annum (i.e., the presumed rate of interest on the assessment bonds for the District plus one percent).

Pursuant to NRS 271.357 and NRS 271.360, any assessment against property for which an application for Hardship Determination has been approved by the City Council shall be postponed, but the owner shall make payments of interest on the unpaid balance of previous and current assessments at the same rate and terms as are established for other assessments in the manner provided. The assessment shall remain postponed until the earlier of the following occurrences: (a) the property is sold or transferred to a person other than one to whom a Hardship Determination has been granted; (b) the term of the bonds expire; (c) the property owner's application for renewal of the Hardship Determination is disapproved; (d) the property owner fails to pay interest on the unpaid balance of assessments in a timely manner; or (e) the property owner pays all previous and current assessments. The owner shall also be subject to the lien as provided in Section 6 hereof.

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

The amounts assessed as aforesaid constitute a lien upon said lots, tracts and parcels of land from January 21, 2002 (i.e., the effective date of the assessment ordinance), which lien shall be co-equal with the latest lien thereon to secure the payment of general taxes and prior and superior to all other liens, claims, encumbrances and titles (other than the liens of assessments and general taxes). The sale of any such lot, tract or parcel of land for general taxes shall not relieve such lot, tract or parcel of land from such assessment or the lien therefor.

Dated this January 16, 2002.

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BARBARA JO RONEMUS, City Clerk

(End of Form of Notice)

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

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

Section 14. That in accordance with Section 2.110 of the City Charter, this Ordinance when first proposed is to be read by title to the City Council, immediately after which an adequate number of copies of the proposed Ordinance are to be deposited with the office of the City Clerk for public examination and distribution upon request; thereafter, the City Clerk is authorized and directed to give notice of the deposit together with the title of the Ordinance by publication at least once in the Las Vegas Review-Journal, i.e., a newspaper published and having general circulation in the City, at least ten (10) days before the adoption of the Ordinance, i.e., at least ten (10) days before January 16, 2002, such publication to be in substantially the following form:

Notice of Filing of:

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE CREATING CITY OF LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 1469 – 4TH STREET (WASHINGTON AVENUE TO ADAMS AVENUE) PRESCRIBING DETAILS IN CONNECTION THEREWITH AND OTHER MATTERS RELATING THERETO.**

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 19th day of December, 2001, and will be considered for adoption at the regular meeting of the City Council of the City of Las Vegas on the 16th day of January, 2002.

/s/ Barbara Jo Ronemus  
City Clerk

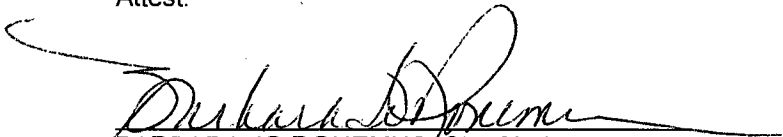
(End of Form of Publication of Notice of Filing)

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.

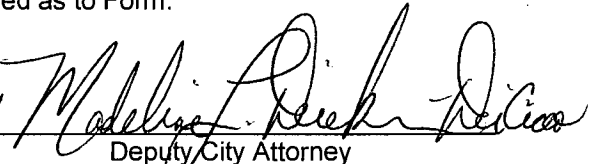
Introduced December 19, 2001, PASSED, ADOPTED AND APPROVED January 16, 2002.

  
\_\_\_\_\_  
OSCAR B. GOODMAN, Mayor

Attest:

  
\_\_\_\_\_  
BARBARA JO RONEMUS, City Clerk

Approved as to Form:

12-6-01   
Date Deputy City Attorney

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

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

1. The foregoing pages constitute a true, correct, complete and compared copy of an ordinance which was introduced at the meeting of the City Council on December 19, 2001 and finally adopted and approved on January 16, 2002.

2. The following members of the City Council were present at the December 19, 2001 Council meeting:

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

3. The foregoing Ordinance was first proposed and read by title to the City Council on December 19, 2001, and referred to a committee composed of Councilmembers Weekly and Mack for recommendation. Thereafter, the said committee reported favorably on said Ordinance on January 16, 2002, 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 members of the City Council were present at the January 16, 2002, meeting and voted upon the adoption of the Ordinance as follows:

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

Those Voting Nay:	NONE
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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 December 19, 2001 and January 16, 2002. 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 Hall  
City Hall Plaza  
Special Outside Posting Bulletin Board  
Las Vegas, Nevada
- (ii) Senior Citizens Center  
Las Vegas, Nevada
- (iii) Clark County Government Center  
500 South Grand Central Parkway  
Las Vegas, Nevada
- (iv) Downtown Transportation Center  
Las Vegas, Nevada

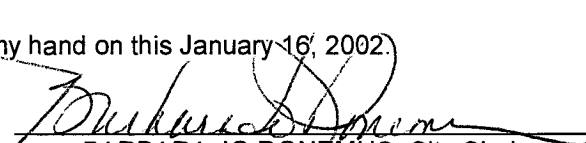
; and

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

6. A copy of such notice so given of the meeting of the City Council on December 19, 2001, is attached to this certificate as Exhibit A and a copy of the notice so given of the meeting of the City Council on January 16, 2002, is attached to this certificate as Exhibit B.

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

IN WITNESS WHEREOF, I have hereunto set my hand on this January 16, 2002.

  
BARBARA JO RONEMUS, City Clerk

(SEAL)

**EXHIBIT A**

**(Attach Copy of Notice of December 19, 2001 Meeting)**

# CITY COUNCIL AGENDA

DECEMBER 19, 2001  
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## CITY COUNCIL AGENDA

COUNCIL CHAMBERS • 400 STEWART AVENUE • PHONE 229-6011

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

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

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

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

**DECEMBER 19, 2001**

**Morning Session begins at 9:00 a.m.  
Afternoon Session begins at 1:00 p.m.**

ALL ITEMS ON THIS AGENDA ARE SCHEDULED FOR ACTION UNLESS SPECIFICALLY NOTED OTHERWISE.

THESE PROCEEDINGS ARE BEING PRESENTED LIVE ON KCLV, CABLE CHANNEL 2, AND ARE CLOSED CAPTIONED FOR OUR HEARING IMPAIRED VIEWERS. THE PROCEEDINGS WILL BE REBROADCAST ON KCLV CHANNEL 2 THE WEDNESDAY OF THE MEETING AT 8:00 PM AND ARE ALSO REBROADCAST ON FRIDAY AT 4:00 AM, SATURDAY AT 7:00 PM, SUNDAY AT 7:00 AM AND THE FOLLOWING MONDAY AT 10:00 AM.

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

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

### CEREMONIAL MATTERS

- CALL TO ORDER
- ANNOUNCEMENT RE: COMPLIANCE WITH OPEN MEETING LAW
- INVOCATION - REVEREND SUSAN YOUNG, GREEN VALLEY PRESBYTERIAN CHURCH
- PLEDGE OF ALLEGIANCE
- RECOGNITION OF EMPLOYEE OF THE MONTH
- RECOGNITION TO THE ESSAY WINNERS FROM THE BETSY RHODES ELEMENTARY SCHOOL
- RECOGNITION TO THE LAS VEGAS HIGH SCHOOL FOOTBALL TEAM, STATE CHAMPIONS
- SPECIAL PRESENTATION TO THE CITY COUNCIL FROM THE LONE MOUNTAIN LITTLE LEAGUE
- RECOGNITION TO THE BROWN'S GYMNASTIC TEAM, STATE CHAMPIONS
- RECOGNITION OF THE ANGEL TREE PROGRAM

## **BUSINESS ITEMS**

1. Any items from the morning session that the Council, staff and/or the applicant wishes to be stricken or held in abeyance to a future meeting may be brought forward and acted upon at this time
2. Approval of the Final Minutes by reference of the Regular City Council Meeting of November 21, 2001 and the Special City Council Meeting of August 19, 2001

## **CONSENT AGENDA**

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

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

3. Approval of Service and Material Checks/Payroll Checks/Wire Transfers/Other Checks and Investments
4. Approval of an increase in the City's required letter of credit (from \$7,433,000 to \$9,747,000) for workers compensation claims (\$11,500 - Workers Comp Internal Services Fund)
5. Approval of a report by the City Treasurer of the December 6, 2001 sale of properties subject to the lien of a delinquent assessment in SID District 505 and various other districts
6. Approval of a new Family Child Care Home License, Kisha Jules, 1924 H Street, Kisha Jules, 100% - Ward 5 (Weekly)
7. Approval of a new Family Child Care Home License, Lilia Pico, 8153 Spur Court, Lilia Pico, 100% - Ward 2 (L.B. McDonald)
8. Approval of a new Beer/Wine/Cooler Off-sale Liquor License subject to the provisions of the planning and fire codes, Rebel Oil Company, Inc, dba Rebel #88, 7191 West Craig Road, Jack E. Cason, Pres, 46%, Carl L. Bailey, Secy, Treas, 19%, Patrick J. Cason, Supervisor, 7% - Ward 6 (Mack)
9. Approval of Change of Ownership, Location and Business Name for a Tavern Liquor License subject to Health Dept. regulations, From: Nick Mallas, dba Blue Angel Restaurant and Cocktail Lounge, 2110 Fremont Street (Non-operational), Nick Mallas, 100%, To: Jose Arana, dba Pepe's Tavern, 1729 East Charleston Blvd., Suites A-B, Jose Arana, 100% - Ward 5 (Weekly)
10. Approval of Shareholder/Manager for a Beer/Wine/Cooler On-sale Liquor License, Rebel Oil Company, Inc., dba Rebel #73, 901 North Buffalo Dr., Patrick J. Cason, Supervisor, 7% - Ward 2 (L.B. McDonald)
11. Approval of Shareholder/Manager for a Beer/Wine/Cooler On-sale Liquor License, Rebel Oil Company, Inc., dba Rebel #77, 6400 West Lake Mead Blvd., Patrick J. Cason, Supervisor, 7% - Ward 6 (Mack)
12. Approval of a new Independent Massage Therapist License, Amy C. LaDuke, dba Amy C. LaDuke, 4013 Coriander Lane, Amy C. LaDuke, 100% - Ward 4 (Brown)
13. Approval of a new Independent Massage Therapist License, Cerissa Chavez, dba Cerissa Chavez, 7728 Antero Circle, Cerissa C. Chavez, 100% - Ward 4 (Brown)
14. Approval of a new Independent Massage Therapist License, Douglas Taylor, dba Douglas Taylor, 2221 West Bonanza Rd., #52, Zachary D. Taylor, 100% - Ward 5 (Weekly)

## FINANCE & BUSINESS SERVICES DEPARTMENT - CONSENT

15. Approval of Change of Location for an Independent Massage Therapist License, Laurie Lee D'Andrea, dba Laurie Lee D'Andrea, From: 2620 Regatta Dr., Suite 112, To: 2636 Seahorse Drive, Laurie Lee D'Andrea, 100% - Ward 4 (Brown)
16. Approval of Change of Location for an Independent Massage Therapist License subject to the provisions of the fire codes, Patricia L. D'Alessio, dba Patricia L. D'Alessio, From: 2620 Regatta Dr., Suite 112, To: 8440 West Lake Mead Blvd., Suite 110, Patricia L. D'Alessio, 100% - Ward 4 (Brown)
17. Approval of Change of Location for an Independent Massage Therapist License, Angel Leigh Avalos, dba Angel Leigh, From: 4720 West Sahara Ave., To: 7616 Delaware Bay Lane, Angel L. Avalos, 100% - Ward 4 (Brown)
18. Approval of a new Massage Establishment License, Xiao Ping Wang, dba Far East Massage Center, 5000 West Oakey Blvd., Suite D-2, Xiao P. Wang, 100% - Ward 1 (M. McDonald)
19. Approval of a new Psychic Art and Science License, Corinne Haynie subject to the provisions of the planning and fire codes, dba, Direct Reconnect, 1833 West Charleston Blvd., Corrine M. Haynie, 100% - Ward 1 (M. McDonald)
20. Preapproval of Bid Number 01.15301.18-LED, Doolittle Community Center - Renovation & Addition to the lowest, responsive & responsible bidder and approve the construction conflicts & contingency reserve set by Finance and Business Services - Department of Public Works - (Estimated monetary range of \$6,100,000 - \$8,200,000 - Capital Projects Fund) - Ward 5 (Weekly)
21. Approval of award of Bid Number 020010-TC, Open End Contract for Various Heavy Duty Vehicles - Department of Field Operations - Award recommended to: FRIENDLY FORD and PACIFIC UTILITY (Aggregate amount of \$665,560 - Capital Projects Fund)
22. Approval of award of Bid Number 020001-LED, Annual Requirements Contract for Work Related to Dangerous Buildings - Department of Neighborhood Services & Real Estate Division - Award recommended to: Various Contractors (\$600,000 - Various funds)
23. Approval to award Bid Number 01.15301.19-LED, East Yard Transfer Station and approve the construction conflicts & contingency reserve set by Finance and Business Services - Department of Public Works - Award recommended to: B&H CONSTRUCTION, INC. (\$561,454 - Capital Projects Fund) - Ward 3 (Reese)
24. Approval of the issuance of a purchase order for one (1) Pierce 1000 GPM Pumper (TG) - Department of Fire & Rescue - Award recommended to: PIERCE MANUFACTURING, INC. - (\$302,646 - Capital Projects Fund)
25. Approval of the issuance of a purchase order for a single purchase requirement of pharmaceutical supplies (KF) - Department of Fire & Rescue - Award recommended to: U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES (\$136,000 - Special Revenue Fund)
26. Approval of award of Bid Number 020031-TC, Annual Requirements Contract for Traffic and Zone Paint - Department of Public Works - Award recommended to: TMT PATHWAY, LLC (Estimated annual amount of \$120,000 - General Fund).
27. Approval of the issuance of purchase order for the purchase of copier machine maintenance - Various Departments - Award recommended to: XEROX CORPORATION (Estimated annual amount of \$115,000 - General Fund)
28. Approval of authorization to use the State of Nevada Request for Proposal Number 6394 for the purchase and maintenance of one (1) Xerox copier (CW) - Department of Information Technologies - Award recommended to: XEROX CORPORATION (Estimated amount of \$54,000 - Internal Service Fund)
29. Approval of rejection of bid and award of Bid Number 020012-TC, Open End Contract for End Dump Trailer and Mowers - Department of Field Operations - Award recommended to: TRUCK PARTS & EQUIPMENT (\$27,950 - Capital Projects Fund)

## **HUMAN RESOURCES DEPARTMENT - CONSENT**

30. Approval to contract with Standard Life & Accident for reinsurance (\$315,000 - Self-Insurance Internal Service Fund)

## **INFORMATION TECHNOLOGIES - CONSENT**

31. Approval of the Infragard Agreement between the city of Las Vegas and the Federal Bureau of Investigations

## **MUNICIPAL COURT - CONSENT**

32. Approval to extend the current first party collection agency services agreement with NCO Financial Systems, Inc. for a period of 12 months beginning December 31, 2001 through December 31, 2002 (\$152,752 - General Fund)
33. Approval to extend the current third party collection agency services agreement with NCO Financial Systems, Inc. for a period of 12 months beginning December 31, 2001 through December 31, 2002 (\$15,107 - General Fund)
34. Approval to enter into a third party collection agency services agreement with OSI Collection Services, Inc., Government Services Division for a period of 12 months beginning December 31, 2001 through December 31, 2002 (\$76,400 - General Fund)

## **NEIGHBORHOOD SERVICES DEPARTMENT - CONSENT**

35. Approval of assigning Deeds of Trust and Note on 808 and 820 West Lake Mead which secure a business loan made to Louis Conner to Nevada Title Company in exchange for all principal, interest, and foreclosure fee charges currently owed by him to the city - Ward 5 (Weekly)

## **PUBLIC WORKS DEPARTMENT - CONSENT**

36. Approval to appraise and purchase or condemn sewer easement parcels for the Jones Boulevard Sewer Project between Centennial Parkway and Farm Road (\$40,000 - Sanitation Funds) - Ward 6 (Mack)
37. Approval of a Declaration of Utilization from the Bureau of Land Management for a portion of the Southeast Quarter (SE 1/4) of Section 5, T20S, R60E, M.D.M., for sewer purposes located along the south side of the Hickam Avenue alignment and the west side of the Juliano Road alignment, east of El Capitan Way - 138-05-801-005 and 138-05-801-006 (County) near Ward 4 (Brown)
38. Approval of Interlocal Contract #386 by and between the City of Las Vegas, Clark County and the Regional Transportation Commission of Southern Nevada for right-of-way and design of the Alexander Road, Durango Drive to Rancho Drive improvements (\$625,000 - Regional Transportation Commission) Wards 4 and 6 (Brown and Mack)
39. Approval of Interlocal Contract #387 by and between the City of Las Vegas, Clark County and the Regional Transportation Commission of Southern Nevada for right-of-way and design of Tenaya Way, Beltway to Elkhorn Road improvements (\$410,000 - Regional Transportation Commission) - Ward 6 (Mack)
40. Approval of Interlocal Contract #388 by and between the City of Las Vegas, Clark County and the Regional Transportation Commission of Southern Nevada for right-of-way and design of the Alexander/Hualapai, Cheyenne Avenue to Durango Road improvements (\$700,000 - Regional Transportation Commission) - Ward 4 (Brown)

## PUBLIC WORKS DEPARTMENT - CONSENT

41. Approval of Interlocal Contract #389 by and between the City of Las Vegas, Clark County and the Regional Transportation Commission of Southern Nevada for right-of-way and design of the Jones Boulevard, Beltway to Elkhorn Road improvements (\$400,000 - Regional Transportation Commission) - Ward 6 (Mack)
42. Approval of Supplemental Interlocal Contract #319a by and between the City of Las Vegas, Clark County, the City of North Las Vegas and the Regional Transportation Commission of Southern Nevada for construction of Ann Road, US-95 to Decatur Boulevard (\$12,461,000 - Regional Transportation Commission) - Ward 6 (Mack)
43. Approval of an Encroachment Request from David P. James on behalf of Centennial Court, LLC, owner (Skypointe Drive at Buffalo Drive) - Ward 6 (Mack)
44. Approval of an Encroachment Request from Rich Brown on behalf of Clark County School Board of Trustees, owner (southwest corner of Vegas Drive and Robin Street) - Ward 5 (Weekly)
45. Approval of an Encroachment Request from Mike Bellon on behalf of Nine Parked Place, LLC, and Logan Realty Nevada, LLC, owners (Sahara Avenue approximately 1000' west of Rainbow Boulevard) - Ward 1 (M. McDonald)
46. Approval of an Encroachment Request from Chad Vellinga, P.E., Civil Engineer, on behalf of Juan Raul Acosta, owner (northwest corner of Commerce Street and Utah Avenue) - Ward 3 (Reese)
47. Approval of an Encroachment Request from VTN Nevada on behalf of Astoria Homes, owner (El Capitan Way between O'Hare Avenue and Iron Mountain Road) - Ward 6 (Mack)
48. Approval of Sewer Connection and Interlocal Contract with Clark County Sanitation District - Elizabeth Raymond, owner (north of Cheyenne Avenue, east of Garehime Avenue, APN 138-11-407-010) - Near Ward 6 (Brown)
49. Approval of an Encroachment Request from Donald Campbell on behalf of Evangelista, LLC, owner (southwest corner of Garces Avenue and Seventh Street) - Ward 5 (Weekly)
50. Approval of an Encroachment Request from David P. James on behalf of Centennial Crossroads Plaza, LLC, owner (northwest corner of Skypointe Drive and John Herbert Boulevard) - Ward 6 (Mack)
51. Approval of an Encroachment Request from Brechler and Bell Consulting Engineers, Incorporated, on behalf of LT Enterprises, LLC, owner (Leon Avenue south of Alexander Road) - Ward 6 (Mack)
52. Approval of a Professional Services Agreement with Stantec Consulting Inc., to provide a Master Plan and Schematic Design for Washington and Buffalo Park (\$197,670 - Capital Project Fund)-Ward 2 (L.B. McDonald)
53. Approval of Interlocal Agreement #107811 with the Las Vegas Valley Water District for the Rainbow Boulevard Improvements - Northern Section, Rancho Drive to Ann Road - Ward 6 (Mack)
54. Approval of a payment to Sprint Central Telephone Nevada for facility relocation costs related to the Valley View Storm Drain Phase 2 Project (\$60,000 - City of Las Vegas Nominal Drainage Fund) - Ward 1 (M. McDonald)
55. Approval of a Professional Services Agreement with Consultant Domingo Cambeiro Corporation for Architectural and Civil Engineering Construction Management services for the Northwest Family Golf Course and Park located at the northwest corner of Durango Road and Cheyenne Road (\$106,100 - Capital Projects Fund-Enterprise Fund) - Ward 4 (Brown)
56. Approval of a First Amendment to a Professional Services Agreement with TJ Consulting for Construction Management services for the Northwest Family Golf Course and Park located at the northwest corner of Durango Road and Cheyenne Road (\$241,795 - Capital Projects Fund-Enterprise Fund) - Ward 4 (Brown)

## RESOLUTIONS - CONSENT

57. R-151-2001 - 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 districts 404 and 707 located in Wards 2 and 4 (L.B. McDonald, Brown)
58. R-152-2001 - Approval of a Resolution directing the City Treasurer to prepare the Tenth Assessment Lien Apportionment Report re: Special Improvement District No. 808 Summerlin Area (Levy Assessments) - Ward 2 (L.B. McDonald)
59. R-153-2001 - Approval of a Resolution approving the Tenth Assessment Lien Apportionment Report regarding: Special Improvement District No. 808 Summerlin Area (Levy Assessments) - Ward 2 (L.B. McDonald)
60. R-154-2001 - Approval of a Resolution overruling complaints, protests and objections and confirming the final assessment roll for Special Improvement District No. 1469 – 4th Street (Washington Avenue to Adams Avenue) (\$50,771.11 – Capital Projects Fund – Special Assessments) – Ward 5 (Weekly)

## REAL ESTATE COMMITTEE – CONSENT

61. Approval authorizing staff to submit a letter to the Bureau of Land Management (BLM) amending the City's application for 600 acres of land to exclude 30 acres of BLM land located in the vicinity of Brent Lane and Fort Apache Road in favor of the Clark County School District (CCSD) - Ward 6 (Mack)
62. Approval of a Memorandum of Understanding (MOU) #2001-3 between the City of Las Vegas (City) and the Clark County School District (CCSD) which grants use of approximately 1-2 acres of land located at Gragson Elementary School, 555 North Honolulu Street to the City - Ward 3 (Reese)

## DISCUSSION / ACTION ITEMS

### ADMINISTRATIVE - DISCUSSION

63. Report from the City Manager on emerging issues
64. Discussion and possible action concerning the payment of utility costs associated with the operation of the Northwest Leisure Services Center – Ward 4 (Brown)

### CITY ATTORNEY - DISCUSSION

65. Discussion and possible action on Appeal of Work Card Denial: Kimberly Marie Cerillo, 2300 East Silverado Ranch Boulevard, Apt. 2144, Bldg. #17, Las Vegas, NV 89123
66. Discussion and possible action on Appeal of Work Card Denial: Approved December 20, 2001 subject to one year review: Ralph Eugene Gibson, Jr., 2200 South Fort Apache, Apt. 1195, Las Vegas, NV 89147
67. Discussion and possible action on Appeal of Work Card Denial: Leslie Ellen Bauer, 1250 American Pacific, Apt. 2814, Henderson, NV 89014
68. Discussion and possible action regarding Amended Four-Party Agreement to fund preliminary work regarding monorail project and accept request by Stratosphere Corporation to be removed from the Agreement and other matters pertaining thereto
69. Discussion and possible action to authorize the City Manager to approve refinancing of Fremont Street Experience Parking Corporation bank loan and to execute all necessary documents in connection therewith

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

70. Presentation and acceptance of the Comprehensive Annual Financial Report (CAFR) for the Fiscal Year Ended June 30, 2001
71. Discussion and possible action to amend the Parks Capital Project Fund (CPF) Priority List by re-allocating unobligated funds from completed or cancelled projects to new or adjusted project work scope
72. Discussion and possible action regarding Change of Ownership and Business name for a Tavern Liquor License and a new Restricted Gaming License for 15 slots subject to the provisions of the fire codes, Health Dept. regulations and approval by the Nevada Gaming Commission, From: J.U.N.K., Inc., dba The Junkyard, Sandra L. Wright, Dir, Secy, 50%, Angela J. Urgitano, Pres, Treas, 48%, George A. Lohr, 2%, To: Cavalier, Inc., dba Junkyard Lounge, 2327 South Eastern Ave., Adam B. Corrigan, Dir, Pres, Secy, Treas, 100% - Ward 3 (Reese)
73. Discussion and possible action regarding a new Independent Massage Therapist License, Rebecca J. Affleck, dba Rebecca J. Affleck, 4480 East Charleston Blvd., Rebecca J. Affleck, 100% - Ward 3 (Reese)
74. Discussion and possible action regarding Change of Ownership and Business Name for a Beer/Wine/Cooler Off-sale Liquor License subject to Health Dept. regulations, From: Kurtis K. Killinsworth, dba Basic Bargain, Kurtis K. Killinsworth, 100%, To: Selv, Inc., dba Friendly Market, 823 East Ogden Ave., Basim Shabo, Dir, Pres, Secy, Treas, 100% - Ward 5 (Weekly)
75. Discussion and possible action regarding Approval of Member for a Tavern Liquor License and a Restricted Gaming License for 14 slots subject to approval by the Nevada Gaming Commission, Lightman-Gourmet, LLC, dba The Gourmet Café, 330 South 3rd Street, Suite 100, Daniel D. Gans, Mmbr, 50% - Ward 3 (Reese)

## **HUMAN RESOURCES DEPARTMENT - DISCUSSION**

76. Discussion and possible action to allow consulting group OHMS, a Blue Cross/Blue Shield subsidiary, to assist the City in developing and implementing an enhanced safety/loss control program (\$70,879 - Internal Service Fund)

## **NEIGHBORHOOD SERVICES DEPARTMENT - DISCUSSION**

77. ABEYANCE ITEM - Discussion and possible action regarding reallocation of \$1,038,662.13 of Community Development Block Grant (CDBG) funds from various completed projects and program income to the Downtown Community Center with Progress Report of Center Status - Ward 5 (Weekly)
78. ABEYANCE ITEM - Discussion and possible action on a Professional Services Agreement with JMA Architecture Studios for Architectural and Engineering design services to rehabilitate the Downtown Community Center located at 302 South 9th Street for \$177,090 of Community Development Block Grant funding - Ward 5 (Weekly)
79. Discussion and possible action regarding the Interlocal Agreement between the City of Las Vegas and the Community College of Southern Nevada for the Opportunities for Displaced Workers Program - All Wards

## **RESOLUTIONS - DISCUSSION**

80. R-155-2001 - Discussion and possible action regarding a Resolution adopting The Historic John S. Park Neighborhood Plan as an Addendum to the Neighborhood Planning Process Component of the City of Las Vegas General Plan - Ward 3 (Reese)

## BOARDS & COMMISSIONS - DISCUSSION

81. ABEYANCE ITEM - ETHICS REVIEW BOARD – Earle W. White, Jr., Term Expiration 4-14-2001; Robert J. Fleming, Term Expiration 4-14-2001; Linda Young, Term Expiration 5-12-2001
82. ABEYANCE ITEM - Discussion and possible action on the two or four year appointment of the Ward 6 representative on the Ethics Review Board in accordance with Ordinance No. 5436, adopted August 1, 2001
83. SENIOR CITIZEN LAW PROJECT ADVISORY BOARD – Lisa Lubeck - Term Expires 1-17-2002
84. Appointment and Reappointment of Members to the Youth Neighborhood Association Partnership Program (YNAPP) Grant Review Board
85. COMMUNITY DEVELOPMENT RECOMMENDING BOARD (CDRB) – Cheryl Kight – Term Expires 5-21-2002 (Resigned)

## RECOMMENDING COMMITTEE REPORTS - DISCUSSION

### BILLS ELIGIBLE FOR ADOPTION AT THIS MEETING

86. Bill No. 2001-118 – Levies Assessment re: Special Improvement District No. 1482 – Gowan Road (Metro Park) from Hualapai Way to Jensen Street (\$65,331.88 - Capital Projects Fund - Special Assessments) – Ward 4 (Brown) 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.**

87. Bill No. 2001-83 – Establishes rules, regulations and business licensing requirements for farmers' markets. Proposed by: Mark Vincent, Director of Finance & Business Services
88. Bill No. 2001-115 – Requires certain disclosures in connection with the sale of a residence or residential lot. Sponsored by: Mayor Oscar B. Goodman
89. Bill No. 2001-119 – Annexation No. A-0024-99(A) – Property Location: On the northwest corner of Lone Mountain Road and Hualapai Way; Petitioned By: City of Las Vegas; Acreage: 207.25 acres; Zoned: R-U (County Zoning), U (PCD) (City Equivalent); Sponsored by: Councilman Michael Mack
90. Bill No. 2001-120 – Annexation No. A-0025-99(A) – Property Location: On the northwest corner of Iron Mountain Road and Hualapai Way; Petitioned By: City of Las Vegas; Acreage: 5.29 acres; Zoned: R-U (County Zoning), U (SC) (City Equivalent); Sponsored by: Councilman Michael Mack
91. Bill No. 2001-121 – Annexation No. A-0005-01(A) – Property Location: 150 feet south of Brooks Avenue and 130 feet east of Maverick Street; Petitioned By: Christopher and Sandra Payan; Acreage: 0.51 acres; Zoned: R-E (County Zoning), R-E (City Equivalent); Sponsored by: Councilman Michael Mack
92. Bill No. 2001-122 – Annexation No. A-0018-01(A) – Property Location: On the west side of Smith Street, 250 feet south of Vegas Drive; Petitioned By: Keith Cole; Acreage: 0.49 acres; Zoned: R-E (County Zoning), R-E (City Equivalent); Sponsored by: Councilman Lawrence Weekly
93. Bill No. 2001-123 – Annexation No. A-0019-01(A) – Property Location: On the southwest corner of Durango Drive and Fisher Avenue; Petitioned By: Ray and Laurie Newmiller, et al; Acreage: 1.92 acres; Zoned: R-E (County Zoning), R-E (City Equivalent); Sponsored by: Councilman Michael Mack

## RECOMMENDING COMMITTEE REPORTS - DISCUSSION

### BILLS ELIGIBLE FOR ADOPTION AT A LATER MEETING

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

94. Bill No. 2001-124 – Annexation No. A-0056-01(A) – Property Location: On the south side of Elkhorn Road, 700 feet east of Grand Canyon Drive; Petitioned By: Pardee Construction Company; Acreage: 2.52 acres; Zoned: R-E (County Zoning), U (L) (City Equivalent); Sponsored by: Councilman Michael Mack
95. Bill No. 2001-125 – Annexation No. A-0057-01(A) – Property Location: On the north side of Severence Lane, 330 feet west of Tee Pee Lane; Petitioned By: Perma-Bilt Homes; Acreage: 5.07 acres; Zoned: R-E (County Zoning), U (L) (City Equivalent); Sponsored by: Councilman Michael Mack
96. Bill No. 2001-126 – Annexation No. A-0072-01(A) – Property Location: On the northwest corner of Coke Street and Racel Street; Petitioned By: Zachary and Cara Clay; Acreage: 1.33 acres; Zoned: R-E (County Zoning), R-E (City Equivalent); Sponsored by: Councilman Michael Mack
97. Bill No. 2001-127 – Ordinance Creating Special Improvement District No. 1474 - Rainbow Boulevard (Silverstream Avenue to Smoke Ranch Road) Sponsored by: Step Requirement
98. Bill No. 2001-128 – Amends the Zoning Code to increase allowable wall heights in residential districts and eliminate the corresponding administrative deviation procedures. Proposed by: Robert S. Genzer, Director of Planning and Development
99. Bill No. 2001-129 - Provides for the removal and disposition of abandoned shopping carts. Sponsored by: Councilmen Michael J. McDonald and Michael Mack

## NEW BILLS

**THERE IS NO PUBLIC COMMENT ON THESE ITEMS. NEW BILLS ARE READ INTO THE RECORD AND REFERRED TO RECOMMENDING COMMITTEE FOR A SEPARATE HEARING TO RECEIVE PUBLIC TESTIMONY BEFORE ACTION BY THE COUNCIL AT A LATER MEETING. EXCEPTION: EMERGENCY BILLS OR THOSE ITEMS TO BE STRICKEN OR TABLED.**

100. Bill No. 2001-130 – Annexation No. A-0025-00(A) – Property Location: On the southeast corner of Azure Drive and Tenaya Way; Petitioned By: Serene Investments; Acreage: 1.46 acres; Zoned: R-E (County Zoning), U (R) (City Equivalent); Sponsored by: Councilman Michael Mack
101. Bill No. 2001-131 – Annexation No. A-0006-01(A) – Property Location: On the south side of Brooks Avenue, approximately 100 feet west of Jones Boulevard; Petitioned By: Kenneth and Kathryn Cypert; Acreage: 1.12 acres; Zoned: R-E (County Zoning), R-E (City Equivalent); Sponsored by: Councilman Michael Mack
102. Bill No. 2001-132 – Annexation No. A-0016-01(A) – Property Location: On the west side of Rio Vista Street, approximately 210 feet south of Azure Drive; Petitioned By: Nannette Prlina; Acreage: 0.52 acres; Zoned: R-E (County Zoning), R-E (City Equivalent); Sponsored by: Councilman Michael Mack
103. Bill No. 2001-133 – Annexation No. A-0017-01(A) – Property Location: On the west side of Quadrel Street, approximately 170 feet north of Hickam Avenue; Petitioned By: John and Lorinda Fowler; Acreage: 0.63 acres; Zoned: R-E (County Zoning), R-E (City Equivalent); Sponsored by: Councilman Larry Brown
104. Bill No. 2001-134 – Annexation No. A-0048-01(A) – Property Location: On the southeast corner of Hickam Avenue and Juliano Road; Petitioned By: Fiona Roberts and Carl Pappalardo; Acreage: 2.58 acres; Zoned: R-E (ROI to RNP1) (County Zoning), U (DR) (City Equivalent); Sponsored by: Councilman Larry Brown

## NEW BILLS

**THERE IS NO PUBLIC COMMENT ON THESE ITEMS. NEW BILLS ARE READ INTO THE RECORD AND REFERRED TO RECOMMENDING COMMITTEE FOR A SEPARATE HEARING TO RECEIVE PUBLIC TESTIMONY BEFORE ACTION BY THE COUNCIL AT A LATER MEETING. EXCEPTION: EMERGENCY BILLS OR THOSE ITEMS TO BE STRICKEN OR TABLED.**

105. Bill No. 2001-135 – Annexation No. A-0050-01(A) – Property Location: On the south side of Ahey Road, 280 feet west of Buffalo Drive; Petitioned By: Nevada Homes Group; Acreage: 2.63 acres; Zoned: R-E (County Zoning), U (L) (City Equivalent); Sponsored by: Councilman Larry Brown
106. Bill No. 2001-136 – Annexation No. A-0053-01(A) – Property Location: On the south side of Farm Road, approximately 670 feet east of Grand Canyon Drive; Petitioned By: Mark Sharp, et al.; Acreage: 5.07 acres; Zoned: R-E (County Zoning), U (L) (City Equivalent); Sponsored by: Councilman Michael Mack
107. Bill No. 2001-137 – Annexation No. A-0055-01(A) – Property Location: On the north side of Deer Springs Way, approximately 660 feet west of Fort Apache Road; Petitioned By: Reginald and Alfrieda Scott; Acreage: 5.05 acres; Zoned: R-E (County Zoning), U (L-TC) (City Equivalent); Sponsored by: Councilman Michael Mack
108. Bill No. 2001-138 – Annexation No. A-0064-01(A) – Property Location: On the south side of Gowan Road, approximately 660 feet east of Durango Drive; Petitioned By: A & A Mountanos 1999 Revocable Living Trust; Acreage: 2.66 acres; Zoned: R-E (County Zoning), U (ML) (City Equivalent); Sponsored by: Councilman Larry Brown
109. Bill No. 2001-139 – Amends the Town Center Development Standards Manual as it relates to residential development. Proposed by: Robert S. Genzer, Director of Planning and Development
110. Bill No. 2001-140 – Conforms the City's campaign contribution and campaign expenditure reporting requirements to those of State law. Sponsored by: Councilwoman Lynette Boggs McDonald
111. Bill No. 2001-141 – Adopts the Transportation Trails Element of the Las Vegas 2020 Master Plan. Proposed by: Robert S. Genzer, Director of Planning and Development
112. Bill No. 2001-142 – Adopts the Recreation Trails Element of the Las Vegas 2020 Master Plan. Proposed by: Robert S. Genzer, Director of Planning and Development
113. Bill No. 2001-143 – Adopts special sign standards applicable to a portion of the Downtown Casino Overlay District. Sponsored by: Councilmen Lawrence Weekly and Gary Reese
114. Bill No. 2001-144 – Annexation No. A-0045-99(A) – Property Location: On the northeast corner of Lone Mountain Road and Valdez Street; Petitioned By: Eagle Dancer, L.L.C.; Acreage: 16.31 acres; Zoned: R-E (County Zoning), R-E (City Equivalent); Sponsored by: Councilman Michael Mack
115. Bill No. 2001-145 – Increases the compensation payable to members of the Planning Commission as authorized by State law. Proposed by: Robert S. Genzer, Director of Planning and Development
116. Bill No. 2001-146 – Levies Assessment re: Special Improvement District No. 1469 – 4<sup>th</sup> Street (Washington Avenue to Adams Avenue) (\$50,771.11 – Capital Projects Fund – Special Assessments) – Ward 5 (Weekly) Sponsored by: Step Requirement

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

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

## PUBLIC HEARINGS - DISCUSSION

118. Public hearing on local improvement district regarding: Special Improvement District No. 1463 – Bonanza Village Subdivision – Security Wall (\$824,698.56 - Capital Projects Fund - Special Assessments) - Ward 5 (Weekly)
119. Public hearing to consider the report of expenses to recover costs for abatement of dangerous building located at 4840 West Charleston Blvd. PROPERTY OWNER: MCDONALDS CORP. c/o #027/0003 - Ward 1 (M. McDonald)
120. Public hearing to consider the report of expenses to recover costs for abatement of dangerous building located at 708 Delta Street. PROPERTY OWNER: EQUICREDIT CORPORATION OF NV - Ward 3 (Reese)

## PLANNING & DEVELOPMENT DEPARTMENT

The items listed below, where appropriate, have been reviewed by the various City departments relative to requirements for storm drainage and flood control, connection to sanitary sewer, traffic circulation, and building and fire regulations. Their comments and/or recommendations and requirements have been incorporated into the action.

## PLANNING & DEVELOPMENT DEPARTMENT – CONSENT

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

121. EXTENSION OF TIME - SPECIAL USE PERMIT - U-0133-99(2) - FARM & ALEXANDER PROPERTIES LIMITED LIABILITY COMPANY - Request for an Extension of Time of an approved Special Use Permit FOR THE SALE OF BEER AND WINE FOR OFF-PREMISE CONSUMPTION IN CONJUNCTION WITH A PROPOSED CONVENIENCE STORE on property located adjacent to the southeast corner of Alexander Road and Tenaya Way (APN: 138-10-516-001), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial), Ward 4 (Brown). The Planning Commission (6-0 vote) and staff recommend APPROVAL
122. EXTENSION OF TIME - SPECIAL USE PERMIT - U-0134-99(2) - FARM & ALEXANDER PROPERTIES LIMITED LIABILITY COMPANY - Request for an Extension of Time of an approved Special Use Permit FOR GASOLINE SALES IN CONJUNCTION WITH A PROPOSED CONVENIENCE STORE on property located adjacent to the southeast corner of Alexander Road and Tenaya Way (APN: 138-10-516-001), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial), Ward 4 (Brown). The Planning Commission (6-0 vote) and staff recommend APPROVAL

## PLANNING & DEVELOPMENT DEPARTMENT – DISCUSSION

123. DIRECTOR'S BUSINESS - PUBLIC HEARING - DB-0012-01 - CITY OF LAS VEGAS - Discussion and possible Action on the Rancho Charleston Land Use Study and Strategic Plan, Ward 1 (M. McDonald). The Planning Commission (3-0-2 vote) and staff recommend APPROVAL
124. ABEYANCE ITEM - MAJOR MODIFICATION - IRON MOUNTAIN RANCH RESIDENTIAL PLANNED DEVELOPMENT MASTER PLAN - PUBLIC HEARING - Z-0016-98(4) - WILLIAM LYON HOMES - Request for a Major Modification to the Iron Mountain Ranch Residential Planned Development Master Plan TO REMOVE APPROXIMATELY 40 ACRES FROM THE OVERALL PLAN AREA at the northeast corner of the intersection of Jones Boulevard and Grand Teton Drive (APN: 125-12-401-001), R-E (Residence Estates) Zone under Resolution of Intent to R-PD2 (Residential Planned Development - 2 Units Per Acre), [PROPOSED: R-PD2 (Residential Planned Development - 2 Units Per Acre)], Ward 6 (Mack). The Planning Commission (4-1-1 vote) and staff recommend DENIAL

## PLANNING & DEVELOPMENT DEPARTMENT – DISCUSSION

125. SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - Z-0025-01(1) - CHARLESTON AUTO PARTS PROFIT SHARING TRUST ON BEHALF OF WILLIAM LYON HOMES - Request for a Site Development Plan Review FOR A 70-LOT SINGLE FAMILY RESIDENTIAL SUBDIVISION on approximately 40 acres adjacent to the northeast corner of Grand Teton Drive and Jones Boulevard (APN: 125-12-401-001), R-E (Residence Estates) Zone, PROPOSED: R-PD2 (Residential Planned Development - 2 Units per Acre), Ward 6 (Mack). The Planning Commission (4-0 vote) and staff recommend APPROVAL
126. SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - Z-0072-01(1) - MATONOVICH FAMILY TRUST ON BEHALF OF KB HOME NEVADA, INC. - Request for a Site Development Plan Review FOR A 32-LOT SINGLE-FAMILY RESIDENTIAL SUBDIVISION on 5.21 Acres adjacent to the southeast corner of Campbell Road and Alexander Road (APN: 138-08-101-005 & 006), U (Undeveloped) Zone [L (Low Density Residential) General Plan Designation], PROPOSED: R-PD6 (Residential Planned Development - 6 Units per Acre), Ward 4 (Brown). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL
127. SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - Z-0014-62(1) - D & W INC. ON BEHALF OF NEXTEL COMMUNICATIONS - Request for a Site Development Plan Review FOR THE CO-LOCATION OF ANTENNA ARRAYS ON AN EXISTING 60 FOOT TALL WIRELESS COMMUNICATION MONOPOLE TOWER on property located at 232 North Jones Boulevard (APN: 138-25-404-001), C-1 (Limited Commercial) Zone, Ward 1 (M. McDonald). Staff recommends DENIAL. The Planning Commission (5-1 vote) recommends APPROVAL
128. SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - Z-0076-98(24) - MONTECITO DOWNTOWN, LIMITED LIABILITY COMPANY - Request for a Site Development Plan Review FOR A PROPOSED 361,560 SQUARE FOOT RETAIL COMMERCIAL CENTER on 38.78 Acres adjacent to the southeast corner of El Capitan Way and Deer Springs Way (APN: 125-20-701-001), T-C (Town Center) Zone [UC-TC (Urban Center Mixed Use - Town Center) Land Use Designation], Ward 6 (Mack). Staff recommends DENIAL. The Planning Commission (6-0 vote) recommends APPROVAL
129. REQUIRED ONE YEAR REVIEW - VARIANCE - PUBLIC HEARING - V-0069-95(4) - K & C PROPERTY MANAGEMENT CORPORATION ON BEHALF OF LAMAR OUTDOOR ADVERTISING, INC. - Required One Year Review of an approved Variance WHICH ALLOWED A 672 SQUARE-FOOT, OFF-PREMISE ADVERTISING (BILLBOARD) SIGN 625 FEET FROM AN EXISTING OFF-PREMISE ADVERTISING (BILLBOARD) SIGN WHERE 750 FEET IS THE MINIMUM DISTANCE SEPARATION REQUIRED at 1501 West Sahara Avenue (APN: 162-09-110-003), M (Industrial) Zone, Ward 3 (Reese). The Planning Commission (6-0 vote) and staff recommend APPROVAL
130. VARIANCE - PUBLIC HEARING - V-0072-01 - PONCIANO AND MARGARITA VEGA - Request for a Variance TO ALLOW AN EXISTING CARPORT STRUCTURE SIX FEET FROM THE FRONT PROPERTY LINE WHERE 20 FEET IS THE MINIMUM SETBACK REQUIRED located at 1805 South Ninth Street (APN: 162-03-712-021), R-1 (Single Family Residential) Zone, Ward 3 (Reese). The Planning Commission (6-0 vote) and staff recommend APPROVAL
131. VARIANCE - PUBLIC HEARING - V-0073-01 - FREE ENTERPRISE INSTITUTE, LIMITED LIABILITY COMPANY ON BEHALF OF GREAT AMERICAN CAPITAL - Request for a Variance TO ALLOW 315 PARKING SPACES WHERE 405 PARKING SPACES ARE REQUIRED on property located adjacent to the southeast corner of Regatta Drive and Breakwater Drive (APN: 138-16-714-001), C-1 (Limited Commercial) Zone, Ward 4 (Brown). Staff recommends DENIAL. The Planning Commission (6-0 vote) recommends APPROVAL
132. SITE DEVELOPMENT PLAN REVIEW RELATED TO V-0073-01 - PUBLIC HEARING - Z-0121-87(1) - FREE ENTERPRISE INSTITUTE, LIMITED LIABILITY COMPANY ON BEHALF OF GREAT AMERICAN CAPITAL - Request for a Site Development Plan Review TO ALLOW A PROPOSED 8,325 SQUARE FOOT SYNAGOGUE on property located adjacent to the southeast corner of Regatta Drive and Breakwater Drive (APN: 138-16-714-001), C-1 (Limited Commercial) Zone, Ward 4 (Brown). Staff recommends DENIAL. The Planning Commission (6-0 vote) recommends APPROVAL

## PLANNING & DEVELOPMENT DEPARTMENT – DISCUSSION

- 133.VARIANCE - PUBLIC HEARING - V-0078-01 - MBP INDUSTRIES LC ON BEHALF OF ULTIMATE COLLISION - Request for a Variance TO ALLOW 67 PARKING SPACES WHERE 88 PARKING SPACES ARE THE MINIMUM REQUIRED in conjunction with a proposed auto paint and body shop adjacent to the west side of Rancho Drive, approximately 265 feet north of Cheyenne Avenue (APN: 139-12-801-009), C-2 (General Commercial) Zone, Ward 6 (Mack). The Planning Commission (4-0 vote) and staff recommend APPROVAL
- 134.SITE DEVELOPMENT PLAN REVIEW RELATED TO V-0078-01 - PUBLIC HEARING - SD-0055-01 - MBP INDUSTRIES LC ON BEHALF OF ULTIMATE COLLISION - Request for a Site Development Plan Review FOR A PROPOSED 15,880 SQUARE FOOT AUTO PAINT & BODY REPAIR SHOP on 1.3 acres adjacent to the west side of Rancho Drive, approximately 265 feet north of Cheyenne Avenue, (APN: 138-12-801-009), C-2 (General Commercial) Zone, Ward 6 (Mack). The Planning Commission (5-0 vote) and staff recommend APPROVAL
- 135.ABEYANCE ITEM - SPECIAL USE PERMIT RELATED TO V-0078-01 AND SD-0055-01 - PUBLIC HEARING - U-0124-01 - MBP INDUSTRIES, LC ON BEHALF OF ULTIMATE COLLISION - Request for a Special Use Permit FOR A PROPOSED AUTO PAINT & BODY REPAIR SHOP on 1.3 acres on the west side of Rancho Drive, approximately 265 feet north of Cheyenne Avenue (APN: 138-12-801-009), C-2 (General Commercial) Zone, Ward 6 (Mack). The Planning Commission (5-0 vote) and staff recommend APPROVAL
- 136.REQUIRED SIX MONTH REVIEW - SPECIAL USE PERMIT - PUBLIC HEARING - U-0048-01(1) - PLAZA NORTH ON BEHALF OF DON AND CLAUDIA GLOUDE - Required Six Month Review on an approved Special Use Permit which allowed a Restaurant Service Bar in conjunction with an existing restaurant (Taste of N'Awlins) at 9320 Sun City Boulevard, #101 (APN: 138-18-614-001), PC (Planned Community) Zone, Ward 4 (Brown). Staff recommends APPROVAL
- 137.REQUIRED ONE YEAR REVIEW - SPECIAL USE PERMIT - PUBLIC HEARING - U-0052-95(2) - AMBER INVESTMENT COMPANY ON BEHALF OF LAMAR OUTDOOR ADVERTISING COMPANY - Required One Year Review of an approved Special Use Permit WHICH ALLOWED A 14 FOOT BY 48 FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 336 West Sahara Avenue (APN: 162-04-807-002), C-1 (Limited Commercial) Zone, Ward 3 (Reese). The Planning Commission (6-0 vote) and staff recommend APPROVAL
- 138.REQUIRED ONE YEAR REVIEW - SPECIAL USE PERMIT - PUBLIC HEARING - U-0002-98(2) - SG PROPERTIES, LIMITED LIABILITY COMPANY ON BEHALF OF LAMAR OUTDOOR ADVERTISING COMPANY - Required One Year Review on a Special Use Permit WHICH ALLOWED A 55 FOOT TALL, DOUBLE-FACED 14 FOOT BY 48 FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 845 West Bonanza Road (APN: 139-28-801-008), M (Industrial) Zone, Ward 5 (Weekly). The Planning Commission (6-0 vote) and staff recommend APPROVAL
- 139.SPECIAL USE PERMIT - PUBLIC HEARING - U-0135-01 - FARM & ALEXANDER PROPERTIES, LIMITED LIABILITY COMPANY - Request for a Special Use Permit FOR A PROPOSED 70,185 SQUARE FOOT MINI-STORAGE FACILITY located adjacent to the southeast corner of Alexander Road and Tenaya Way (APN: 138-10-516-001), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial), Ward 4 (Brown). The Planning Commission (6-0 vote) and staff recommend APPROVAL
- 140.SPECIAL USE PERMIT - PUBLIC HEARING - U-0136-01 - FARM & ALEXANDER PROPERTIES, LIMITED LIABILITY COMPANY - Request for a Special Use Permit for a PROPOSED CAR WASH IN CONJUNCTION WITH A PROPOSED CONVENIENCE STORE on property located adjacent to the southeast corner of Alexander Road and Tenaya Way (APN: 138-10-516-001), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial), Ward 4 (Brown). The Planning Commission (6-0 vote) and staff recommend APPROVAL
- 141.SPECIAL USE PERMIT - PUBLIC HEARING - U-0137-01 - JORGE MELENDEZ ON BEHALF OF ALPINE FIXTURES - Request for a Special Use Permit FOR A SECONDHAND DEALER OF USED RESTAURANT EQUIPMENT located at 1317 South Main Street (APN's: 162-03-110-085 and 086), C-M (Commercial Industrial) Zone, Ward 3 (Reese). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL

**PLANNING & DEVELOPMENT DEPARTMENT – DISCUSSION**

142. REZONING - PUBLIC HEARING - Z-0070-01 - LOVE FAMILY TRUST, ET AL ON BEHALF OF SPRING MOUNTAIN RANCH, LIMITED LIABILITY COMPANY - Request for a Rezoning FROM: U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] and R-E (Residence Estates) Zone TO: R-PD6 (Residential Planned Development - 6 Units per Acre) on 35.93 acres adjacent to southeast corner of the Fort Apache Road and Log Cabin Way alignments (APN: 125-05-301-001, 002, 003, 005, 006, 007, and 008), PROPOSED USE: SINGLE FAMILY RESIDENTIAL, Ward 6 (Mack). Staff recommends DENIAL. The Planning Commission (4-0-2 vote) recommends APPROVAL
143. SITE DEVELOPMENT PLAN REVIEW RELATED TO Z-0070-01 - PUBLIC HEARING - Z-0070-01(1) - LOVE FAMILY TRUST, ET AL ON BEHALF OF SPRING MOUNTAIN RANCH, LIMITED LIABILITY COMPANY - Request for a Site Development Plan Review FOR A 208-LOT SINGLE FAMILY RESIDENTIAL DEVELOPMENT on 35.93 acres adjacent to southeast corner of the Fort Apache Road and Log Cabin Way alignments (APN: 125-05-301-001, 002, 003, 005, 006, 007, and 008), U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] and R-E (Residence Estates) Zone, PROPOSED: R-PD6 (Residential Planned Development - 6 Units per Acre, Ward 6 (Mack). Staff has no recommendation. The Planning Commission (4-0-2 vote) recommends APPROVAL
144. SET DATE ON ANY APPEALS FILED OR REQUIRED PUBLIC HEARINGS FROM THE CITY PLANNING COMMISSION MEETINGS AND DANGEROUS BUILDINGS OR NUISANCE/LITTER ABATEMENTS

**ADDENDUM**

**CITIZENS PARTICIPATION**

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

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

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

**EXHIBIT B**

**(Attach Copy of Notice of January 16, 2002 Meeting)**

# CITY COUNCIL AGENDA

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## CITY COUNCIL AGENDA

COUNCIL CHAMBERS • 400 STEWART AVENUE • PHONE 229-6011

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

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

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

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

**JANUARY 16, 2002**

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

DUPLICATE AUDIO TAPES ARE AVAILABLE AT A COST OF \$3.00 PER TAPE AND DUPLICATE VIDEO TAPES ARE 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 JON IERLEY, CELEBRATION UNITED METHODIST CHURCH
- PLEDGE OF ALLEGIANCE
- RECOGNITION OF EMPLOYEE OF THE MONTH
- RECOGNITION OF SENIOR OF THE QUARTER
- RECOGNITION AND PROCLAMATION PRESENTATION TO JENNIFER SPREITZER, SCHOOL TEACHER FROM LAURA DEARING ELEMENTARY
- RECOGNITION OF SCENIC BYWAYS DESIGNATION AND ITS COMMITTEE MEMBERS

## **BUSINESS ITEMS**

1. Any items from the morning session that the Council, staff and/or the applicant wishes to be stricken or held in abeyance to a future meeting may be brought forward and acted upon at this time
2. Approval of the Final Minutes by reference of the Regular City Council Meeting of December 19, 2001

## **CONSENT AGENDA**

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

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

3. Approval of Service and Material Checks/Payroll Checks/Wire Transfers/Other Checks and Investments
4. Approval of a new Family Child Care Home License, Vicki Hall, 3505 Kilbarry Court, Vicki Hall, 100% - Ward 4 (Brown)
5. Approval of a new Family Child Care Home License, Rhona Owens-Esparza, 7321 Braswell Drive, Rhona Owens-Esparza, 100% - Ward 2 (L.B. McDonald)
6. Approval of a new Family Child Care Home License, Rita Tryon, 5528 Goldbrush Street, Rita Tryon, 100% - Ward 6 (Mack)
7. Approval of a Special Event Liquor License for Gateway Arts Association, Location: 107 East Charleston Blvd., Date: January 19, 2002, Type: Special Event General, Event: Art and Music Festival, Responsible Person in Charge: Catherine Dixon - Ward 3 (Reese)
8. Approval of a new Supper Club Liquor License, ARG Enterprises, Inc., dba Stuart Anderson's Black Angus, 2025 Village Center Circle, Ralph S. Roberts, Dir, Pres, COO, Patrick J. Kelvie, Dir, VP, Secy, Treas - Ward 4 (Brown)
9. Approval of Change of Ownership, Location and Business Name for a Tavern Liquor License subject to the provisions of the fire codes and Health Dept. regulations, From: Kehlo, Ltd., dba Mad Dogs & Englishmen Pub, 511-515 Las Vegas Blvd., South (Non-operational), Kenneth E. Hopkins, Dir, Pres, 50%, Laurie J. Oliver, Dir, Secy, Treas, 50%, To: Bola III, LLC, dba La Salsa Fresh Mexican Grill, 4949 North Rancho Drive, Lawrence T. Simon, Mgr, Mmbr and Monica A. Simon, Mgr, Mmbr, 13.77% jointly as husband and wife, Robert H. Whalen, Mgr, Mmbr, 5.3%, Laura A. Cunningham, Mgr, Mmbr, 1.06%, Nevada Franchise, LLC, Mmbr, 79.87%, Lawrence T. Simon, Mgr, Pres, Secy, Treas, SFFG, LLC, Mmbr, 100%, Lawrence T. Simon, Pres, Secy, Treas - Ward 6 (Mack)
10. Approval of Key Employee for a Package Liquor License, American Drug Stores, Inc., dba Sav-On Drugs #9017, 160 South Rainbow Blvd., Raymond S. Taylor, Gen Mgr - Ward 2 (L.B. McDonald)
11. Approval of Key Employee for a Package Liquor License, American Drug Stores, Inc., dba Albertson's Store #6045, 1760 East Charleston Blvd., Eric S. Bartlett, Gen Mgr - Ward 3 (Reese)
12. Approval of Key Employee for a Package Liquor License, American Drug Stores, Inc., dba Albertson's Store #6008, 4421 East Bonanza Rd., Brian M. Ashton, Gen Mgr - Ward 3 (Reese)
13. Approval of Key Employee for a Beer/Wine/Cooler Off-sale Liquor License, Albertson's Inc., dba Albertson's Express #6008, 4401 East Bonanza Rd., Brian M. Ashton, Gen Mgr - Ward 3 (Reese)

## FINANCE & BUSINESS SERVICES DEPARTMENT - CONSENT

14. Approval of Key Employee for a Package Liquor License, American Drug Stores, Inc., dba Albertson's Store #6030, 2400 East Bonanza Rd., Gerald L. Weddle, Gen Mgr - Ward 3 (Reese)
15. Approval of Change of Business Location and Business Name for a Burglar Alarm Service License, Security Guard ITT Alarm Systems of Las Vegas, Inc., dba From: Security Guard ITT Alarm Systems, 3254 Civic Center Drive, Suite A, To: Security Guard ITT of Las Vegas, 3925 North Martin L. King Blvd., Suite 111, Samuel C. Moore, Pres, Secy, Treas, 100% - North Las Vegas
16. Approval of Change of Location for a Burglar Alarm Service License, ASLC, Inc., dba ASLC, Inc., From: 8610 South Eastern Ave., Suite 9, To: 6201 Industrial Road, Harris H. Bass, Pres, Secy, Daniel J. Pike, VP, Karen L. Miller, Treas, Larry E. Smith, QE - County
17. Approval of a new Independent Massage Therapist License, Hong Ping Summers, dba Hong Ping Summers, 6236 Hobart Ave., Hong P. Summers, 100% - Ward 1 (M. McDonald)
18. Approval of a new Independent Massage Therapist License, Pamela Garrett, dba The Art of Touch, 3300 North Tenaya Way, Unit 2041, Pamela M. Garrett, 100% - Ward 4 (Brown)
19. Approval of a new Independent Massage Therapist License, Laura C. Vanderburg, dba The Essence of Body Therapy, 4490 South Chessie Court, #B, Laura C. Vanderburg, 100% - County
20. Approval of Change of Location for an Independent Massage Therapist License, Kimberly Brooke Southard, dba Kimberly Brooke Southard, From: 2922 Lake East Drive, To: 2908 Lake East Drive, Kimberly B. Southard, 100% - Ward 2 (L.B. McDonald)
21. Approval of Change of Location for an Independent Massage Therapist License, Patrick Brittain, dba Patrick Brittain, From: 2922 Lake East Drive, To: 2908 Lake East Drive, Patrick Brittain, 100% - Ward 2 (L.B. McDonald)
22. Approval of Change of Location for an Independent Massage Therapist License, Deborah K. Cline, dba Golden Hands, From: 4021 Olive Street, To: 5727 Golden Leaf Ave., Deborah K. Cline, 100% - County
23. Approval of new Locksmith License, Pal Management Corporation, dba Pop-A-Lock, 152 Banks Ave., Carl W. Vincent, Dir, Pres, Treas, 50%, Stephen D. Gremillion, Dir, VP, Secy, 50% - Lafayette, LA
24. Approval of a new Martial Arts Instruction Business License, Amilcar Cipili, dba BR JiuJitsu, 5640 West Charleston Blvd., #D, Amilcar S. Cipili, 100% - Ward 1 (M. McDonald)
25. Approval of a new Massage Establishment License subject to the provisions of the planning and fire codes, Body & Spirit Massage, Inc., dba Body & Spirit Massage, 10300 West Charleston Blvd., Suite 17, Nicolette K. Davis, Dir, Pres, Secy, Treas, 100% - Ward 2 (L.B. McDonald)
26. Approval of Change of Location for a Massage Establishment License, Kimberly Brooke Southard, dba Pat On The Back, From: 2922 Lake East Drive, To: 2908 Lake East Drive, Kimberly B. Southard, 100% - Ward 2 (L.B. McDonald)
27. Approval of Change of Location and Business Name for a Massage Establishment License, Asian, Inc., dba From: 5000 Oakey Health Center, 5000 West Oakey Blvd., Suite D-2, To: Asiana Massage, 2922 Lake East Drive, Zhu H. Liu, Dir, Pres, Secy, Treas, 100% - Ward 2 (L.B. McDonald)
28. Approval of Change of Ownership and Business Location for a Massage Establishment License subject to the provisions of the planning and fire codes, From: Tex O. Holster, dba Paradise Spa, 2127 Paradise Rd., Suite B, Tex O. Holster, 100%, To: Qing Lou, dba Paradise Spa, 2120 Paradise Rd., Suites A & B, Qing Lou, 100% - Ward 3 (Reese)
29. Approval of Change of Location for a Massage Establishment License subject to the provisions of the planning and fire codes, Paula Spradling, dba Health & Beauty Zone Day Spa, From: 7310 Smoke Ranch Rd., Suite M, To: 2620 Regatta Dr., Suites 112 & 113, Paula Spradling, 100% - Ward 4 (Brown)

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

30. Approval of revision number one to purchase order number 209316(RC), Annual Requirements Contract for Food Services for Detention - Department of Detention and Enforcement - Award recommended to: INSTITUTIONAL FOODSERVICE MANAGEMENT (\$165,000 - General Fund)
31. Approval of Interlocal Cooperative Agreement and the issuance of a purchase order to provide snacks for the Department of Leisure Services' Safekey programs (CW) - Department of Leisure Services - Award recommended to: CLARK COUNTY SCHOOL DISTRICT (Estimated amount of \$504,000 - General Fund)
32. Approval of award of Bid Number 02.1730.12-RC, Stewart Avenue Sidewalk Infill - Maryland Parkway to Flower and approve the construction conflicts and contingency reserve set by Finance and Business Services - Department of Public Works - Award recommended to: CAPRIATI CONSTRUCTION (\$562,278 - Special Revenue Fund) - Wards 3 & 5 (Reese & Weekly)
33. Approval of award of Bid Number 02.15341.01-LED, Construction of Fire Station #43 and approve the construction conflicts & contingency reserve set by Finance and Business Services - Department of Public Works - Award recommended to: CRISCI CUSTOM BUILDERS (\$2,433,598 - Capital Projects Fund) - Ward 5 (Weekly)
34. Preapproval of award of Bid Number 02.1730.19-RC, Tropical Parkway/Azure Drive Overpass to the lowest responsive and responsible bidder or best bidder and approve the construction conflicts & contingency reserve set by Finance and Business Services - Department of Public Works (monetary range \$5,000,000 to \$6,000,000 - Road & Flood CIP - NDOT Agreement) - Ward 6 (Mack)

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

35. Approval of a Mutual Aid Agreement with Nellis Air Force Base for fire protection and hazardous material incident response - All Wards
36. Approval to appoint Fire Communications Supervisor Louis Amell to serve on the Southern Nevada Area Communications Council Board on behalf of the City of Las Vegas - All Wards

## **NEIGHBORHOOD SERVICES DEPARTMENT - CONSENT**

37. Approval of a Professional Services Agreement with Alarmco Inc. for the installation of an alarm system at the Fellowship Hall and Sanctuary Buildings of the Downtown Community Center located at 302 South 9th Street in the amount of \$2,825 for installation and \$60 monthly monitoring service fee to be paid from Community Development Block Grant funds - Ward 5 (Weekly)

## **PUBLIC WORKS DEPARTMENT - CONSENT**

38. Approval of Interlocal Contract #390 between the City of Las Vegas and the Regional Transportation Commission of Southern Nevada for a Research Project (ground vibrations associated with compaction equipment) - (\$100,000 - Regional Transportation Commission) - All Wards
39. Approval of Interlocal Contract #392 between the City of Las Vegas and the Regional Transportation Commission of Southern Nevada for the Casino Center One Way Couplet with 4th Street (\$200,000 - Regional Transportation Commission) - Wards 3 & 5 (Reese & Weekly)
40. Approval of Interlocal Contract LAS.19.B.01, a replacement contract between the City of Las Vegas and the Clark County Regional Flood Control District for construction of the Owens Avenue System (Rancho Drive to I-15) - (\$4,648,878 - Clark County Regional Flood Control District) - Ward 5 (Weekly)

## **PUBLIC WORKS DEPARTMENT - CONSENT**

41. Approval of a Real Property Purchase Agreement and Escrow Instructions with Jermac, a Nevada limited liability company for the purchase of right-of-way on the west side of Rainbow Boulevard, north of Vegas Drive, required for the Rainbow Boulevard Improvement Project - Silverstream Avenue to Smoke Ranch Road (\$785,865 - Regional Transportation Commission) - Ward 4 (Brown)
42. Approval of a Contract Modification with Las Vegas Paving Corporation, general contractor for the I-15 Freeway Channel project (\$700,000 - Clark County Regional Flood Control District) - Ward 1 (M. McDonald)
43. Approval of an Encroachment Request from Kenneth J. Erlanger on behalf of Casino Garces, LLC, owner (southwest corner of Garces Avenue and Casino Center Boulevard) - Ward 3 (Reese)
44. Approval of an Encroachment Request from R.R. Properties, LLC, owner (Fourth Street south of Gass Avenue) - Ward 5 (Weekly)

## **REAL ESTATE COMMITTEE – CONSENT**

45. Approval authorizing staff to submit an application to the Bureau of Land Management (BLM) for 30 acres of land located in the vicinity of Azure Drive and El Capitan Way for a public park (\$100 - Public Works/Real Estate/Rental of Land) - County (Near Ward 6)
46. Approval of a Lease Agreement between the City of Las Vegas and Nevada Youth Football for office space located at 1651 South Buffalo Drive - Ward 1 (M. McDonald)
47. Approval to authorize the lease and renovation of office space located at 1052 West Owens Avenue within Nucleus Plaza Shopping Center and approval of expenditures not to exceed \$45,000 to Priority One Commercial, acting on behalf of the City of Las Vegas as rental agent (\$45,000 - Community Development Block Grant/Program Income) - Ward 5 (Weekly)
48. Approval of a request to allow the transfer of title of portions of land to individual members of the LLC listed in the Real Property Purchase and Sale Agreement executed May 16, 2001, between the City of Las Vegas and Box Canyon Professional Park, LLC for property located in the Las Vegas Technology Center - Ward 4 (Brown)

## **DISCUSSION / ACTION ITEMS**

### **ADMINISTRATIVE - DISCUSSION**

49. Report from the City Manager on emerging issues
50. Report and possible action on the outcome of the 2001 federal legislative efforts and on the 2002 Federal Legislative Plan and Priorities
51. Report and possible action on the sale of advertising on City of Las Vegas property
52. Discussion and possible action on operating principles for the sale of advertising on City of Las Vegas property
53. Report and possible action on the receipt by the City of a 1.75 million dollar appropriation from the Federal Government toward funding for displaced worker initiatives and assistance in response to the September 11, 2001, post-terrorist attack layoffs

## **BUSINESS DEVELOPMENT - DISCUSSION**

54. Report on downtown multipurpose Events Arena by Las Vegas Events Center, Inc. located at the northeast corner of Main Street and Stewart Avenue - Ward 5 (Weekly)

## **CITY ATTORNEY - DISCUSSION**

55. Discussion and possible action on Appeal of Work Card Denial: Sherrie Lea Vandament, 2630 Sherwood #6, Las Vegas, NV 89109

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

56. ABEYANCE ITEM - Presentation and acceptance of the Comprehensive Annual Financial Report (CAFR) for the Fiscal Year Ended June 30, 2001
57. Discussion and possible action to transfer \$24,000 in funding from the General Fund to the Fire Services Capital Project Fund (CPF) for the kitchen remodel at Fire Station 5 - Ward 1 (M. McDonald)
58. Discussion and possible action to transfer \$186,000 in funding from the Automotive Services Internal Service Fund (ISF) to the City Facilities Capital Project Fund (CPF) for the completion of the Automated Fuel System Project
59. Discussion and possible action regarding a One Year Review for an Independent Massage Therapist License, Byron Bradley, dba The Masters Touch, 1973 Verbania Dr., Byron E. Bradley, 100% - Ward 4 (Brown)
60. Discussion and possible action regarding a One Year Review of an Independent Massage Therapist License, Kimberly Schiffer-Gant, dba Kimberly Schiffer-Gant, 2298 Palora Ave., Kimberly Schiffer-Gant, 100% - County
61. Discussion and possible action regarding Change of Ownership for a Beer/Wine/Cooler Off-sale Liquor License, From: Hashem & Khalid, Rageh H. Hashem, 50%, Marim A. Khalid, 50%, To: Lucky Seven Market, dba Lucky Seven Market, 1401 West Lake Mead Blvd., Rageh H. Hashem, Ptnr, 12 1/2%, Marim A. Khalid, Ptnr, 12 1/2%, Worku Y. Berhanu, Ptnr, 37 1/2%, Fekadu W. Bibiso, Ptnr, 37 1/2% - Ward 5 (Weekly)
62. Discussion and possible action regarding Change of Ownership and Business Name for a Tavern Liquor License and a new Restricted Gaming License for 14 slots subject to Health Dept. regulations and approval by the Nevada Gaming Commission, From: Bottles, Inc., dba Bottle Collectors Liquor Shop & Lounge, Steven D. Pilkington, Dir, Pres, Secy, 80%, Thomas E. Jacoby, Dir, Treas, 10%, Lynn B. Cohen, Administratrix, 10%, To: FSMD, Inc., dba Bottle Collectors Liquor Shop, 1328 Las Vegas Blvd. South, Sally A. Savarese, Dir, Pres, 25%, Frank G. Savarese, Dir, VP, 25%, Marvin C. Heath, Dir, VP, 25%, David G. Frye, Dir, Secy, Treas, 25% - Ward 3 (Reese)
63. Discussion and possible action regarding Temporary Approval of a new Supper Club Liquor License subject to the provisions of the planning and fire codes and Health Dept. regulations, Gourmet Systems of Nevada, Inc., dba Applebee's Neighborhood Grill & Bar, 8730 West Charleston Blvd., Carin L. Stutz, Dir, Pres, Robert T. Steinkamp, Dir, Secy, Treas, Jon S. Dettman, Gen Mgr - Ward 2 (L.B. McDonald)
64. ABEYANCE ITEM - Discussion and possible action regarding approval of Listing of Qualified Contractors for the period January 2, 2002 through January 1, 2004 pursuant to City of Las Vegas Qualification Plan (NOTE: Only as to B&H Construction, Inc.)

## **LEISURE SERVICES DEPARTMENT - DISCUSSION**

65. Discussion and possible action on naming a park at Redwood and West Oakey Boulevard - Ward 1 (M. McDonald)

## NEIGHBORHOOD SERVICES DEPARTMENT - DISCUSSION

66. ABEYANCE ITEM - Discussion and possible action regarding reallocation of \$1,038,662.13 of Community Development Block Grant (CDBG) funds from various completed projects and program income to the Downtown Community Center with Progress Report of Center Status - Ward 5 (Weekly)
67. ABEYANCE ITEM - Discussion and possible action on a Professional Services Agreement with JMA Architecture Studios for Architectural and Engineering design services to rehabilitate the Downtown Community Center located at 302 South 9th Street for \$177,090 of Community Development Block Grant funding - Ward 5 (Weekly)
68. Discussion and possible action regarding the future use of property located at 101 North Decatur Boulevard (corner of Decatur and Nebraska); Property Owner - Union Oil Company of California - Ward 1 (M. McDonald)
69. Discussion an possible action regarding the future use of property located at 3650 West Sahara Avenue (corner of Sahara and Valley View); Property Owner - Terrible Herbst Oil Company - Ward 1 (M. McDonald)
70. Discussion and possible action regarding the future use of property located at 2401 West Bonanza Road (Bonanza and Rancho); Property Owner - Terrible Herbst Oil Company - Ward 1 (M. McDonald)
71. Discussion and possible action regarding the future use of property located at 777 North Decatur Boulevard (southwest corner of Decatur and Washington); Property Owner - Rebel Oil Company - Ward 1 (M. McDonald)

## PUBLIC WORKS DEPARTMENT - DISCUSSION

72. Discussion and possible action of a Sewer Connection and Interlocal Contract with the Clark County Sanitation District - Baughman & Turner, Inc. on behalf of John Jay Lee and Marilyn R. Lee, owners, (north of Spring Road, east of Sycamore Trail, APN 139-19-703-009) - County (Near Ward 2 - L.B. McDonald)

## BOARDS & COMMISSIONS - DISCUSSION

73. ABEYANCE ITEM - Discussion and possible action on the appointment of remaining members to the Las Vegas Centennial Celebration Committee
74. ANIMAL ADVISORY COMMITTEE – Amber Dukes - Term Expiration 2-7-2002
75. YOUTH NEIGHBORHOOD ASSOCIATION PARTNERSHIP PROGRAM (YNAPP) GRANT REVIEW BOARD – Keen L. Ellsworth – Term Expiration 1-21-2003 (Resigned)

## RECOMMENDING COMMITTEE REPORTS - DISCUSSION

### BILLS ELIGIBLE FOR ADOPTION AT THIS MEETING

76. Bill No. 2001-130 – Annexation No. A-0025-00(A) – Property Location: On the southeast corner of Azure Drive and Tenaya Way; Petitioned By: Serene Investments; Acreage: 1.46 acres; Zoned: R-E (County Zoning), U (R) (City Equivalent); Sponsored by: Councilman Michael Mack
77. Bill No. 2001-131 – Annexation No. A-0006-01(A) – Property Location: On the south side of Brooks Avenue, approximately 100 feet west of Jones Boulevard; Petitioned By: Kenneth and Kathryn Cypert; Acreage: 1.12 acres; Zoned: R-E (County Zoning), R-E (City Equivalent); Sponsored by: Councilman Michael Mack

## RECOMMENDING COMMITTEE REPORTS - DISCUSSION

### BILLS ELIGIBLE FOR ADOPTION AT THIS MEETING

78. Bill No. 2001-132 – Annexation No. A-0016-01(A) – Property Location: On the west side of Rio Vista Street, approximately 210 feet south of Azure Drive; Petitioned By: Nannette Prlina; Acreage: 0.52 acres; Zoned: R-E (County Zoning), R-E (City Equivalent); Sponsored by: Councilman Michael Mack
79. ABEYANCE ITEM - Bill No. 2001-133 – Annexation No. A-0017-01(A) – Property Location: On the west side of Quadrel Street, approximately 170 feet north of Hickam Avenue; Petitioned By: John and Lorinda Fowler; Acreage: 0.63 acres; Zoned: R-E (County Zoning), R-E (City Equivalent); Sponsored by: Councilman Larry Brown
80. Bill No. 2001-134 – Annexation No. A-0048-01(A) – Property Location: On the southeast corner of Hickam Avenue and Juliano Road; Petitioned By: Fiona Roberts and Carl Pappalardo; Acreage: 2.58 acres; Zoned: R-E (ROI to RNP1) (County Zoning), U (DR) (City Equivalent); Sponsored by: Councilman Larry Brown
81. Bill No. 2001-136 – Annexation No. A-0053-01(A) – Property Location: On the south side of Farm Road, approximately 670 feet east of Grand Canyon Drive; Petitioned By: Mark Sharp, et al.; Acreage: 5.07 acres; Zoned: R-E (County Zoning), U (L) (City Equivalent); Sponsored by: Councilman Michael Mack
82. Bill No. 2001-137 – Annexation No. A-0055-01(A) – Property Location: On the north side of Deer Springs Way, approximately 660 feet west of Fort Apache Road; Petitioned By: Reginald and Alfrieda Scott; Acreage: 5.05 acres; Zoned: R-E (County Zoning), U (L-TC) (City Equivalent); Sponsored by: Councilman Michael Mack
83. Bill No. 2001-138 – Annexation No. A-0064-01(A) – Property Location: On the south side of Gowan Road, approximately 660 feet east of Durango Drive; Petitioned By: A & A Mountanos 1999 Revocable Living Trust; Acreage: 2.66 acres; Zoned: R-E (County Zoning), U (ML) (City Equivalent); Sponsored by: Councilman Larry Brown
84. Bill No. 2001-141 – Adopts the Transportation Trails Element of the Las Vegas 2020 Master Plan. Proposed by: Robert S. Genzer, Director of Planning and Development
85. Bill No. 2001-142 – Adopts the Recreation Trails Element of the Las Vegas 2020 Master Plan. Proposed by: Robert S. Genzer, Director of Planning and Development
86. Bill No. 2001-144 – Annexation No. A-0045-99(A) – Property Location: On the northeast corner of Lone Mountain Road and Valdez Street; Petitioned By: Eagle Dancer, L.L.C.; Acreage: 16.31 acres; Zoned: R-E (County Zoning), R-E (City Equivalent); Sponsored by: Councilman Michael Mack
87. Bill No. 2001-146 – Levies Assessment re: Special Improvement District No. 1469 – 4<sup>th</sup> Street (Washington Avenue to Adams Avenue) (\$50,771.11 – Capital Projects Fund – Special Assessments) – Ward 5 (Weekly) 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.**

88. Bill No. 2001-83 – Establishes rules, regulations and business licensing requirements for farmers' markets. Proposed by: Mark Vincent, Director of Finance & Business Services
89. Bill No. 2001-115 – Requires certain disclosures in connection with the sale of a residence or residential lot. Sponsored by: Mayor Oscar B. Goodman
90. Bill No. 2001-129 - Provides for the removal and disposition of abandoned shopping carts. Sponsored by: Councilmen Michael J. McDonald and Michael Mack

## RECOMMENDING COMMITTEE REPORTS - DISCUSSION

### BILLS ELIGIBLE FOR ADOPTION AT A LATER MEETING

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

91. Bill No. 2001-140 – Conforms the City’s campaign contribution and campaign expenditure reporting requirements to those of State law. Sponsored by: Councilwoman Lynette Boggs McDonald
92. Bill No. 2002-1 – Annexation No. A-0023-01(A) – Property Location: On the northwest corner of Centennial Parkway and Fort Apache Road; Petitioned By: City of Las Vegas; Acreage: 20.25 acres; Zoned: R-E (County Zoning), U (L) (City Equivalent); Sponsored By: Councilman Michael Mack
93. Bill No. 2002-2 – Annexation No. A-0024-01(A) – Property Location: On the north side of Iron Mountain Road, approximately 1,370 feet west of Hualapai Way; Petitioned By: City of Las Vegas; Acreage: 5.38 acres; Zoned: R-U (County Zoning), U (PCD) (City Equivalent); Sponsored by: Councilman Michael Mack
94. Bill No. 2002-3 – Annexation No. A-0025-01(A) – Property Location: On the north side of Iron Mountain Road, approximately 660 feet east of the Shaumber Road alignment; Petitioned By: City of Las Vegas; Acreage: 10.69 acres; Zoned: R-U (County Zoning), U (PCD) (City Equivalent); Sponsored by: Councilman Michael Mack
95. Bill No. 2002-4 – Annexation No. A-0026-01(A) – Property Location: On the south side of Grand Teton Road, approximately 1,000 feet west of Hualapai Way; Petitioned By: City of Las Vegas; Acreage: 99.67 acres; Zoned: R-U (County Zoning), U (PCD) (City Equivalent); Sponsored by: Councilman Michael Mack
96. Bill No. 2002-5 – Annexation No. A-0028-01(A) – Property Location: On the southwest corner of Grand Teton Road and Hualapai Way; Petitioned By: City of Las Vegas; Acreage: 10.56 acres; Zoned: R-U (County Zoning), U (PCD) (City Equivalent); Sponsored by: Councilman Michael Mack
97. Bill No. 2002-6 – Annexation No. A-0029-01(A) – Property Location: On the northwest corner of Grand Canyon Drive and Farm Road; Petitioned By: City of Las Vegas; Acreage: 5.14 acres; Zoned: R-E (County Zoning), U (PCD) (City Equivalent); Sponsored by: Councilman Michael Mack
98. Bill No. 2002-7 – Annexation No. A-0062-01(A) – Property Location: On the southwest corner of Buffalo Drive and Alexander Road; Petitioned By: Howard John Needham, et al; Acreage: 7.90 acres; Zoned: R-E (County Zoning), U (L) (City Equivalent); Sponsored by: Councilman Larry Brown
99. Bill No. 2002-8 – Annexation No. A-0065-01(A) – Property Location: On the west side of Campbell Road, approximately 300 feet south of Log Cabin Way; Petitioned By: Hannah Living Trust, et al; Acreage: 5.12 acres; Zoned: R-A (County Zoning), U (PCD) (City Equivalent); Sponsored by: Councilman Michael Mack
100. Bill No. 2002-9 – Establishes a monorail master business license for monorails built in the City. Proposed By: Mark Vincent, Director of Finance and Business Services
101. Bill No. 2002-10 – Prohibits liquor licensees from furnishing alcoholic beverages to minors. Sponsored by: Councilman Gary Reese
102. Bill No. 2002-11 – Revises the zoning regulations that pertain to wireless communication facilities. Sponsored by: Councilman Michael Mack
103. Bill No. 2002-12 – Amends the Zoning Code and other Municipal Code provisions regarding vehicle parking and storage restrictions in residential areas. Proposed by: Sharon Segerblom, Director of Neighborhood Services
104. Bill No. 2002-13 – Reinstates the requirement that certain appointed City employees file a gift disclosure statement. Proposed by: Bradford R. Jerbic, City Attorney

## NEW BILLS

**THERE IS NO PUBLIC COMMENT ON THESE ITEMS. NEW BILLS ARE READ INTO THE RECORD AND REFERRED TO RECOMMENDING COMMITTEE FOR A SEPARATE HEARING TO RECEIVE PUBLIC TESTIMONY BEFORE ACTION BY THE COUNCIL AT A LATER MEETING. EXCEPTION: EMERGENCY BILLS OR THOSE ITEMS TO BE STRICKEN OR TABLED.**

105. Bill No. 2002-14 – Annexation No. A-0001-99(A) – Property Location: On the southeast corner of Brent Lane and Jones Boulevard; Petitioned By: Prem Land, LLC, et al; Acreage: 20.46 acres; Zoned: R-E (County Zoning), U (DR) (City Equivalent); Sponsored by: Councilman Michael Mack
106. Bill No. 2002-15 – Annexation No. A-0034-01(A) – Property Location: On the southwest corner of Lone Mountain Road and Shaumber Road; Petitioned By: Meranto Living Trust; Acreage: 5.36 acres; Zoned: R-U (County Zoning), U (PCD) (City Equivalent); Sponsored by: Councilman Larry Brown
107. Bill No. 2002-16 – Annexation No. A-0044-01(A) – Property Location: On the west side of Cliff Shadows Parkway, 700 feet south of Craig Road; Petitioned By: Loraine Milano; Acreage: 5.56 acres; Zoned: R-U (County Zoning), U (PCD) (City Equivalent); Sponsored by: Councilman Larry Brown
108. Bill No. 2002-17 – Annexation No. A-0046-01(A) – Property Location: On the southwest corner of Log Cabin Way and El Capitan Way; Petitioned By: Martin A. and Pamela D. Warburton, et al; Acreage: 29.45 acres; Zoned: R-A (County Zoning), U (PCD) (City Equivalent); Sponsored by: Councilman Michael Mack
109. Bill No. 2002-18 – Annexation No. A-0060-01(A) – Property Location: On the north side of Alexander Road, approximately 700 feet west of Vegas Vista Trail; Petitioned By: MB Holdings LLC; Acreage: 5.51 acres; Zoned: R-U (County Zoning), U (PCD) (City Equivalent); Sponsored by: Councilman Larry Brown
110. Bill No. 2002-19 – Annexation No. A-0067-01(A) – Property Location: On the northwest corner of Carl Avenue and Shadow Mountain Place; Petitioned By: John R. Elliott; Acreage: 0.65 acres; Zoned: R-E (County Zoning), R-E (City Equivalent); Sponsored by: Councilman Lawrence Weekly
111. Bill No. 2002-20 – Annexation No. A-0073-01(A) – Property Location: On the northeast corner of Cimarron Road and Whispering Sands Drive; Petitioned By: Carina Corporation; Acreage: 10.40 acres; Zoned: R-E (County Zoning), U (PCD) (City Equivalent); Sponsored by: Councilman Michael Mack
112. Bill No. 2002-21 – Annexation No. A-0076-01(A) – Property Location: On the southwest corner of Lone Mountain Road and Buffalo Drive; Petitioned By: Lone Mountain/Buffalo General Partnership; Acreage: 15.69 acres; Zoned: R-E (County Zoning), U (DR) (City Equivalent); Sponsored by: Councilman Larry Brown
113. Bill No. 2002-22 – Amends the Zoning Code to allow ancillary commercial uses in connection with an assisted living apartment. Proposed by: Robert S. Genzer, Director of Planning and Development
114. Bill No. 2002-23 – Requires a special use permit for an animal hospital, clinic or shelter without outside pens in the C-D and C-1 Zoning Districts, and allows the boarding of animals only in conjunction with the operation of an animal hospital, clinic or shelter. Sponsored by: Councilman Michael J. McDonald

### **CLOSED SESSION – To Be Held at Conclusion of Morning Session**

Upon a duly carried Motion, a closed meeting is called in accordance with NRS 288.220 to discuss the IAFF contract

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

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

## PUBLIC HEARINGS - DISCUSSION

116. Public hearing to consider the report of expenses to recover costs for abatement of dangerous building located at 5821 Evergreen Avenue. PROPERTY OWNER: LORRAINE M. HAYWOOD - Ward 1 (M. McDonald)
117. Public hearing to consider the report of expenses to recover costs for abatement of dangerous building located at 1308 Silver Lake Dr. PROPERTY OWNER: KELLY E. AND RENEE J. MAPLES - Ward 5 (Weekly)
118. Public hearing to consider the report of expenses to recover costs for abatement of dangerous building located at 2401 W. Bonanza Rd. PROPERTY OWNER: HEYER LIVING TRUST 1996 - Ward 5 (Weekly)

## PLANNING & DEVELOPMENT DEPARTMENT

The items listed below, where appropriate, have been reviewed by the various City departments relative to requirements for storm drainage and flood control, connection to sanitary sewer, traffic circulation, and building and fire regulations. Their comments and/or recommendations and requirements have been incorporated into the action.

## PLANNING & DEVELOPMENT DEPARTMENT – CONSENT

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

119. EXTENSION OF TIME - Z-0099-93(7) - BTS INVESTMENTS, INC. - Request for an Extension of Time of an Approved Rezoning FROM: R-E (Residence Estates) and R-PD4 (Residential Planned Development - 4 Units per Acre) TO: P-R (Professional Office and Parking) and C-1 (Limited Commercial) located adjacent to the east side of Jones Boulevard, north of Del Rey Avenue (APN's: 163-01-102-009, 013, 016, 017, 018, 023, 024, 025, 026, and 027), Ward 1 (M. McDonald). The Planning Commission (7-0 vote) and staff recommend APPROVAL

## PLANNING & DEVELOPMENT DEPARTMENT – DISCUSSION

120. REVIEW OF CONDITION - SD-0024-01(1) - DALLAS AND ETHEL MEFFORD ON BEHALF OF APOSTOLIC CHURCH OF LAS VEGAS - Request for a Review of Conditions of Approval # 5 and #6 on an Approved Site Development Plan Review WHICH REQUIRED THE CONSTRUCTION OF HALF STREET IMPROVEMENTS AND THE REPAIR OF SUBSTANDARD PUBLIC STREET IMPROVEMENTS ADJACENT TO LINDELL ROAD AND DOE AVENUE IN CONJUNCTION WITH AN ADDITION TO AN EXISTING CHURCH on 2.07 Acres located at 1675 Lindell Road (APN: 163-01-208-003 and 006), R-E (Residence Estates) Zone, Ward 1 (M. McDonald). Staff recommends DENIAL. The Planning Commission (5-0-2 vote) recommends APPROVAL
121. SITE DEVELOPMENT PLAN REVIEW - Z-0087-98(4) - SPECTRUM OFFICE, LIMITED LIABILITY COMPANY - Request for a Site Development Plan Review FOR A PROPOSED 23,245 SQUARE FOOT OFFICE BUILDING located adjacent to the west side of Fire Mesa Street, approximately 400 feet north of Smoke Ranch Road (APN: 138-15-410-024), C-PB (Planned Business Park) Zone, Ward 4 (Brown). The Planning Commission (7-0 vote) and staff recommend APPROVAL
122. SITE DEVELOPMENT PLAN REVIEW - SD-0066-01 - ARTHUR & KATHY COLE - Request for a Site Development Plan Review FOR A PROPOSED 4,660 SQUARE FOOT CHURCH located at 3000 Holly Avenue (APN's: 139-20-301-013 & 014), R-E (Residence Estates) Zone, Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend APPROVAL

## PLANNING & DEVELOPMENT DEPARTMENT – DISCUSSION

123. ABEYANCE ITEM - REVIEW OF CONDITION - PUBLIC HEARING - Z-0071-00(2), U-0145-00(1), U-0146-00(1) AND U-0147-00(1) - LENA PICCOLI-OSTUNIO ON BEHALF OF OUTBACK STEAKHOUSE, INC. - Request for a Review of Conditions of an approved Rezoning, Site Development Plan Review, and Special Use Permits WHICH REQUIRED RESTAURANT OPERATING HOUR RESTRICTIONS IN CONJUNCTION WITH A 58,683 SQUARE FOOT RETAIL SHOPPING CENTER on 8.26 Acres on the southeast corner of Charleston Boulevard and Odette Lane (APN: 163-05-502-001), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial), Ward 1 (M. McDonald). The Planning Commission (7-0 vote) and staff recommend APPROVAL
124. ABEYANCE ITEM - REVIEW OF CONDITION - PUBLIC HEARING - Z-0016-96(7) - H H F, INC. ON BEHALF OF NEVADA HOMES GROUP, INC. - Request for a Review of Condition to Conditions #2, #3, #4, #6, and #8 TO ALLOW RELIEF FROM PLANNING AND DEVELOPMENT DEPARTMENT CONDITIONS; Conditions #11, #12, #13, #14, #17, and #19 TO ALLOW RELIEF FROM PUBLIC WORKS CONDITIONS; and Conditions #20, #21, #22, #25, #27, #28 and #30 TO ALLOW RELIEF FROM PLANNING AND DEVELOPMENT DEPARTMENT CONDITIONS of an APPROVED REZONING (Z-0016-96) of 5.23 acres adjacent to the southwest corner of Gowan Road and Jensen Street (APN: 138-07-301-006), U (Undeveloped) Zone [PCD (Planned Community Development)] under Resolution of Intent to RPD-9 (Residential Planned Development - 9 Units per Acre), Ward 4 (Brown). Staff recommends APPROVAL
125. REVIEW OF CONDITION - PUBLIC HEARING - Z-0071-86(1) - DESERT HONDA OF LAS VEGAS - Request for a Review of Condition #7 of an Approved Rezoning Application (Z-0071-86) WHICH PROHIBITED A PUBLIC ADDRESS SYSTEM IN CONJUNCTION WITH AN AUTOMOBILE DEALERSHIP located at 1700 East Sahara Avenue (APN's: 162-02-801-001 and 002), C-2 (General Commercial) Zone, Ward 3 (Reese). The Planning Commission (7-0 vote) and staff recommend DENIAL
126. REVIEW OF CONDITION - PUBLIC HEARING - Z-0064-96(1) - MARK ADAIR - Request for a Review of Condition TO ALLOW A PROPOSED SINGLE FAMILY DWELLING WITH A REAR SETBACK OF 22.95 FEET WHERE 30 FEET IS THE MINIMUM SETBACK REQUIRED at 1401 Marbella Ridge Court (APN: 163 03-213-007), R-PD2 (Residential Planned Development - 2 Units per Acre) Zone, Ward 1 (M. McDonald). The Planning Commission (7-0 vote) and staff recommend APPROVAL
127. REVIEW OF CONDITION - PUBLIC HEARING - Z-0016-98(21) - IRON MOUNTAIN RANCH ALLIANCE, LIMITED LIABILITY COMPANY ON BEHALF OF KB HOME NEVADA, INC. - Request for a Review of Condition # 6 of an Approved Site Development Plan Review [Z-0016-98(13)] TO ALLOW 18-FOOT FRONT YARD SETBACKS (TO GARAGE) AND 14-FOOT FRONT YARD SETBACKS (TO HOUSE) WHERE 18-FOOT FRONT YARD SETBACKS ARE THE MINIMUM REQUIRED on 40 acres located on the northwest corner of Horse Drive and Bradley Road (APN: 125-12-202-002), R-E (Residence Estates) Zone under Resolution of Intent to R-PD3 (Residential Planned Development - 3 Units per Acre), Ward 6 (Mack). Staff recommends APPROVAL
128. REVIEW OF CONDITION - PUBLIC HEARING - Z-0049-98(2) - SHAWN D. AND TIMMI L. DYBDAHL - Request for a Review of Condition TO ALLOW A REAR SETBACK OF 12.5 FEET WHERE 20 FEET IS THE MINIMUM SETBACK ALLOWED IN CONJUNCTION WITH A PROPOSED CARPORT AND STORAGE UNIT located at 7464 Grassy Field Court (APN: 125-15-210-070), R-PD2 (Residential Planned Development - 2 Units per Acre) Zone, Ward 6 (Mack). Staff recommends DENIAL. The Planning Commission (4-3 vote) recommends APPROVAL
129. REVIEW OF CONDITION - PUBLIC HEARING - Z-0059-00(2) - WPI - ANN/DECATUR, LIMITED LIABILITY COMPANY - Request for a Review of Condition #1 of an Approved Site Development Plan Review [Z-0059-00(1)] WHICH REQUIRED A MINIMUM SETBACK OF 64.5 FEET FROM BOTH THE NORTH AND WEST PROPERTY LINES TO BE IN COMPLIANCE WITH THE RESIDENTIAL ADJACENCY STANDARDS located adjacent to the northwest corner of Ann Road and Decatur Boulevard (APN: 125-25-801-014), R-E (Residence Estates) Zone under Resolution of Intent to C-1 (Limited Commercial), Ward 6 (Mack). The Planning Commission (7-0 vote) and staff recommend APPROVAL

**PLANNING & DEVELOPMENT DEPARTMENT – DISCUSSION**

130. MASTER DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - SV-0018-01 - THE HOWARD HUGHES CORPORATION - Request for a Master Development Plan Review to establish Land Use designations within Summerlin Villages 23A and 23B, comprising 856 Acres located adjacent to the northwest corner of Charleston Boulevard and Desert Foothills Drive (APN's: 137-22-000-003 and 137-34-000-001), Ward 2 (L.B. McDonald). The Planning Commission (5-0-2 vote) and staff recommend APPROVAL
131. MAJOR MODIFICATION TO THE IRON MOUNTAIN RANCH MASTER DEVELOPMENT PLAN STANDARDS - PUBLIC HEARING - Z-0016-98(20) - CHARLESTON AUTO PARTS PROFIT SHARING TRUST ON BEHALF OF WILLIAM LYON HOMES - Request for a Major Modification to the Iron Mountain Ranch Master Development Plan Development Standards to allow a gated residential subdivision adjacent to the northeast corner of Grand Teton Drive and Jones Boulevard (APN: 125-12-401-001), Ward 6 (Mack). The Planning Commission (5-0 vote) and staff recommend APPROVAL
132. ABEYANCE ITEM - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - Z-0014-62(1) - D & W, INC. ON BEHALF OF NEXTEL COMMUNICATIONS - Request for a Site Development Plan Review FOR THE CO-LOCATION OF ANTENNA ARRAYS ON AN EXISTING 60 FOOT TALL WIRELESS COMMUNICATION MONOPOLE TOWER on property located at 232 North Jones Boulevard (APN: 138-25-404-001), C-1 (Limited Commercial) Zone, Ward 1 (M. McDonald). Staff recommends DENIAL. The Planning Commission (5-1 vote) recommends APPROVAL
133. SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - SD-0063-01 - D 2801 WESTWOOD, INC., ET AL - Request for a Site Development Plan Review and a Reduction in the amount of required perimeter landscaping FOR A PROPOSED 24,093 SQUARE FOOT SEXUALLY ORIENTED BUSINESS (THE BOARD ROOM) on property located at 2801 Westwood Drive (APN's: 162-08-604-001, 162-09-102-003 and 162-09-102-004), M (Industrial) Zone, Ward 3 (Reese). The Planning Commission (7-0 vote) and staff recommend APPROVAL
134. SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - Z-0076-86(18) - ALL UNLIMITED LIMITED PARTNERSHIP ON BEHALF OF VERIZON WIRELESS - Request for a Site Development Plan Review FOR A PROPOSED 45 FOOT TALL WIRELESS COMMUNICATION MONOPOLE at 9301 West Sahara Avenue (APN: 163-07-501-005), C-1 (Limited Commercial) Zone, Ward 2 (L.B. McDonald). The Planning Commission (6-1 vote) and staff recommend APPROVAL
135. SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - Z-0061-93(8) - RAINBOW CORPORATE CENTER, LIMITED LIABILITY COMPANY - Request for a Site Development Plan Review FOR A PROPOSED 4,556 SQUARE-FOOT COMMERCIAL BUILDING on 6.44 Acres adjacent to the southwest corner of Rainbow Boulevard and Washington Avenue (APN: 138-27-701-004), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation], under Resolution of Intent to C-1 (Limited Commercial), Ward 1 (M. McDonald). The Planning Commission (7-0 vote) and staff recommend APPROVAL
136. MASTER SIGN PLAN - PUBLIC HEARING - MSP-0014-01 - WORLD ENTERTAINMENT CENTERS, LIMITED LIABILITY COMPANY - Request for a Master Sign Plan FOR NEONOPOLIS at 450 Fremont Street (APN: 139-34-513-003), C-2 (General Commercial) Zone, Ward 5 (Weekly). The Planning Commission (6-0 vote) and staff recommend APPROVAL
137. VACATION - PUBLIC HEARING - VAC-0041-01 - ALBERT EUGENE LIMITED PARTNERSHIP - Petition to vacate a portion of Garces Avenue between 9th Street and 10th Street, Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend APPROVAL
138. VARIANCE - PUBLIC HEARING - V-0086-01 - LEROY AND NANCY WILDER TRUST - Request for a Variance TO ALLOW ZERO FEET SIDE AND REAR YARD SETBACKS WHERE TEN FEET IS THE MINIMUM SIDE YARD SETBACK REQUIRED AND 20 FEET IS THE MINIMUM REAR YARD SETBACK REQUIRED on 3.03 acres generally located adjacent to the north side of Roberta Lane approximately 270 feet west of Decatur Boulevard (APN: 138-13-701-045 and 050), C-1 (Limited Commercial) Zone, Ward 5 (Weekly). Staff recommends DENIAL. The Planning Commission (5-0 vote) recommends APPROVAL

## PLANNING & DEVELOPMENT DEPARTMENT – DISCUSSION

139. SITE DEVELOPMENT PLAN REVIEW RELATED TO V-0086-01 - PUBLIC HEARING - Z-0051-01(1), Z-0013-00(1) and ZC-567-95(1) - WILDER FAMILY TRUST, ET AL - Request for a Site Development Plan Review FOR A PROPOSED 118-UNIT MULTI FAMILY RESIDENTIAL DEVELOPMENT AND 59,180 SQUARE FOOT MINI-STORAGE FACILITY on approximately 7.53 acres south of Madre Mesa Drive, approximately 650 feet west of Decatur Boulevard (APN: 138-13-701-024, 025, 045, 046, 050, and 052), U (Undeveloped) Zone [R (Rural Density Residential) General Plan Designation] under Resolution of Intent to R-3 (Medium Density Residential); U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial); and U (Undeveloped) Zone [R (Rural Density Residential) General Plan Designation] [PROPOSED: R-3 Medium Density Residential], Ward 5 (Weekly). The Planning Commission (5-0 vote) and staff recommend APPROVAL
140. FIVE YEAR REQUIRED REVIEW - SPECIAL USE PERMIT - PUBLIC HEARING - U-0025-96(1) - MICHELE ACHIARDI ON BEHALF OF VIACOMM OUTDOOR GROUP - Appeal filed by The Skancke Company on behalf of Viacom Outdoor from the Denial by the Planning Commission of a Required Five Year Review of an Approved Special Use Permit WHICH ALLOWED A DOUBLE-FACED 14-FOOT BY 24-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN adjacent to the west side of Rancho Drive, south of Alexander Road (APN: 138-02-803-001), C-2 (General Commercial) Zone, Ward 6 (Mack). The Planning Commission (3-3-1 vote on a motion for approval) ended in a tie vote which is tantamount to DENIAL. Staff recommends APPROVAL
141. SPECIAL USE PERMIT - PUBLIC HEARING - U-0142-01 - BOCA PARK-PAD, LIMITED LIABILITY COMPANY ON BEHALF OF JJ & DH, INC. - Request for a Special Use Permit FOR A RESTAURANT SERVICE BAR IN CONJUNCTION WITH A PROPOSED SUSHI RESTAURANT (HANABI SUSHI) at 1000 South Rampart Boulevard, Suite 16 (APN: 138-32-412-018), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial), Ward 2 (L.B. McDonald). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL
142. SPECIAL USE PERMIT - PUBLIC HEARING - U-0143-01 - BUFFALO WASHINGTON, LIMITED LIABILITY COMPANY ON BEHALF OF K-MART CORPORATION - Request for a Special Use Permit FOR THE SALE OF PACKAGED LIQUOR FOR OFF-PREMISE CONSUMPTION IN CONJUNCTION WITH AN EXISTING RETAIL STORE (BIG K-MART) located at 7501 West Washington Avenue (APN's: 138-27-312-005, 138-27-301-013 and 014), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial), Ward 2 (L.B. McDonald). The Planning Commission (7-0 vote) and staff recommend APPROVAL
143. SPECIAL USE PERMIT - PUBLIC HEARING - U-0144-01 - PAN PACIFIC RETAIL PROPERTIES ON BEHALF OF DAVID KIM - Request for a Special Use Permit FOR A PROPOSED RESTAURANT SERVICE BAR IN CONJUNCTION WITH AN EXISTING SUSHI RESTAURANT (ARIGATO SUSHI) at 2351 North Rainbow Boulevard, Suite #103 (APN: 138-22-503-001), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial), Ward 6 (Mack). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL
144. REZONING - PUBLIC HEARING - Z-0081-01 - LEROY AND JEANETTE COBB - Request for a Rezoning FROM: R-1 (Single Family Residential) Zone, Under Resolution of Intent TO: P-R (Professional Office and Parking), TO: C-D (Designed Commercial) on 0.25 Acres at 1129 South Maryland Parkway (APN: 162-02-115-001), Ward 3 (Reese). The Planning Commission (7-0 vote) and staff recommend APPROVAL
145. SITE DEVELOPMENT PLAN REVIEW RELATED TO Z-0081-01 - PUBLIC HEARING - Z-0081-01(1) - LEROY AND JEANETTE COBB - Request for a Site Development Plan Review and Reduction in the amount of required perimeter and parking lot landscaping FOR A PROPOSED 832 SQUARE FOOT OFFICE BUILDING on 0.25 Acres at 1129 South Maryland Parkway (APN: 162-02-115-001), R-1 (Single Family Residential) Zone under Resolution of Intent to P-R (Professional Office and Parking), PROPOSED: C-D (Designed Commercial), Ward 3 (Reese). The Planning Commission (7-0 vote) and staff recommend APPROVAL

## PLANNING & DEVELOPMENT DEPARTMENT – DISCUSSION

146. REZONING - PUBLIC HEARING - Z-0082-01 - HEARTHSTONE HOMEBUILDERS, INC. - Request for Rezoning FROM: U (Undeveloped) Zone, [ML (Medium Low Density Residential) General Plan Designation] TO: R-CL (Single Family Compact-Lot) Zone of approximately 2.5 Acres located adjacent to the south side of Gowan Road, approximately 340 feet east of Durango Drive (APN: 138-09-301-002), PROPOSED USE: SINGLE FAMILY RESIDENTIAL SUBDIVISION, Ward 4 (Brown). The Planning Commission (6-0-1 vote) and staff recommend DENIAL
147. REZONING - PUBLIC HEARING - Z-0083-01 - BABB INVESTMENT COMPANY ON BEHALF OF SPRINT PCS - Request for a Rezoning FROM: U (Undeveloped) Zone, [PCD (Planned Community Development) General Plan Designation] TO: PD (Planned Development) on 4.87 Acres adjacent to the south side of Gowan Road, approximately 1,015 feet east of Hualapai Way (APN: 138-07-301-004), Ward 4 (Brown). The Planning Commission (6-1 vote) and staff recommend APPROVAL
148. SITE DEVELOPMENT PLAN REVIEW RELATED TO Z-0083-01 - PUBLIC HEARING - Z-0083-01(1) - BABB INVESTMENT COMPANY ON BEHALF OF SPRINT PCS - Request for a Site Development Plan Review FOR A PROPOSED 60 FOOT TALL WIRELESS COMMUNICATIONS MONOPOLE on 4.87 Acres adjacent to the south side of Gowan Road, approximately 1,015 feet east of Hualapai Way, (APN: 138-07-301-004), U (Undeveloped) Zone, [PCD (Planned Community Development) General Plan Designation], PROPOSED PD (Planned Development) Zone, Ward 4 (Brown). The Planning Commission (7-0 vote) and staff recommend DENIAL
149. NOT TO BE HEARD BEFORE 4:00 P.M. - ABEYANCE ITEM - GENERAL PLAN AMENDMENT - PUBLIC HEARING - GPA-0043-01 - ANN DURANGO, LIMITED LIABILITY COMPANY - Request to Amend a Portion of the Centennial Hills Sector Plan FROM: ML (Medium-Low Density Residential) TO: GC (General Commercial) on 2.5 acres adjacent to the southeast corner of Riley Street and Centennial Parkway (APN: 125-29-502-003), Ward 6 (Mack). The Planning Commission (4-2 vote on a motion for approval) failed to obtain a super majority vote which is tantamount to DENIAL and staff recommends DENIAL
150. NOT TO BE HEARD BEFORE 4:00 P.M. - ABEYANCE ITEM - REZONING RELATED TO GPA-0043-01 - PUBLIC HEARING - Z-0077-01 - ANN DURANGO, LIMITED LIABILITY COMPANY - Request for Rezoning FROM: U (Undeveloped) Zone [ML (Medium-Low Density Residential) General Plan Designation] TO: C-2 (General Commercial) Zone on 2.5 acres adjacent to the southeast corner of Riley Street and Centennial Parkway (APN: 125-29-502-003), PROPOSED USE: USED VEHICLE SALES, Ward 6 (Mack). Staff recommends DENIAL. The Planning Commission (4-2 vote) recommends APPROVAL
151. NOT TO BE HEARD BEFORE 4:00 P.M. - ABEYANCE ITEM - SPECIAL USE PERMIT RELATED TO GPA-0043-01 AND Z-0077-01 - PUBLIC HEARING - U-0134-01 - ANN DURANGO, LIMITED LIABILITY COMPANY - Request for a Special Use Permit FOR USED MOTOR VEHICLE SALES adjacent to the southeast corner of Riley Street and Centennial Parkway (APN: 125-29-502-003), U (Undeveloped) Zone [ML (Medium-Low Density Residential) General Plan Designation], PROPOSED: C-2 (General Commercial) Zone, Ward 6 (Mack). Staff recommends DENIAL. The Planning Commission (4-2 vote) recommends APPROVAL
152. NOT TO BE HEARD BEFORE 4:00 P.M. - ABEYANCE ITEM - SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-0043-01, Z-0077-01 AND U-0134-01 - PUBLIC HEARING - Z-0077-01(1) - ANN DURANGO, LIMITED LIABILITY COMPANY - Request for a Site Development Plan Review for an 8,500 SQUARE FOOT USED VEHICLE SALES BUILDING AND A REDUCTION IN PERIMETER LANDSCAPING REQUIRED on 2.5 acres adjacent to the southeast corner of Riley Street and Centennial Parkway (APN: 125-29-502-003), U (Undeveloped) Zone [ML (Medium-Low Density Residential) General Plan Designation], PROPOSED: GC (General Commercial) Zone, Ward 6 (Mack). The Planning Commission (2-4 vote failed on a motion for approval) and staff recommend DENIAL
153. SET DATE ON ANY APPEALS FILED OR REQUIRED PUBLIC HEARINGS FROM THE CITY PLANNING COMMISSION AND HEARINGS OFFICER MEETINGS AND DANGEROUS BUILDINGS OR NUISANCE/LITTER ABATEMENTS

## ADDENDUM

## CITIZENS PARTICIPATION

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

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

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

**EXHIBIT C**

**(Attach Affidavit of Publication of Notice of Filing of Levy Ordinance)**

AFFP DISTRICT COURT  
Clark County, Nevada

AFFIDAVIT OF PUBLICATION

STATE OF NEVADA)  
COUNTY OF CLARK) SS:

Beverlee Marrott, 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  
2026608

2296311LV

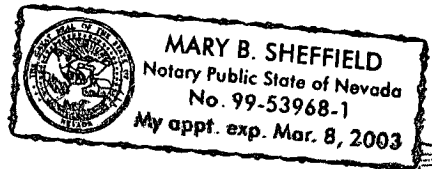
was continuously published in said Las Vegas Review Journal and/or Las Vegas Sun in 1 edition(s) of said newspaper issued from 01/05/02 to 01/05/2002, on the following days: JAN. 5, 2002

Signed: Beverlee Marrott

SUBSCRIBED AND SWORN BEFORE ME THIS THE 8

day of January 2002

Mary B. Sheffield  
Notary Public



BILL NO. 2001-146  
AN ORDINANCE CREATING CITY OF LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 1469, 4TH STREET (WASHINGTON AVENUE TO ADAMS AVENUE) PRESCRIBING DETAILS IN CONNECTION THEREWITH AND OTHER MATTERS RELATING THERETO.  
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 19th day of December 2001, and will be considered for adoption at the regular meeting of the City Council of the City of Las Vegas on the 16th day of January, 2002.  
/s/ Barbara Jo Ronemus  
City Clerk  
PUB: January 5, 2002  
LV Review-Journal

2002 JAN 10 A 10:19

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CITY CLERK

**EXHIBIT D**

**(Attach Affidavit of Publication of Title of Levy Ordinance)**

AFFP DISTRICT COURT  
Clark County, Nevada

AFFIDAVIT OF PUBLICATION

STATE OF NEVADA)  
COUNTY OF CLARK) SS:

Beverlee Marrott, 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  
2044284

2296311LV

was continuously published in said Las Vegas Review Journal and/or Las Vegas Sun in 1 edition(s) of said newspaper issued from 01/19/02 to 01/19/2002, on the following days: JAN. 19, 2002

BILL NO. 2001-146  
ORDINANCE NO. 5420

AN ORDINANCE CREATING CITY OF LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 1469 - 4TH STREET (WASHINGTON AVENUE TO ADAMS AVENUE) PRESCRIBING DETAILS IN CONNECTION THEREWITH AND OTHER MATTERS RELATING THERETO.

The above and foregoing ordinance was first proposed and read by title to the City Council on the 19th day of December, 2001, and referred to a committee for recommendation; thereafter the committee reported favorably on said ordinance on the 16th day of January, 2002, which was a regular meeting of said City Council; and that at said regular meeting the proposed ordinance was read by title to the City Council as first introduced and adopted by the following vote:

VOTING "AYE": Mayor Goodman and Councilmembers Reese, M. McDonald, Brown, L.B. McDonald, Weekly and Mack  
VOTING "NAY": NONE  
EXCUSED: NONE

COPIES OF THE COMPLETE ORDINANCE ARE AVAILABLE FOR PUBLIC INFORMATION IN THE OFFICE OF THE CITY CLERK, 1ST FLOOR, 400 STEWART AVENUE, LAS VEGAS, NEVADA.

PUB: January 19, 2002  
LV Review-Journal

Signed:

*Beverlee Marrott*

SUBSCRIBED AND SWORN BEFORE ME THIS THE

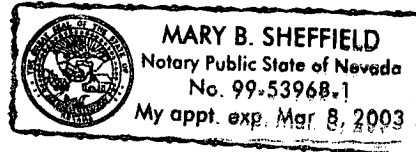
22

day of

*January* 2002

Notary Public

*Mary B. Sheffield*



2002 JAN 23 A 11:10

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CITY CLERK