

Summary - An ordinance authorizing the issuance by the City of Las Vegas, Nevada, of its General Obligation (Limited Tax) Medium-Term Detention Center Refunding Bonds, Series 2003B and providing other matters relating thereto.

**BILL NO. 2003-45
ORDINANCE NO. 5602**

AN ORDINANCE DESIGNATED BY THE SHORT TITLE "2003 MEDIUM-TERM DETENTION CENTER REFUNDING BOND ORDINANCE"; PROVIDING FOR THE ISSUANCE BY THE CITY OF LAS VEGAS OF ITS GENERAL OBLIGATION (LIMITED TAX) MEDIUM-TERM DETENTION CENTER REFUNDING BONDS, SERIES 2003B, FOR THE PURPOSE OF REFUNDING CERTAIN OUTSTANDING BONDS OF THE CITY; PROVIDING COVENANTS, AGREEMENTS AND OTHER DETAILS CONCERNING THE BONDS, THE PROJECT AND GENERAL TAX PROCEEDS; PROVIDING OTHER MATTERS RELATING THERETO.

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

WHEREAS, pursuant to Section 7.020 of the Charter, the City, acting through the City Council (the "Council" or the "Governing Body") is authorized to borrow money for any municipal purpose and for such purpose may issue bonds or other securities, and pursuant to Nevada Revised Statutes ("NRS") §§ 350.087 through 350.095, inclusive (the "Act") and NRS §§ 268.672 through 268.740, inclusive (the "City Bond Law"), the City previously issued its City of Las Vegas, Nevada, General Obligation (Limited Tax) Detention Center Bonds, Series December 1, 1996 (the "1996 Bonds"); and

WHEREAS, interest rates have declined since the issuance of the 1996 Bonds; and

WHEREAS, NRS 350.684 provides that the City may issue refunding bonds to refund, pay and discharge all or any part of the outstanding bonds of any one or more issues for the purpose of reducing interest costs or effecting other economies; and



WHEREAS, if it is determined by the City's Director of Finance and Business Services (the "Finance Director"), the City's chief financial officer, that the City will achieve interest rate savings, the Finance Director is hereby authorized to specify in the Certificate of the Finance Director (defined below) which maturities of the 1996 Bonds, if any, will be refunded (the "Refunded Bonds"); and

WHEREAS, if after receiving bids for the purchase of the City's General Obligation (Limited Tax) Medium-Term Detention Center Refunding Bonds, Series 2003B (the "Bonds") herein authorized to be issued for the purpose of refunding, paying and discharging the Refunded Bonds (the "Refunding Project"; or the "Project"), it is determined that interest rate savings will be effected, the Finance Director, or in his absence, the City Manager, is authorized to accept a binding bid for the Bonds from the best bidder therefor (the "Purchaser"); the Bonds to bear interest at the rates per annum provided in the bond purchase proposal submitted by the Purchaser (the "Bond Purchase Proposal") and accepted by the Finance Director, at a purchase price equal to the principal amount thereof, plus accrued interest to the date of delivery of the Bonds, less a discount or plus a premium not to exceed 9 percent of the principal amount of the Bonds, all as specified by the Finance Director, or in his absence, the City Manager, in a certificate dated on or before the date of delivery of the Bonds (the "Certificate of the Finance Director"), which purchase price does not result in an effective interest rate on the Bonds in excess of 3% over the index of Twenty Bonds most recently published in The Bond Buyer prior to the time bids were received for the Bonds; and

WHEREAS, there have been filed with the City Clerk:

(i) the form of an escrow agreement (the "Escrow Agreement") between the City and BNY Western Trust Company (the "Escrow Bank"); and

(ii) the form of the Official Statement (the "Official Statement") for the Bonds; and

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

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

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

WHEREAS, the Council is therefore authorized and empowered by the Charter, the City Bond Law, by the Act, and by the Bond Act, without any further preliminaries:

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

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

WHEREAS, the Council has determined and hereby declares that each of the limitations and other conditions to the issuance of the Bonds in the Charter, the City Bond Law, the Act, the Bond Act, the Supplemental Bond Act, and in any other relevant act of the State or the Federal Government, has been met; and pursuant to § 350.708, Bond Act, this determination of the Council that the limitations in the Bond Act have been met shall be conclusive in the absence of fraud or arbitrary or gross abuse of discretion.

WHEREAS, the Board has determined and does hereby declare:

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

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

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

SECTION 1. **Short Title.** This Ordinance shall be known and may be cited as the "2003 Medium-Term Detention Center Refunding Bond Ordinance" (this "Ordinance").

SECTION 2. **Acceptance of Purchase Proposal; Bid By Financial Advisor.** The City Manager or the City Finance Director is hereby authorized to accept the Purchase Proposal and execute the Certificate of the Finance Director as set forth in the preambles hereof. The City hereby consents to any affiliate of Howarth and Associates, the City's financial advisor, submitting a bid for the Bonds at a public sale.

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

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

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

SECTION 6. **Authorization of Bonds.** For the purpose of providing funds to pay all or a portion of the cost of the Project, the City shall issue the "City of Las Vegas, Nevada, General Obligation (Limited Tax) Medium-Term Detention Center Refunding Bonds, Series 2003B" in the aggregate principal amount set forth in the Certificate of the Finance Director (not to exceed \$3,500,000). The Bonds shall be in the form substantially as set forth in § 24 hereof.

SECTION 7. **Ordinance to Constitute Contract.** In consideration of the purchase and the acceptance of the Bonds by those who shall own the same from time to time, the provisions

hereof shall be deemed to be and shall constitute a contract between the City and the registered owners from time to time of the Bonds.

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

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

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

SECTION 11. **Limitations upon Security.** The payment of the Bonds is not secured by an encumbrance, mortgage or other pledge of property of the City, except for the proceeds of General Taxes and any other moneys pledged for the payment of the Bonds. No property of the City, subject to such exception, shall be liable to be forfeited or taken in payment of the Bonds.

SECTION 12. **No Recourse Against Officers and Agents.** No recourse shall be had for the payment of the Bond Requirements of the Bonds or for any claim based thereon or otherwise upon this Ordinance authorizing their issuance or any other instrument relating thereto, against any individual member of the Council or any officer or other agent of the Council or City, past, present or future, either directly or indirectly through the Council or the City, or otherwise,

whether by virtue of any constitution, statute or rule of law, or by the enforcement of any penalty or otherwise, all such liability, if any, being by the acceptance of the Bond and as a part of the consideration of its issuance specially waived and released.

SECTION 13. **Bond Details.** The Bonds shall be issued in fully registered form. The Bonds shall be dated as of the 1st day of the month of the date of delivery of the Bonds, and except as otherwise provided in Section 17 hereof, shall be issued in denominations of \$5,000 or any integral multiple thereof (provided that no Bond may be in a denomination which exceeds the principal coming due on the maturity date, and no individual Bond will be issued with more than one maturity). The Bonds shall bear interest from their date until their maturity date at the rates set forth in the Certificate of the Finance Director, payable on June 1 and December 1 of each year commencing on December 1, 2003; provided that those Bonds which are reissued upon transfer, exchange or other replacement shall bear interest at the rates set forth in the Certificate of the Finance Director from the most recent interest payment date to which interest has been paid or duly provided for, or if no interest has been paid, from the date of the Bonds. The Bonds shall mature on June 1 and in the amounts of principal and years (not to exceed June 1, 2006) as designated in the Certificate of the Finance Director. The principal of any Bond shall be payable to the owner thereof as shown on the registration records kept by the City Treasurer in Las Vegas, Nevada, as registrar for the Bonds (the "Registrar"), upon maturity and upon presentation and surrender at the office of the City Treasurer, in Las Vegas, Nevada, as paying agent for the Bonds (the "Paying Agent"). If any Bond shall not be paid upon such presentation and surrender at or after maturity, it shall continue to draw interest at the interest rate borne by said Bond until the principal thereof is paid in full.

SECTION 14. A. **Payment of Interest.** Except as otherwise provided in Section 17 hereof, payment of interest on any Bond shall be made to the owner thereof by check or draft mailed by the Paying Agent, on each interest payment date (or, if such interest payment date is not a business day, on the next succeeding business day), to the owner thereof, at his or her address as shown on the registration records kept by the Registrar as of the close of business on the fifteenth day of the calendar month next preceding each interest payment date (other than a special interest payment date hereafter fixed for payment of defaulted interest) (the "Regular Record Date"); but any such interest not so timely paid or duly provided for shall cease to be payable to the owner thereof

as shown on the registration records of the Registrar as of the close of business on the Regular Record Date and shall be payable to the owner thereof, at his or her address, as shown on the registration records of the Registrar as of the close of business on a date fixed to determine the names and addresses of owners for the purpose of paying defaulted interest (the "Special Record Date"). Such Special Record Date and the date for payment of defaulted interest shall be fixed by the Registrar whenever moneys become available for payment of the defaulted interest, and notice of the Special Record Date and the date for payment of defaulted interest shall be given to the owners of the Bonds not less than ten days prior thereto by first-class mail to each such owner as shown on the Registrar's registration records as of a date selected by the Registrar, stating the date of the Special Record Date and the date fixed for the payment of such defaulted interest. The Paying Agent may make payments of interest on any Bond by such alternative means as may be mutually agreed to between the owner of such Bond and the Paying Agent. All such payments of principal and interest shall be made in lawful money of the United States of America without deduction for any service charges of the Paying Agent or Registrar.

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

SECTION 15. **Negotiability.** Subject to the registration provisions herein provided, the Bonds shall be fully negotiable within the meaning of and for the purpose of the Uniform Commercial Code - Investment Securities and each owner shall possess all rights enjoyed by holders of negotiable instruments under the Uniform Commercial Code - Investment Securities.

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

A. Records for the registration and transfer of the Bonds shall be kept by the Registrar. Upon the surrender of any Bond at the Registrar, duly endorsed for transfer or accompanied by an assignment in form satisfactory to the Registrar duly executed by the owner or his or her attorney duly authorized in writing, the Registrar shall authenticate and deliver in the name of the transferee or transferees a new Bond or Bonds of a like aggregate principal amount and of the same maturity, bearing a number or numbers not previously assigned. Bonds may be exchanged at the

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

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

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

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

SECTION 17. **Book Entry.**

A. Notwithstanding the foregoing provisions of Sections 13 to 16 hereof, the Bonds shall initially be evidenced by one Bond for the year in which the Bonds mature in denominations equal to the aggregate principal amount of the Bonds maturing in that year. Such initially delivered Bonds shall be registered in the name of "Cede & Co." as nominee for The Depository Trust Company, the securities depository for the Bonds. The Bonds may not thereafter be transferred or exchanged except:

(1) to any successor of The Depository Trust Company or its nominee, which successor must be both a "clearing corporation" as defined in subsection 3 of NRS § 104.8102, and a qualified and registered "clearing agency" under Section 17A of the Securities Exchange Act of 1934, as amended; or

(2) upon the resignation of The Depository Trust Company or a successor or new depository under clause (1) or this clause (2) of this Subsection A, or a determination by the Council that The Depository Trust Company or such successor or new depository is no longer able to carry out its functions, and the designation by the Council of another depository institution acceptable to the Council and to the depository then holding the bonds, which new depository institution must be both a "clearing corporation" as defined in subsection 3 of NRS § 104.8102 and a qualified and registered "clearing agency" under Section 17A of the Securities Exchange Act of 1934, as amended, to carry out the functions of The Depository Trust Company or such successor or new depository; or

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

to locate another qualified depository institution under clause (2) to carry out such depository functions.

B. In the case of a transfer to a successor of The Depository Trust Company or its nominee as referred to in clause (1) of Subsection A hereof or designation of a new depository pursuant to clause (2) of Subsection A hereof, upon receipt of the outstanding Bonds by the Registrar, together with written instructions for transfer satisfactory to the Registrar, a new Bond for each maturity of the Bonds then outstanding shall be issued to such successor or new depository, as the case may be, or its nominee, as is specified in such written transfer instructions. In the case of a resignation or determination under clause (3) of Subsection A hereof and the failure after reasonable investigation to locate another qualified depository institution for the bonds as provided in clause (3) of Subsection A hereof, and upon receipt of the outstanding bonds by the Registrar, together with written instructions for transfer satisfactory to the Registrar, new Bonds shall be issued in the denominations of \$5,000 or any integral multiple thereof, as provided in any subject to the limitations of Section 13 hereof, registered in the names of such persons, and in such denominations as are requested in such written transfer instructions; however, the Registrar shall not be required to deliver such new Bonds within a period of less than 60 days from the date of receipt of such written transfer instructions.

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

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

of the Bond Requirements of the Bonds by arranging for payment in such a manner that funds representing such payments are available to the depository on the date they are due.

SECTION 18. Execution and Authentication.

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

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

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

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

SECTION 19. Use of Predecessor's Signature. The Bonds bearing the signatures of the officers in office at the time of the execution of the Bonds shall be valid and binding

obligations of the City, notwithstanding that before their delivery any or all of the persons who executed them shall have ceased to fill their respective offices. The Mayor, the Treasurer, and the Clerk, at the time of the execution of a signature certificate relating to the Bonds, may each adopt as and for his own facsimile signature, the facsimile signature of his predecessor in office if such facsimile signature appears upon any of the Bonds.

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

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

SECTION 22. **Initial Registration.** The Registrar shall maintain separate registration records of the City for the Bonds, showing the name and address of the owner of each Bond authenticated and delivered, the date of authentication, the maturity of the Bond, and its interest rate, principal amount, and bond number.

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

SECTION 24. **Bond Form.** Subject to the provisions of this Ordinance, the Bonds shall be in substantially the following form, with such omissions, insertions, endorsements, and variations as may be required by the circumstances, be required or permitted by this Ordinance, or be consistent with this Ordinance and necessary or appropriate to conform to the rules and requirements of any governmental authority or any usage or requirement of law with respect thereto:

(Form of Bond)

TRANSFER OF THIS BOND OTHER THAN BY REGISTRATION IS NOT EFFECTIVE

**CITY OF LAS VEGAS, NEVADA
GENERAL OBLIGATION (LIMITED TAX)
MEDIUM-TERM DETENTION CENTER REFUNDING BONDS
SERIES 2003B**

No. _____ \$ _____

<u>Interest Rate</u>	<u>Maturity Date</u>	<u>Dated As of</u>	<u>CUSIP</u>
_____ %	June 1, _____	[_____ 1, 2003]	

REGISTERED OWNER: CEDE & CO.

PRINCIPAL AMOUNT: _____ DOLLARS

The City of Las Vegas, Clark County, in the State of Nevada (the "City", the "County" and the "State", respectively) for value received, hereby acknowledges itself to be indebted and promises to pay to the registered owner specified above, or registered assigns, the principal amount specified above, on the maturity date specified above, and to pay interest thereon on June 1 and December 1 of each year, commencing on December 1, 2003, at the interest rate per annum specified above, until the principal sum is paid or payment has been provided for. This Bond shall bear interest from the most recent interest payment date to which interest has been paid or, if no interest has been paid, from the date of this Bond. The principal of this Bond is payable upon presentation and surrender hereof at the principal office of the City's paying agent for the Bonds (the "Paying Agent"), presently the City Treasurer in Las Vegas, Nevada, who is also now acting as the City's Registrar for the Bonds (the "Registrar"). Interest on this Bond will be paid on each interest payment date (or, if such date is not a business day, on the next succeeding business day) by check or draft mailed by first class mail to the person in whose name this Bond is registered (the "registered owner") in the registration records of the City maintained by the Registrar, at the address appearing thereon, as of the close of business on the fifteenth day of the calendar month next preceding such interest payment date (the "Regular Record Date"). Any such interest not so timely paid or duly provided for shall cease to be payable to the person who is the registered owner as of the close of business on the Regular Record Date and shall be payable to the person who is the registered owner as of the close of business on a special record date for the payment of any defaulted interest (the "Special Record Date"). Such Special Record Date and the date for payment of defaulted interest

shall be fixed by the Registrar whenever moneys become available for payment of the defaulted interest, and notice of the Special Record Date and the date for payment of defaulted interest shall be given to the registered owner not less than ten (10) days prior thereto. Alternative means of payment of interest may be used if mutually agreed to by the registered owner and the Paying Agent, as provided in the ordinance of the City Council of the City of Las Vegas (the "Council") authorizing the issuance of the Bonds (the "Bonds") and designated in § 1 thereof as the "2003 Medium-Term Detention Center Refunding Bond Ordinance" (the "Ordinance"), duly adopted by the Council on May 21, 2003. All such payments shall be made in lawful money of the United States of America without deduction for any service charges of the Paying Agent or Registrar.

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

This Bond is fully transferable by the registered owner in person or by his or her duly authorized attorney on the registration records kept by the Registrar upon surrender of this Bond together with a duly executed written instrument of transfer satisfactory to the Registrar. Upon such transfer a new fully registered Bond of authorized denomination or denominations of the same aggregate principal amount and maturity will be issued to the transferee in exchange for this Bond, on payment of the charges and subject to the terms and conditions as set forth in the Ordinance.

Unless this Bond is presented by an authorized representative of The Depository Trust Company, a New York corporation ("DTC"), to the City or its agent for registration of transfer, exchange, or payment, and any Bond issued is registered in the name of Cede & Co. or in such other name as is requested by an authorized representative of DTC (and any payment is made to Cede & Co. or to such other entity as is requested by an authorized representative of DTC), ANY TRANSFER, PLEDGE, OR OTHER USE HEREOF FOR VALUE OR OTHERWISE BY OR TO ANY PERSON IS WRONGFUL inasmuch as the registered owner hereof, Cede & Co., has an interest herein.

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

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

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

This Bond is one of a series of Bonds issued by the City upon its behalf and upon the credit thereof, for the purpose of defraying wholly or in part the cost of refunding certain outstanding bonds of the City, under the authority of and in full compliance with the Constitution and laws of the State, and pursuant to the Ordinance.

This Bond is issued pursuant to Chapter 517, Statutes of Nevada, 1983, as amended (the "Charter") pursuant to Nevada Revised Statutes ("NRS") §§ 268.672 to 268.740, inclusive (the "City Bond Law"), pursuant to NRS §§ 350.087 to 350.095, inclusive (the "Act"), pursuant to NRS §§ 350.500 through 350.720, and all laws amendatory thereof, designated in § 350.500 thereof as the "Local Government Securities Law" (the "Bond Act"), and pursuant to the Ordinance; pursuant to § 350.628 of the Bond Act, this recital is conclusive evidence of the validity of the Bonds and the regularity of their issuance; and pursuant to § 350.710 of the Bond Act, the Bonds, their transfer, and the income therefrom shall forever be and remain free and exempt from taxation by the State or any subdivision thereof, except for the tax on estates imposed pursuant to Chapter 375A of NRS and the tax on generation-skipping transfers imposed pursuant to Chapter 375B of NRS.

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

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

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

It is hereby certified, recited, declared and warranted that all actions required to be taken prior to the issuance hereof have been had and taken by the City; and that the principal of the Bonds, when added to other City indebtedness, does not exceed the limits on indebtedness of the City provided in the Constitution and statutes of the State.

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

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

(MANUAL OR FACSIMILE
CITY SEAL)

CITY OF LAS VEGAS, NEVADA

Attest:

(Manual or Facsimile Signature)

Mayor

(Manual or Facsimile Signature)
City Clerk

(Manual or Facsimile Signature)

City Treasurer

* Insert only if Bonds are delivered pursuant to Section 17(A)(3) of this Ordinance.

** Insert only if Bonds are delivered pursuant to Section 17(A) of this Ordinance.

(End of Form of Bond)

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

Date of authentication
and registration _____

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

CITY OF LAS VEGAS TREASURER
as Registrar

By Manual Signature
Authorized Officer or Employee

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

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

(Form of Assignment for Bonds)

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

Dated: _____

Signature Guaranteed:

Name of Transferee:

Address of Transferee:

Social Security or other tax
identification number of
Transferee:

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

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

(End of Form of Assignment for Bonds)

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

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

B. Second, Bond proceeds, together with other available moneys of the City, in an amount sufficient to establish an initial cash balance and to purchase the Federal Securities (as hereinafter defined) designated in the Escrow Agreement, shall be deposited into a special and separate trust fund held by the Escrow Bank designated as the "City of Las Vegas, Nevada, General Obligation (Limited Tax) Medium-Term Detention Center Refunding Bonds, Series 2003B Escrow Account" (the "Escrow Account") and used as provided herein.

C. Third, the remaining proceeds of the Bonds shall be accounted for by deposit into a special account hereby created in the treasury of the City and designated as the "City of Las Vegas, Nevada, General Obligation (Limited Tax) Medium-Term Detention Center Refunding Bonds, Series 2003B Expense Account" (the "Expense Account") and shall be applied solely to defray wholly or in part the costs of issuing the Bonds, the costs of rebates to the United States under § 148 of the Internal Revenue Code of 1986, as amended (the "Tax Code"), and establishing the Escrow Account, including any premium for insuring the Bonds, which the Council hereby determines are necessary and desirable and pertain to the Project. After the payment of such costs, any unexpended moneys remaining in the Expense Account shall be deposited into the Medium-Term Debt Service Fund hereinafter created for the payment of the principal of and interest on the Bonds as the same becomes due.

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

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

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

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

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

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

available without replacement for the payment of such Bond Requirements on other than a temporary basis), and for the purpose of creating funds for the payment of the Bond Requirements, there is hereby created a separate account designated as the "City of Las Vegas, Nevada, General Obligation (Limited Tax) Medium-Term Detention Center Refunding Bonds, Series 2003B, Medium-Term Debt Service Fund" (the "Medium-Term Debt Service Fund"). Pursuant to §§ 350.592 and 350.594, Bond Act, and § § 350.093 and 350.095 of the Act, except to the extent other funds are legally available therefor, there shall be duly levied immediately after the issuance of the Bonds and annually thereafter, until all of the Bond Requirements shall have been fully paid, satisfied and discharged, a General Tax on all property, both real and personal, subject to taxation within the boundaries of the City, including the net proceeds of mines, fully sufficient to reimburse such fund or funds for any such amounts temporarily advanced to pay such initial installment of interest, and to pay the interest on the Bonds becoming due after such initial installment, and to pay and retire the Bonds as they thereafter become due at maturity as herein provided, after there are made due allowances for probable delinquencies. The proceeds of such annual levies shall be duly credited to the Medium-Term Debt Service Fund for the payment of such Bond Requirements. In the preparation of the annual budget or appropriation resolution or ordinance for the City, the Council shall first make proper provisions through the levy of sufficient General Taxes for the payment of the interest on and the retirement of the principal of the bonded indebtedness of the City, including, without limitation, the Bonds, subject to the limitation imposed by NRS §§ 354.59811, 354.59813, 354.59815, 354.5982 and 361.453, and Section 2, art. 10, State Constitution, and the amount of money necessary for this purpose shall be a first charge against all such revenues received by the City. -

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

payment of such bonded indebtedness and the interest thereon shall always enjoy a priority over General Taxes levied by each such unit (including, without limitation, the City and the State) for all other purposes where reduction is necessary in order to comply with the limitations of NRS §§ 361.453, 354.59811, 354.59813 and 354.5982.

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

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

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

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

SECTION 36. **Appropriation of General Taxes.** In accordance with § 350.602, Bond Act, there is hereby specially appropriated the proceeds of such General Taxes to the payment of such principal of and interest on the Bonds; and such appropriations will not be repealed nor the General Taxes postponed or diminished (except as herein otherwise expressly provided) until the Bond Requirements the Bonds have been wholly paid or provided for.

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

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

SECTION 38. **Tax Covenant.** The City covenants for the benefit of the owners of the Bonds that it will not take any action or omit to take any action with respect to the Bonds, the proceeds thereof, any other funds of the City or any facilities refinanced with the proceeds of the Bonds if such action or omission (i) would cause the interest on the Bonds to lose its exclusion from gross income for federal income tax purposes under § 103 of the Tax Code, or (ii) would cause interest on the Bonds to lose its exclusion from alternative minimum taxable income as defined in § 55(b)(2) of the Tax Code except to the extent such interest is required to be included in the adjusted current earnings adjustment applicable to corporations under § 56 of the Tax Code in calculating corporate alternative minimum taxable income. The foregoing covenant shall remain in full force and effect notwithstanding the payment in full or defeasance of the Bonds until the date on which all obligations of the City in fulfilling the above covenant under the Tax Code have been met.

SECTION 39. **Defeasance.** When all Bond Requirements of any Bond has been duly paid, the pledge, the lien, and all obligations hereunder shall thereby be discharged as to that Bond and the Bond shall no longer be deemed to be outstanding within the meaning of this Ordinance. There shall be deemed to be such due payment when the City has placed in escrow or in trust with a trust bank located within or without the State, an amount sufficient (including the known minimum yield available for such purpose from bills, certificates of indebtedness, notes, bonds or similar

securities which are direct obligations of, or the principal of and interest on which are unconditionally guaranteed by the United States ("Federal Securities") in which such amount may be initially invested wholly or in part) to meet all Bond Requirements of the Bond, as the same become due. The Federal Securities shall become due before the respective times on which the proceeds thereof shall be needed, in accordance with a schedule established and agreed upon between the City and the bank at the time of the creation of the escrow or trust, or the Federal Securities shall be subject to redemption at the option of the holders thereof to assure availability as needed to meet the schedule. For the purpose of this section "Federal Securities" shall include only Federal Securities which are not callable for redemption prior to their maturities except at the option of the owner thereof.

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

SECTION 41. **Replacement of Registrar or Paying Agent.** If the Registrar or Paying Agent initially appointed hereunder shall resign, or if the Council shall reasonably determine that said Registrar or Paying Agent has become incapable of performing its duties hereunder, the Council may, upon notice mailed to each owner of any Bond at his or her address last shown on the registration records, appoint a successor Registrar or Paying Agent, or both. No resignation or dismissal of the Registrar or Paying Agent may take effect until a successor is appointed. It shall not be required that the same institution serve as both Registrar and Paying Agent hereunder, but the City shall have the right to have the same institution serve as both Registrar and Paying Agent.

Any successor corporation or association into which the Registrar or Paying Agent may be converted or merged, or with which they may be consolidated, or to which they may sell or transfer their corporate trust business and assets as a whole or substantially as a whole, or any corporation or association resulting from any such conversion, sale, merger, consolidation or transfer, to which they are a party, shall be and become the successor Registrar or Paying Agent under this Ordinance, without the execution or filing of any instrument or any further act, deed, or

conveyance on the part of any of the parties hereto, anything in this Ordinance to the contrary notwithstanding.

SECTION 42. Maintenance and Use of Escrow Account.

A. The Escrow Account shall be maintained by the City in an amount at the time of those initial deposits therein and at all times subsequently at least sufficient, together with the known minimum yield to be derived from the initial investment and any temporary reinvestment of the deposits therein or any part thereof in Federal Securities, to pay the interest due in connection with the Refunded Bonds, both accrued and not accrued, as the same become due up to and including the redemption date for the Refunded Bonds set forth in the Escrow Agreement (the "Refunded Bonds Redemption Date"), and to redeem on the Refunded Bonds Redemption Date all of the Refunded Bonds at a redemption price equal to the principal amount thereof, and accrued interest to the redemption date.

B. Moneys shall be withdrawn by the Escrow Bank from the Escrow Account in sufficient amounts and at such times to permit the payment of the principal and interest requirements of the Refunded Bonds on and before the Refunded Bonds Redemption Date and on the Refunded Bonds Redemption Date, the City shall call for prior redemption of all the Refunded Bonds. Any moneys remaining in the Escrow Account after provision shall have been made for the redemption in full of the Refunded Bonds shall be applied to any lawful purpose of the City as the Council may hereafter determine.

C. If for any reason the amount in the Escrow Account shall at any time be insufficient for the purposes of effecting the Refunding Project, the City shall forthwith from the first moneys available therefor deposit in such account such additional moneys as shall be necessary to permit the payment in full of the principal, interest and any redemption premium due in connection with the Refunded Bonds as herein provided.

SECTION 43. **Exercise of Option; Notice of Redemption.**

A. The Council has elected and does hereby declare its intent to exercise on the behalf and in the name of the City its option to redeem on the Refunded Bonds Redemption Date all of the Refunded Bonds. The Council is hereby obligated so to exercise such option, which option shall be deemed to have been exercised when notice is duly given and completed forthwith after the issuance of the Bonds as herein provided.

B. The Treasurer, forthwith upon issuance of the Bonds, is authorized and directed to give forthwith upon the issuance of the Bonds a notice of prior redemption and defeasance of all the Refunded Bonds as set forth herein, in accordance with the provisions of the ordinance authorizing the issuance of the Refunded Bonds.

C. The notice of prior redemption and defeasance shall be given by certified mail to the registered owner of each of the Refunded Bonds and to Ambac Assurance Corporation, and by first class mail to the Municipal Securities Rulemaking Board and one or more national information repositories.

SECTION 44. **Delegated Powers.** The officers and employees of the City are hereby authorized and directed to take all action necessary or appropriate to effectuate the provisions of this Ordinance, including, without limitation:

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

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

- (1) the signing of the Bonds and the Depository Trust Company Letter of Representations,
- (2) the tenure and identity the officials of the City,
- (3) the assessed valuation of the taxable property in and the indebtedness of the City,

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

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

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

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

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

C. The execution by the City's Finance Director of the Bond Purchase Proposal for the sale of the bonds with the Purchaser thereof;

D. The completion and execution by the City's Finance Director of the Certificate of the Finance Director and the Escrow Agreement; and

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

SECTION 45. **Ordinance Irrepealable.** After any of the Bonds are issued, this Ordinance shall constitute an irrevocable contract between the City and the owner or owners of the Bonds; and this Ordinance, if any Bonds are in fact issued, shall be and shall remain irrepealable until the Bonds, as to all Bond Requirements, shall be fully paid, canceled and discharged, as herein provided.

SECTION 46. **Implied Repealer.** All ordinances, resolution bylaws and orders, or parts thereof, inconsistent herewith are hereby repealed to the extent only of such inconsistency. This repealer shall not be construed to revive any ordinance, resolutions, bylaw or order, or part hereof, heretofore repealed.

SECTION 47. **Publication of Proposed Ordinance.** When first proposed, this Ordinance must be read to the Council by title and referred to a committee for consideration, after which an adequate number of copies of this Ordinance must be deposited with the City Clerk for public examination and distribution upon request. Notice of the deposit must be published once in a newspaper printed and published in the City at least 10 days before the adoption of the ordinance, such publication to be in substantially the following form:

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

BILL NO. _____

AN ORDINANCE DESIGNATED BY THE SHORT TITLE "2003 MEDIUM-TERM DETENTION CENTER REFUNDING BOND ORDINANCE"; PROVIDING FOR THE ISSUANCE BY THE CITY OF LAS VEGAS OF ITS GENERAL OBLIGATION (LIMITED TAX) MEDIUM-TERM DETENTION CENTER REFUNDING BONDS, SERIES 2003B, FOR THE PURPOSE OF REFUNDING CERTAIN OUTSTANDING BONDS OF THE CITY; PROVIDING COVENANTS, AGREEMENTS AND OTHER DETAILS CONCERNING THE BONDS, THE PROJECT AND GENERAL TAX PROCEEDS; PROVIDING OTHER MATTERS RELATING THERETO.

PUBLIC NOTICE IS HEREBY GIVEN, that an adequate number of typewritten copies of the above entitled proposed Ordinance are available for public inspection and distribution at the office of the City Clerk of the City of Las Vegas, at her office in City Hall, 400 Stewart Avenue, Las Vegas, Nevada, and that such Ordinance was proposed on May 7, 2003, and will be considered for adoption at a regular meeting of the City Council of the City of Las Vegas on May 21, 2003.

/s/ Barbara Jo Ronemus
City Clerk

(End of Form for Publication)

Section 48. **Effective Date.** This Ordinance shall be in effect on the day after its publication as hereinafter provided, and after this Ordinance is signed by the Mayor and attested by the Clerk, this Ordinance shall be published by title only, together with the names of the council members voting for or against its passage, such publication to be made in the Las Vegas Review Journal, a newspaper printed, published and of general circulation in the City, pursuant to the provisions of Section 2.110 of the Charter, such publication to be in substantially the following form:

(Form of Publication of Adoption of Ordinance)

BILL NO. ___

ORDINANCE NO. ___

(of the City of Las Vegas, Nevada)

AN ORDINANCE DESIGNATED BY THE SHORT TITLE "2003 MEDIUM-TERM DETENTION CENTER REFUNDING BOND ORDINANCE"; PROVIDING FOR THE ISSUANCE BY THE CITY OF LAS VEGAS OF ITS GENERAL OBLIGATION (LIMITED TAX) MEDIUM-TERM DETENTION CENTER REFUNDING BONDS, SERIES 2003B, FOR THE PURPOSE OF REFUNDING CERTAIN OUTSTANDING BONDS OF THE CITY; PROVIDING COVENANTS, AGREEMENTS AND OTHER DETAILS CONCERNING THE BONDS, THE PROJECT AND GENERAL TAX PROCEEDS; PROVIDING OTHER MATTERS RELATING THERETO.

PUBLIC NOTICE IS HEREBY GIVEN, and that such Ordinance was proposed on May 7, 2003, and was passed and adopted at a meeting held on May 21, 2003, by the following vote of the City Council:

Those Voting Aye:

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

Those Voting Nay:

Those Absent:

This Ordinance shall be in full force and effect from and after the _____ day of May, 2003, i.e., the day after the publication of such Ordinance by its title only.

IN WITNESS WHEREOF, the City Council of the City of Las Vegas, Nevada, has caused this Ordinance to be published by title only.

DATED this May 21, 2003.

Attest:

/s/ Oscar Goodman
Mayor


/s/ Barbara Jo Ronemus
City Clerk

(End of Form of Publication)

SECTION 49. **Severability.** If any section, paragraph, clause or provision of this Ordinance shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this Ordinance.

Adopted May 21, 2003.

(SEAL)



Mayor

Attest:



City Clerk

APPROVED AS TO FORM:



DATE 4/23/03

This Ordinance shall be in force and effect on and after the 25th day of May, 2003.

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

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

1. The foregoing pages constitute a true, correct, complete and compared copy of an ordinance which was introduced at the meeting of the Council on May 7, 2003 and finally adopted and approved on May 21, 2003.

2. The following members of the Council were present at the May 7, 2003 Council meeting:

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

3. The foregoing Ordinance was first proposed and read by title to the City Council on May 7, 2003, and referred to a committee for recommendation; thereafter the said committee reported favorably on said Ordinance on May 21, 2003, which was a regular meeting of said Council; that at said regular meeting, the proposed Ordinance was again read by title to the City Council and adopted. The members of the City Council were present at the May 21, 2003 meeting and voted upon the adoption of the Ordinance as follows:

**Those Voting Aye: Mayor:
Councilmembers:**

**Oscar Goodman
Gary Reese
Michael J. McDonald
Larry Brown
Lawrence Weekly
Michael Mack
NONE**

Those Voting Nay:

Those Absent:

Lynette Boggs-McDonald

4. The original of the Ordinance has been approved and authenticated by the signatures of the Mayor of the City and myself as Clerk of the City, and sealed with the seal of the City, and has been recorded in the journal of the Council kept for that purpose in my office, which record has been duly signed by such officers and properly sealed.

5. All members of the Council were given due and proper notice of the meetings held on May 7, 2003 and May 21, 2003. Pursuant to § 241.020, Nevada Revised Statutes, written notice of the meetings was given no later than 9:00 a.m. on the third working day before the meetings including in the notice the time, place, location, and agenda of the meeting:

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

- (i) Court Clerk's Office Bulletin Board
City Hall Plaza
Las Vegas, Nevada
- (ii) City Hall Plaza
Special Outside Posting Bulletin Board
Las Vegas, Nevada
- (iii) Senior Citizens Center
Las Vegas, Nevada

(iv) Clark County Government Center
500 South Grand Central Parkway
Las Vegas, Nevada

(v) Downtown Transportation Center
Las Vegas, Nevada

and

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

6. A copy of such notice so given of the meeting of the Council on May 7, 2003 is attached to this certificate as Exhibit A and a copy of the notice so given of the meeting of the Council on May 21, 2003 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 May 21, 2003.

(SEAL)

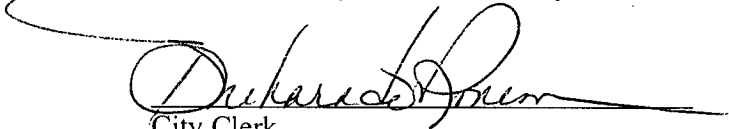

City Clerk

EXHIBIT A

(Attach Copy of Notice of May 7, 2003 Meeting)

CITY COUNCIL AGENDA

MAY 7, 2003

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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)

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.

MAY 7, 2003

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

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

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

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

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

CEREMONIAL MATTERS

- CALL TO ORDER
- ANNOUNCEMENT RE: COMPLIANCE WITH OPEN MEETING LAW
- INVOCATION - REVEREND JUDY ANDREWS, NATHAN ADELSON HOSPICE
- PLEDGE OF ALLEGIANCE
- OATH OF OFFICE ADMINISTERED TO ELECTED OFFICIALS – Mayor; Councilman, Ward 3; Councilman, Ward 5; Municipal Court Judge, Department 3; and Municipal Court Judge, Department 4
- RECOGNITION OF THE CITIZEN OF THE MONTH
- RECOGNITION OF NATIONAL HISTORIC PRESERVATION WEEK
- RECOGNITION OF TENNIS MONTH
- RECOGNITION OF THE NATIONAL ASSOCIATION OF LETTER CARRIERS
- RECOGNITION OF FIRE AND RESCUE UNIT 42 AND 911 FIRE ALARM OFFICE
- RECOGNITION OF POOL SAFETY MONTH

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 April 2, 2003

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 to transfer funding from the Vocational High School Sports Complex project in the amount of \$100,000 to the Northwest Regional Open Space Plan project and update the Parks in Progress Listing (\$100,000 - Parks and Leisure Activities Capital Projects Fund) - Ward 6 (Mack)
5. Approval of a Special Event Liquor License for Mr. D's Sportsbar & Grill, Location: 1810 South Rainbow Blvd., Date: May 30-31, 2003, Type: Special Event General, Event: Beach Party Fund Raiser for Metro's Widows & Orphans, Responsible Person in Charge: Del Bunch - Ward 1 (M. McDonald)
6. Approval of a new Wholesale General Liquor License subject to Health Dept. regulations, Veritas Wine Distributing, LLC, dba Nevada Wine Agents, 6231 McLeod Drive, Suite K, William H. B. Garrett, Mmbr, Mgr, 35.455%, Gustave B. Backman, Mmbr, Mgr, 35.455%, Kenneth L. Fredrickson, Mmbr, Mgr, 20.32%, Gustave C. Backman, Mmbr, 8.77% - County
7. Approval of Change of Business Name for a Tavern Liquor License, D. Westwood, Inc., dba From: The Board Room, To: Treasures, 2801 Westwood Drive, Ali Davari, Dir, Pres, Treas, 50%, Hassan Davari, Dir, Secy, 50% - Ward 1 (M. McDonald)
8. Approval of Change of Ownership for a Beer/Wine/Cooler Off-sale Liquor License subject to Health Dept. regulations, From: Orchard Street, Inc., Ken Martindale, Dir, Pres, CEO, 51%, Allen Martindale, Dir, Secy, 35%, Jeffrey L. Oliver, VP, 4%, To: Craig Knudson/John Hurley, dba Orchard Street Market, 9436 West Lake Mead Blvd., Suite 8, Craig C. Knudson, Ptnr, 50%, John F. Hurley, Ptnr, 50% - Ward 4 (Brown)
9. Approval of Change of Ownership, Location and Business Name for a Supper Club Liquor License subject to the provisions of the fire codes and Health Dept. regulations, From: Ferraro's Summerlin, LLC, dba Ferraro's Summerlin, 1916 Village Center Circle, Suite 7 (Non-operational), Gino M. Ferraro, Mgr, Mmbr, 100%, To: Red Robin International, Inc., dba Red Robin America's Gourmet Burgers & Spirits, 7860 West Tropical Parkway, Michael J. Snyder, Dir, Pres, CEO, James P. McCloskey, CFO, VP, Secy, John W. Grant, VP, Asst Secy, Gen Counsel, Red Robin Gourmet Burgers, Inc., 100%, Michael J. Snyder, Dir, Pres, CEO, James P. McCloskey, CFO, VP, Secy, John W. Grant, VP, Asst Secy, Gen Counsel - Ward 6 (Mack)
10. Approval of Change of Ownership and Business Name for a Beer/Wine/Cooler On-sale Liquor License subject to the provisions of the fire codes, From: Shabtai & Shabtai, dba Piazza Italia, Eliezer M. Shabtai and Argia A. Shabtai, 100% jointly as husband and wife, To: John A. Gallo, dba Gallo's Famous Pizza Company, 3250 North Tenaya Way, Suite 110, John A. Gallo, 100% - Ward 4 (Brown)
11. Approval of a new Slot Operator Space Lease Location Restricted Gaming License for 4 slots, Westronics, Inc., db at Bells Market, 720 West Owens - Ward 5 (Weekly)

FINANCE & BUSINESS SERVICES DEPARTMENT - CONSENT

12. Approval of Change of Ownership and Business Name for a Tavern Liquor License and a new Restricted Gaming License for 15 slots subject to Health Dept. regulations, From: Clavir, Inc., dba King of Clubs Tavern, Leslie M. Clavir, Dir, Pres, Secy, Treas, 100%, To: King of Clubs, Inc., dba King of Clubs, 1401 North Decatur Blvd., Suite 6, Norma C. Kastler, Dir, Pres, 50%, Lois C. Swier, Dir, Secy, Treas, 50% - Ward 1 (M. McDonald)
13. Approval of a new Restricted Gaming License for 5 slots, Jeffrey Harbach, dba 7-Eleven Food Store #29643B, 15 North Lamb Blvd., Jeffrey R. Harbach, Franchise Mgr - Ward 3 (Reese)
14. Approval of Change of Location for a Locksmith License subject to the provisions of the planning codes, Maximum Security, dba Maximum Security, From: 4615 Faircenter Parkway, To: 219 North 3rd Street, Suites A & B, John M. Cetrano, 100% - Ward 5 (Weekly)
15. Approval of Award of Bid Number 03.1730.06-LW, 2002-2003 Street Rehabilitation Meadows Unit 4 and approve the construction conflicts & contingency reserve set by Finance & Business Services - Department of Public Works - Award recommended to: CG&B ENTERPRISES, INC. (\$993,788.91 - Capital Projects Fund) - Ward 3 (Reese)
16. Approval of Award of Bid Number 030239-LED, Digester Cleaning, WPCF - Department of Public Works - Award recommended to: TRIMAX RESIDUALS MANAGEMENT, INC. (\$277,936.50 - Enterprise Fund)
17. Approval of award of Bid Number 030236-DAR, Annual Requirements Contract for Video Sewer Inspections - Department of Field Operations - Award recommended to: PIPE MAINTENANCE SERVICE, INC. (Estimated biennial amount of \$200,000 - Enterprise Fund)
18. Approval of revision number one to purchase order 212515 for uniform services (JDF) - Various Departments - Award to: UNIFIRST CORPORATION (\$150,000 - General Fund)
19. Approval of the issuance of a purchase order for an Annual Requirements Contract for Interspiro self-contained breathing apparatus (SCBA), equipment and associated parts (KF) - Department of Fire & Rescue - Award Recommended to: BAUER COMPRESSORS, INC. (Estimated annual amount of \$150,000 - General Fund)
20. Approval of award of contract for Request for Proposals No. 030198-CW, Oracle 11i Software Migration Assessment Service (CW) - Department of Information Technologies - Award recommended to: i360 TECHNOLOGIES, INC. (\$148,490 - Internal Service Fund)
21. Approval of the issuance of a purchase order to purchase six (6) 24 LifePak 12 monitor/defibrillators for use by Fire & Rescue (KF) - Department of Fire & Rescue - Award recommended to: MEDTRONIC PHYSIO-CONTROL (\$121,240 - General Fund)
22. Approval of issuance of a purchase order for an Annual Requirements Contract (ARC) for OEM Tymco Sweeper, GO-4 Scooter, Cushman Scooter and Sulair Compressor Parts (DAR) - Department of Field Operations - Award recommended to: H&E EQUIPMENT (Estimated annual amount of \$120,000 - Internal Service Fund)
23. Approval of authorization to use Clark County Bid Number 4831-00, Annual Requirements Contract (ARC) for HVAC Parts (DAR) - Department of Field Operations - Award recommended to: VARIOUS SUPPLIERS (Estimated annual aggregate amount of \$75,000 - General Fund)
24. Approval of Contract No. 030294 (LW), CommVault Electronic Data Back-Up and Storage Software, Support and Maintenance - Department of Information Technologies - Award recommended to: AVNET ENTERPRISE SOLUTIONS, INC. (\$72,876 - General Fund)
25. Approval of revision number one to purchase order for supplemental audit services (LR) - Department of Finance and Business Services - Award to: KPMG PEAT MARWICK LLP (\$72,000 - General Fund)
26. Approval of revision number one to purchase order 214654 for an annual requirements contract for miscellaneous bulk chemicals (TB) - Department of Public Works - Award recommended to: THATCHER CO OF NV (\$70,000 - Enterprise Fund)

FINANCE & BUSINESS SERVICES DEPARTMENT - CONSENT

27. Approval of revision number one to purchase order 214294 for an annual requirements contract for sodium hypochlorite (TB) – Department of Public Works – Award recommended to: PIONEER AMERICAS, INC. (\$50,000 – Enterprise Fund)
28. Approval of issuance of a purchase order for an Annual Requirements Contract (ARC) for OEM Horton Rescue Units, Freightliner Truck, Sterling Western Star Truck and Ford L & C Series Truck parts and service (DAR) - Departments of Field Operations and Fire & Rescue - Award recommended to: LAS VEGAS FREIGHTLINER (Estimated annual amount of \$50,000 - Various Funds)
29. Approval of Contract No. 030282 (LW), Internet Content and Filtering Software, Support and Maintenance - Department of Information Technologies - Award recommended to: 8e6 TECHNOLOGIES, INC. (\$42,411 - General Fund)
30. Approval of award of Bid Number 030005-CW, Annual Requirements Contract for Theater Lighting Equipment - Department of Leisure Services - Award recommended to: 4WALL ENTERTAINMENT (Estimated annual amount of \$35,000 - General Fund) – All Wards
31. Approval of Agreement Modification No.1 to Historic Preservation Services Agreement (CW) - Departments of Planning & Development and Leisure Services - Award recommended to: 20TH CENTURY PRESERVATION (\$33,000 - Special Revenue Fund)
32. Approval of the issuance of a purchase order for Motorola 800 mhz radios and equipment to be used by Fire & Rescue (GL) – Department of Fire & Rescue – Award recommended to: MOTOROLA, INC. (\$29,621 – General Fund)
33. Approval of Contract No. 030301 (CW), Online Learning Software Subscription - Department of Information Technologies - Award recommended to: NEW HORIZONS (\$251,490 - Internal Service Fund)

LEISURE SERVICES DEPARTMENT - CONSENT

34. Approval of donation of artwork to the City of Las Vegas: bronze sculpture titled, "Contemplation" by Las Vegas artist Claude Roy valued at \$75,000 (estimated costs \$7,000 - CLV Arts Commission) - Ward 1 (M. McDonald)

NEIGHBORHOOD SERVICES DEPARTMENT - CONSENT

35. Approval of awarding \$42,000 of FY 03 HUD HOPWA funds to Golden Rainbow in the amount of \$10,000 and Aid for AIDS of Nevada (AFAN) in the amount of \$32,000 to distribute additional grant award amounts from HUD - All Wards

PUBLIC WORKS DEPARTMENT - CONSENT

36. Approval of a Sewer Connection and Interlocal Contract with Clark County Water Reclamation District - Southwest Engineering on behalf of U.S. Homes Corporation, owners (southeast corner of Rainbow Boulevard and Horse Drive, APN 125-11-301-001, 125-11-302-001, 125-11-302-002 and 125-11-303-001) - County (near Ward 6-Mack)
37. Approval of an Encroachment Request from L.B. Engineering on behalf of I Rent B & E, LLC, owner (northeast corner of Eastern Avenue and Mesquite Avenue) - Ward 3 (Reese)
38. Approval of a Sewer Connection and Interlocal Contract with Clark County Water Reclamation District - Carter & Burgess, Inc. on behalf of Real Estate Holdings Inc., owners (southeast corner of Sahara Avenue and Mann Street, APN 163-11-502-001) - County (near Ward 1- M. McDonald)

PUBLIC WORKS DEPARTMENT - CONSENT

39. Approval of a Sewer Connection and Interlocal Contract with Clark County Water Reclamation District - Carter & Burgess, Inc. on behalf of Real Estate Holdings Inc., owners (southwest corner of Sahara Avenue and El Camino Road, APN 163-11-502-002) - County (near Ward 1- M. McDonald)
40. Approval of a Sewer Connection and Interlocal Contract with Clark County Water Reclamation District - Roger Mauer and Cynthia Lopez, owners (southwest corner of Durango Drive and Stephen Avenue, APN 125-32-501-049) - County (near Ward 6-Mack)
41. Approval of an Encroachment Request from Carter/Burgess, Incorporated, on behalf of Greystone Nevada, LLC, owner, (Ackerman Avenue west of Durango Drive) - Ward 6 (Mack)
42. Approval of an Encroachment Request from Ace Engineering on behalf of United Brothers, Incorporated, owner (area bound by Charleston Boulevard, Fremont Street, and Eastern Avenue) - Ward 3 (Reese)
43. Approval of a Substitution of Trustee and Deed of Reconveyance between the City of Las Vegas and Desert Leasing, a General Partnership (Trustor), on Parcel Number 138-26-110-001 used as security for the Rainbow Park Infrastructure off-site improvements; located on the east side of Lorenzi Drive between Vegas Drive and Washington Avenue - Ward 6 (Mack)
44. Approval of Third Supplemental Interlocal Contract #LAS.10.R.00 between the City of Las Vegas and the Clark County Regional Flood Control District to extend the award of bid to December 31, 2003 for construction of Gowan North Buffalo Branch (Cheyenne Avenue to Lone Mountain Road - Ward 4 (Brown)
45. Approval of Contract Modification #1with Frehner Construction Company for additional traffic control and flagging to facilitate 4 lanes of traffic throughout the duration of the Rancho Road Storm Drain Project (\$70,000 - Clark County Regional Flood Control District) - Ward 5 (Weekly)
46. Approval of a Settlement Agreement to various Professional Services Agreements with Harding ESE, Inc. for additional material testing and inspection services at various construction projects (\$110,658 - Municipal Golf Course Enterprise Fund, Recreation Bonds, Fire Bonds) - Wards 3, 4, 5, and 6 (Reese, Brown, Weekly and Mack)
47. Approval to file an amendment to Right-of-Way Grant No. N-75757 with the Bureau of Land Management for roadway, sewer and drainage purposes for portions of land lying within the East Half (E1/2) of Section 6 and the Northeast Quarter (NE1/4) of Section 7, T19S, R60E, M.D.M., generally located on the west side of the Fort Apache Road alignment, between the Brent Lane alignment and Moccasin Road alignment – APNs 125-06-000-001, -002, and 125-07-501-002 – Ward 6 (Mack)
48. Approval of a Declaration of Utilization from the Bureau of Land Management for a portion of the Northeast Quarter (NE 1/4) of Section 3, T21S, R60E, M.D.M., for drainage purposes located on the north side of the Holmby Channel alignment – APN: 163-03-501-006 - Ward 1 (M. McDonald)
49. Approval of a Declaration of Utilization from the Bureau of Land Management for a portion of the Northeast Quarter (NE 1/4) of Section 19 and the Northwest Quarter (NW 1/4) of Section 20, T19S, R60E, M.D.M., for roadway, sanitary sewer and drainage purposes located on the east and west sides of the Fort Apache Road alignment between the Elkhorn Road alignment and the Deer Springs Way alignment and on the south side of the Dorrell Lane alignment east of the Fort Apache Road alignment– APNs: 125-19-602-002, -007, -008, -010, -011, and 125-20-101-010 – Ward 6 (Mack)
50. Approval of Second Supplemental Interlocal Contract #331b between the City of Las Vegas and the Regional Transportation Commission of Southern Nevada to reduce and reallocate funding for improvements to Rainbow Boulevard, Rancho Drive to Ann Road (\$182,400 decrease in funding - Regional Transportation Commission) - Ward 6 (Mack)
51. Approval of Second Supplemental Interlocal Contract #388a between the City of Las Vegas, Clark County and the Regional Transportation Commission of Southern Nevada to revise the scope of the Alexander Road/Hualapai Way, Cheyenne Avenue to Durango Road improvements - Ward 4 (Brown)

PUBLIC WORKS DEPARTMENT - CONSENT

52. Approval of First Supplemental Interlocal Contract LLD.13.A.02 between the Clark County Regional Flood Control District and the City of Las Vegas to extend the award of bid date for local drainage improvements in Crystal Water Way between Lake South Drive and Desert Inn Road - Ward 2 (L.B. McDonald)
53. Approval of Third Supplemental Interlocal Contract #LAS.17.D.02 between the City of Las Vegas and the Clark County Regional Flood Control District to increase project funding for a Federal Emergency Management Agency (FEMA) Letter of Map Revision (LOMR) for The Las Vegas Wash Rancho Drive System (Carey/Lake Mead Detention Basin to Peak Drive) (\$107,000 - Clark County Regional Flood Control District) - Ward 5 (Weekly)

RESOLUTIONS - CONSENT

54. R-67-2003 - Approval of a Resolution directing the City Treasurer to prepare the Seventy-Fourth Assessment Lien Apportionment Report for Special Improvement District No. 707 - Summerlin Area (Levy Assessments) - Ward 2 (L.B. McDonald)
55. R-68-2003 - Approval of a Resolution approving the Seventy-Fourth Assessment Lien Apportionment Report for Special Improvement District No. 707 - Summerlin Area (Levy Assessments) - Ward 2 (L.B. McDonald)
56. R-69-2003 - Approval of a Resolution directing the City Treasurer to prepare the Seventy-Fifth Assessment Lien Apportionment Report for Special Improvement District No. 707 - Summerlin Area (Levy Assessments) - Ward 2 (L.B. McDonald)
57. R-70-2003 - Approval of a Resolution approving the Seventy-Fifth Assessment Lien Apportionment Report for Special Improvement District No. 707 - Summerlin Area (Levy Assessments) - Ward 2 (L.B. McDonald)
58. R-71-2003 - Approval of a Resolution directing the City Treasurer to prepare the Thirty-Eighth Assessment Lien Apportionment Report for Special Improvement District No. 808 - Summerlin Area (Levy Assessments) - Ward 2 (L.B. McDonald)
59. R-72-2003 - Approval of a Resolution approving the Thirty-Eighth Assessment Lien Apportionment Report for Special Improvement District No. 808 - Summerlin Area (Levy Assessments) - Ward 2 (L.B. McDonald)
60. R-73-2003 - Approval of a Resolution directing the City Treasurer to prepare the Thirty-Ninth Assessment Lien Apportionment Report for Special Improvement District No. 808 - Summerlin Area (Levy Assessments) - Ward 2 (L.B. McDonald)
61. R-74-2003 - Approval of a Resolution approving the Thirty-Ninth Assessment Lien Apportionment Report for Special Improvement District No. 808 - Summerlin Area (Levy Assessments) - Ward 2 (L.B. McDonald)
62. R-75-2003 - Approval of a Resolution directing the City Treasurer to prepare the Fortieth Assessment Lien Apportionment Report for Special Improvement District No. 808 - Summerlin Area (Levy Assessments) - Ward 2 (L.B. McDonald)
63. R-76-2003 - Approval of a Resolution approving the Fortieth Assessment Lien Apportionment Report for Special Improvement District No. 808 - Summerlin Area (Levy Assessments) - Ward 2 (L.B. McDonald)
64. R-77-2003 - Approval of a Resolution to endorse the findings of the Environmental Assessment for the design and construction of the Elkhorn Road Grade Separation over US 95 - Ward 6 (Mack)
65. R-78-2003 - Approval of a Resolution authorizing the creation of the Commission for the Las Vegas Centennial, a Nevada non-profit corporation and providing for other matters related thereto

REAL ESTATE COMMITTEE – CONSENT

66. Approval authorizing staff to sell the guest home located behind 6240 Juliano Road to Building 160 Supply Company for \$1,650 (incoming funds less closing costs to be applied towards Road Projects/Rights-of-Way acquisition) - Ward 6 (Mack)
67. Approval of a Bill of Sale from the City of Las Vegas to Building 160 Supply Company in conjunction with their purchase of a City-owned guest home located behind 6240 Juliano Road - Ward 6 (Mack)
68. Approval authorizing staff to sell the home located at 6240 Juliano Road to Sandy Redona, Dan Redona, Charles Cole and Mary Jo Cole for \$7,500 (incoming funds less closing costs to be applied towards Road Projects/Rights-of-Way acquisition) - Ward 6 (Mack)
69. Approval of a Bill of Sale from the City of Las Vegas to Sandy Redona, Dan Redona, Charles Cole, and Mary Jo Cole in conjunction with their purchase of a City-owned home located at 6240 Juliano Road - Ward 6 (Mack)
70. Approval of an Easement and Rights-of-Way between the City of Las Vegas (City) and the Las Vegas Valley Water District (LVVWD) for a 20-foot wide Easement to LVVWD for a reservoir on a portion of Parcel Number 138-31-101-002 known as Angel Park - Ward 2 (L.B. McDonald)
71. Approval of a First Amendment to the Municipal Court Traffic School Lease located at 2917 West Washington Avenue renewing the Lease until June 30, 2004, with a six-month renewal option - Ward 5 (Weekly)
72. Approval of a Lease Agreement Renewal between the City of Las Vegas and the Economic Opportunity Board of Clark County's Health Services Division at the Las Vegas Business Center (\$35,424 revenue/36 months-Las Vegas Business Center Operations Fund) - Ward 5 (Weekly)
73. Approval of a Memorandum of Understanding between the City of Las Vegas and the City's Neighborhood Services Department's Educational and Vocational Opportunities Leading to Valuable Experience (EVOLVE) Research and Referral Center at the Las Vegas Business Center (\$70,583.38 revenue/14 months-Las Vegas Business Center Operations Fund) - Ward 5 (Weekly)
74. Approval of the Lease Agreement with U.S. Bank National Association for retail space in the Stewart Avenue Garage located at 261 N. Las Vegas Blvd. (APN#139-34-510-045) (\$14,559.45 - Parking Fund/Stewart Avenue Parking Garage) - Ward 5 (Weekly)

DISCUSSION / ACTION ITEMS

ADMINISTRATIVE - DISCUSSION

75. Report from the City Manager on emerging issues
76. Report and possible action concerning the status of 2003 legislative issues
77. Discussion and possible action on the ratification of the Administrative Services Director (\$148,280 – General Fund)

CITY ATTORNEY - DISCUSSION

78. Discussion and possible action on Appeal of Work Card Denial: Liainna Profit, 7101 Smoke Ranch #2105 Bldg. 17, Las Vegas, Nevada 89128
79. Discussion and possible action on Appeal of Work Card Denial: Held in Abeyance from April 16, 2003. Fabio Armario Mejia, 5005 Chambliss Drive, Las Vegas, Nevada 89130

CITY ATTORNEY - DISCUSSION

80. Discussion and possible action on Appeal of Work Card Denial: Crystal Joyce Griffin, 3255 E. Desert Inn #245, Las Vegas, Nevada 89121
81. Discussion and possible action on Appeal of Work Card Denial: Fredrick C. Acosta, 7101 Smoke Ranch Road, Apt. #2053, Las Vegas, Nevada 89128

FINANCE & BUSINESS SERVICES DEPARTMENT - DISCUSSION

82. Discussion and possible action regarding Temporary Approval of a new Beer/Wine/Cooler Off-sale Liquor License subject to the provisions of the fire codes and Health Dept. regulations, Assahouri & Assahouri, dba S & A Mart, 8490 Westcliff Drive, Abdel K. Assahouri and Mona A. Assahouri, 100% jointly as husband and wife - Ward 2 (L.B. McDonald)
83. ABEYANCE ITEM - Discussion and possible action regarding a Six Month Review of a Restricted Gaming License for 7 slots, E-T-T, Inc., db at Texaco Star Mart, 9991 West Charleston Blvd., Mixed Nuts Hospitality Group, LLC, Participant in Gaming Revenue, William R. Phillips, Mmbr, Mgr, 100% - Ward 2 (L.B. McDonald)
84. Discussion and possible action regarding Approval to Participate in Revenue for a Restricted Gaming License for 5 slots subject to approval by the Nevada Gaming Commission, Cardivan Company, db at Texaco Star Mart, 1500 West Charleston Blvd., Mixed Nuts Hospitality Group, LLC, Participant in Gaming Revenue, William R. Phillips, Mmbr, Mgr, 100% - Ward 5 (Weekly)
85. Discussion and possible action regarding Approval to Participate in Revenue for a Restricted Gaming License for 4 slots subject to approval by the Nevada Gaming Commission, Cardivan Company, db at Texaco Star Mart, 598 North Eastern Ave., Mixed Nuts Hospitality Group, LLC, Participant in Gaming Revenue, William R. Phillips, Mmbr, Mgr, 100% - Ward 3 (Reese)
86. Discussion and possible action regarding Approval to Participate in Revenue for a Restricted Gaming License for 4 slots subject to approval by the Nevada Gaming Commission, Cardivan Company, db at Texaco Star Mart, 298 South Decatur Blvd., Mixed Nuts Hospitality Group, LLC, Participant in Gaming Revenue, William R. Phillips, Mmbr, Mgr, 100% - Ward 1 (M. McDonald)
87. Discussion and possible action regarding a new Massage Establishment License, Peter F. Paul, dba Golden Oasis, 4211 West Sahara Ave., Suite C, Peter F. Paul, 100% - Ward 1 (M. McDonald)
88. Discussion and possible action regarding a new Massage Establishment License subject to the provisions of the fire codes, Li Hua Zito, dba Eastern Massage, 4035 West Sahara Ave., Li Hua Zito, 100% - Ward 1 (M. McDonald)
89. Discussion and possible action regarding Temporary Approval of Change of Ownership and Business Name for a Beer/Wine/Cooler Off-sale Liquor License subject to the provisions of the fire codes and Health Dept. regulations, From: Pioneer Turtle Stop, Inc., dba Turtle Stop #7, O. Leslie Valpiani, Dir, VP, Secy, Treas, The Leslie Valpiani Separate Property Trust, 51%, O. Leslie Valpiani, Trustee, Michael G. Valpiani, Dir, Pres, The Michael Valpiani Separate Property Trust, 49%, Michael G. Valpiani, Trustee, To: Saint's Resources, Inc., dba Orchid Stop-N-Shop, 6101 Vegas Drive, Noel S. Miranda, Dir, Pres, Secy, Treas, 100%, Jason M. Sembrano, Mgr - Ward 5 (Weekly)

NEIGHBORHOOD SERVICES DEPARTMENT - DISCUSSION

90. Public hearing and possible action on the submittal of the Clark County and City of Las Vegas Housing and Urban Development (HUD) 2003 Action Plan of the HUD Consolidated Plan for allocation of \$11,000,227 - All Wards

PLANNING & DEVELOPMENT DEPARTMENT - DISCUSSION

91. Discussion and possible action regarding negotiation and execution of a contract with the consulting firm of Wenk & Clarion Associates to provide the needed professional services for the Northwest Regional Open Space Plan, not to exceed \$250,000 (\$250,000 - Parks & Leisure Activities Capital Improvement Projects) - Wards 4 and 6 (Brown and Mack)

RESOLUTIONS - DISCUSSION

92. R-79-2003 - Public hearing, discussion and possible action regarding a Resolution making certain findings with respect to economic development revenue bonds to finance the costs of the acquisition, construction and equipment of a project for the Andre Agassi Charitable Foundation - Ward 5 (Weekly)
93. R-80-2003 - Public hearing, discussion and possible action on a Resolution approving the Las Vegas-Clark County Library District intent to issue general obligation refunding bonds

BOARDS & COMMISSIONS - DISCUSSION

94. PARK & RECREATION ADVISORY COMMISSION – Zelda Weingard, Term Expiration 11-18-2005 (Resigned)
95. Discussion and possible action on the appointment of members to the Judicial Selection Committee

RECOMMENDING COMMITTEE REPORTS - DISCUSSION

BILLS ELIGIBLE FOR ADOPTION AT THIS MEETING

96. Bill No. 2003-32 – Ordinance Creating Special Improvement District No. 1487 - Jones Boulevard (Beltway to Elkhorn Road) Sponsored by: Step Requirement
97. Bill No. 2003-33 – Annexation No. ANX-1509 – Property location: On the south side of Tropical Parkway, 740 feet east of Rainbow Boulevard; Petitioned by: Eric M. Cheese; Acreage: 2.19 acres; Zoned: R-E (County zoning), U (DR) (City equivalent). Sponsored by: Councilman Michael Mack
98. Bill No. 2003-34 – Annexation No. A-0080-01(A) – Property location: On the north side of Vegas Drive, 520 feet east of Michael Way; Petitioned by: Temporary Assistance for Domestic Crises, Inc.; Acreage: 1.61 acres; Zoned: R-E (County zoning), R-E (City equivalent). Sponsored by: Councilman Lawrence Weekly
99. Bill No. 2003-36 – Eliminates the exemption from double penalties for delinquent handicapped parking violations. Proposed by: Mark Vincent, Director of Finance and Business Services
100. Bill No. 2003-38 – Amends the Town Center Development Standards Manual to add to the list of signs that are permitted in Town Center. Proposed by: Robert S. Genzer, Director of Planning and Development
101. Bill No. 2003-39 – Ordinance Creating Special Improvement District No. 809 - Summerlin Area - Sponsored By: Step Requirement
102. Bill No. 2003-40 – Levies Assessments for Special Improvement District No. 809 - Summerlin Area - Sponsored By: Step Requirement
103. Bill No. 2003-43 – Authorizing the issuance of Local Improvement Bonds, Series 2003 for the City of Las Vegas, Nevada Special Improvement District No. 809 (Summerlin Area) not to exceed \$10,000,000 - Ward 2 (L.B. McDonald)

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.

104. Bill No. 2002-145 – Repeals and replaces LVMC Chapter 6.50, relating to liquor control, and revises related zoning provisions. Proposed by: Mark Vincent, Director, Finance and Business Services
105. Bill No. 2003-41 – Levies Assessment for Special Improvement District No. 1485 - Alta Drive (Landscape Maintenance FY2004) Sponsored by: Step Requirement

NEW BILLS

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

106. Bill No. 2003-44 – Authorizing the issuance of City of Las Vegas General Obligation (Limited Tax) Redevelopment Project Refunding Bonds, (Additionally Secured with Pledged Revenues) Series 2003A
107. Bill No. 2003-45 – Authorizing the issuance of the City of Las Vegas General Obligation Medium-Term Detention Center Refunding Bonds Series 2003B
108. Bill No. 2003-46 – Annexation No. ANX-1238 – Property location: On the southeast corner of Buffalo Drive and Grand Teton Drive; Petitioned by: Clark County School District; Acreage: 40.10 acres; Zoned: R-A (County zoning), U (PF) (City equivalent). Sponsored by: Councilman Michael Mack
109. Bill No. 2003-47 – Annexation No. ANX-1603 – Property location: On the northeast corner of Regena Avenue and Riley Street; Petitioned by: Michael Monahan and Michelle Ware; Acreage: 0.75 acres; Zoned: R-E (County zoning), R-E (City equivalent). Sponsored by: Councilman Michael Mack
110. Bill No. 2003-48 – Annexation No. ANX-1752 – Property location: On the north side of Smoke Ranch Road, 450 feet east of Michael Way; Petitioned by: Thomas Fett; Acreage: 1.18 acres; Zoned: R-E (County zoning), R-E (City equivalent). Sponsored by: Councilman Lawrence Weekly
111. Bill No. 2003-49 – Exempts the buying, selling or trading of used CD's , DVD's, video games, videotapes, cassettes or sound recordings from the secondhand dealer business licensing requirements. Proposed by: Mark Vincent, Director of Finance and Business Services
112. Bill No. 2003-50 – Requires a special use permit for massage establishments in the C-1, C-2, C-PB and C-M Zoning Districts, and allows the use as a conditional use in the M Zoning District. Sponsored by: Councilman Michael J. McDonald

1:00 P.M. - AFTERNOON SESSION

113. 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

HEARINGS - DISCUSSION

114. Public hearing to consider the report of expenses to recover costs for abatement of a dangerous building located at 605 Vincent Way. PROPERTY OWNER: WARREN J. WEST - Ward 1 (M. McDonald)
115. Public hearing to consider the report of expenses to recover costs for abatement of a dangerous building located at 2852 Constantine Avenue. PROPERTY OWNER: POPULAR FINANCIAL SERVICES LLC - Ward 3 (Reese)
116. Public hearing to consider the report of expenses to recover costs for abatement of nuisance/litter located at 232 N. 19th Street. PROPERTY OWNER: VICTOR AND YOLANDA ROBLES, V. ROBLES & ASSOCS. - Ward 3 (Reese)
117. Public hearing to consider the report of expenses to recover costs for abatement of nuisance/litter located at 9999 N. 13th Street. PROPERTY OWNER: TIMOTHY S. & KENNETH C. CORY - Ward 5 (Weekly)

PLANNING & DEVELOPMENT DEPARTMENT

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

PLANNING & DEVELOPMENT DEPARTMENT – DISCUSSION

118. ABEYANCE ITEM - GENERAL PLAN AMENDMENT - PUBLIC HEARING - GPA-1292 - DAYBREAK CHRISTIAN FELLOWSHIP, INC. - Request to Amend a portion of the Southwest Sector Plan of the General Plan FROM: L (Low Density Residential) TO: MLA (Medium-Low Attached Density Residential) on 4.09 acres adjacent to west side of Cimarron Road, approximately 650 feet south of Charleston Boulevard (APN: 163-04-101-011), Ward 1 (M. McDonald). The Planning Commission (6-1 vote) and staff recommend APPROVAL
119. ABEYANCE ITEM - REZONING RELATED TO GPA-1292 - PUBLIC HEARING - ZON-1291 - DAYBREAK CHRISTIAN FELLOWSHIP, INC. - Request for a Rezoning FROM: U (Undeveloped) Zone [L (Low Density Residential) General Plan Designation] TO: R-PD12 (Residential Planned Development - 12 Units per Acre) on 4.09 acres adjacent to the west side of Cimarron Road, approximately 650 feet south of Charleston Boulevard (APN: 163-04-101-011), PROPOSED USE: APARTMENT COMPLEX, Ward 1 (M. McDonald). The Planning Commission (6-1 vote) and staff recommend APPROVAL
120. ABEYANCE ITEM - SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-1292 AND ZON-1291 - PUBLIC HEARING - SDR-1289 - DAYBREAK CHRISTIAN FELLOWSHIP, INC. - Request for a Site Development Plan Review FOR A PROPOSED 52 UNIT APARTMENT COMPLEX on 4.09 acres adjacent to the west side of Cimarron Road, approximately 650 feet south of Charleston Boulevard (APN: 163-04-101-011), U (Undeveloped) Zone [L (Low Density Residential) General Plan Designation], [PROPOSED: R-PD12 (Residential Planned Development - 12 Units per Acre)], Ward 1 (M. McDonald). The Planning Commission (6-1 vote) and staff recommend APPROVAL
121. SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - SDR-1732 - EL DURANGO, LIMITED LIABILITY COMPANY, ET AL ON BEHALF OF STANPARK CONSTRUCTION COMPANY - Request for a Site Development Plan Review FOR A 292-LOT SINGLE FAMILY CLUSTER DEVELOPMENT on 25.8 acres adjacent to the northwest corner of Grand Canyon Drive and Gilcrease Avenue (APN: 125-18-101-008 through 013), U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] under Resolution of Intent to PD (Planned Development) and U (Undeveloped) Zones [PCD (Planned Community Development) General Plan Designation] [PROPOSED: PD (Planned Development)], Ward 6 (Mack). The Planning Commission (4-3 vote) and staff recommend APPROVAL

PLANNING & DEVELOPMENT DEPARTMENT – DISCUSSION

122. MAJOR DEVIATION TO THE GRAND CANYON VILLAGE MASTER DEVELOPMENT PLAN - PUBLIC HEARING - DEV-1850 - G T 2000, INC. ON BEHALF OF RICHMOND AMERICAN HOMES - Request for a Major Deviation to the Grand Canyon Village Master Development Plan TO ALLOW A FRONT SETBACK OF 5 FEET WHERE 18 FEET TO THE GARAGE AND 10 FEET TO THE HOUSE IS REQUIRED, AND A SIDE SETBACK OF 3 FEET WHERE 5 FEET IS REQUIRED FOR A PROPOSED SINGLE FAMILY DETACHED RESIDENTIAL DEVELOPMENT adjacent to the east side of Grand Canyon Drive, approximately 1,940 feet north of Grand Teton Drive (APN: 125-07-701-003), R-E (Residence Estates) Zone under Resolution of Intent to PD (Planned Development), Ward 6 (Mack). Staff recommends DENIAL. The Planning Commission (5-0-2 vote) recommends APPROVAL
123. SITE DEVELOPMENT PLAN REVIEW RELATED TO DEV-1850 - PUBLIC HEARING - SDR-1845 - G T 2000, INC. ON BEHALF OF RICHMOND AMERICAN HOMES - Request for a Site Development Plan Review FOR A 200-LOT SINGLE FAMILY RESIDENTIAL DEVELOPMENT on 18.94 acres adjacent to the east side of Grand Canyon Drive, approximate 1,940 feet north of Grand Teton Drive (APN: 125-07-701-003), R-E (Residence Estates) Zone under Resolution of Intent to PD (Planned Development), Ward 6 (Mack). Staff recommends DENIAL. The Planning Commission (5-0-2 vote) recommends APPROVAL
124. MAJOR MODIFICATION TO THE LONE MOUNTAIN MASTER PLAN - PUBLIC HEARING - MOD-1910 - SOUTHWEST DESERT EQUITIES, LIMITED LIABILITY COMPANY ON BEHALF OF RICHMOND AMERICAN HOMES - Request for a Major Modification to the Lone Mountain Master Plan TO ADD 10.58 ACRES TO THE OVERALL PLAN AREA AND CHANGE THE LAND USE DESIGNATION FROM: MEDIUM-LOW TO: MEDIUM-LOW ATTACHED adjacent to the southeast corner of Alexander Road and Shadow Peak Street [APN: 137-12-501-003 (portion of), 004 and 005], U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] under Resolution of Intent to PD (Planned Development) and U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation], [PROPOSED: PD (Planned Development)], Ward 4 (Brown). The Planning Commission (4-0-3 vote) and staff recommend APPROVAL
125. REZONING RELATED TO MOD-1910 - PUBLIC HEARING - ZON-1911 - SOUTHWEST DESERT EQUITIES, LIMITED LIABILITY COMPANY ON BEHALF OF RICHMOND AMERICAN HOMES - Request for a Rezoning FROM: U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] TO: PD (Planned Development) on 10.58 acres adjacent to the southeast corner of Alexander Road and Shadow Peak Street [APN: 137-12-501-003 (portion of), 004 and 005], PROPOSED USE: MEDIUM-LOW ATTACHED RESIDENTIAL DEVELOPMENT, Ward 4 (Brown). The Planning Commission (4-0-3 vote) and staff recommend APPROVAL
126. SITE DEVELOPMENT PLAN REVIEW RELATED TO MOD-1910 AND ZON-1911 - PUBLIC HEARING - SDR-1912 - SOUTHWEST DESERT EQUITIES, LIMITED LIABILITY COMPANY ON BEHALF OF RICHMOND AMERICAN HOMES - Request for a Site Development Plan Review FOR A PROPOSED 84-UNIT MEDIUM-LOW ATTACHED RESIDENTIAL DEVELOPMENT on 10.58 acres adjacent to the southeast corner of Alexander Road and Shadow Peak Street [APN: 137-12-501-003 (portion of), 004 and 005], U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] under Resolution of Intent to PD (Planned Development) and U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation], [PROPOSED: PD (Planned Development)], Ward 4 (Brown). The Planning Commission (4-0-3 vote) and staff recommend APPROVAL
127. RESCIND A PREVIOUS APPROVAL OF A MAJOR MODIFICATION - PUBLIC HEARING - DIR-2170 - THE DEXTER TRUST - Request to Rescind a Previous approval of a MAJOR MODIFICATION to include this property in the Lone Mountain West Master Plan on property located adjacent to the southeast corner of Lone Mountain Road and Cliff Shadows Parkway (APN: 137-01-101-006, 007 and 008), U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation], Ward 4 (Brown). Staff recommends APPROVAL
128. MASTER SIGN PLAN - PUBLIC HEARING - MSP-1863 - COX COMMUNICATIONS LAS VEGAS, INC. - Request for a Master Sign Plan FOR AN APPROVED 43,000 SQUARE-FOOT, 2-STORY OFFICE BUILDING AND A 3,500 SQUARE-FOOT PAYMENT CENTER (Cox Communications) on 11.85 acres adjacent to the northeast corner of Rancho Drive and Bonanza Road (APN: 139-29-704-035), C-1 (Limited Commercial) Zone, Ward 5 (Weekly). The Planning Commission (4-0-2 vote) and staff recommend APPROVAL

PLANNING & DEVELOPMENT DEPARTMENT – DISCUSSION

129. MASTER PLAN OF STREETS AND HIGHWAYS - PUBLIC HEARING - MSH-1852 - CITY OF LAS VEGAS - Request to amend the Master Plan of Streets and Highways TO REMOVE CIMARRON ROAD FROM THE PLAN BETWEEN SUMMERLIN PARKWAY AND WASHINGTON AVENUE FOR AN APPROVED PUBLIC PARK, Ward 2 (L.B. McDonald). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL
130. VACATION - PUBLIC HEARING - VAC-1754 - LM LAS VEGAS, LIMITED LIABILITY COMPANY - Petition to vacate U.S. Government Patent Reservations generally located adjacent to the south side of Elkhorn Road, east of Grand Canyon Drive, Ward 6 (Mack). The Planning Commission (7-0 vote) and staff recommend APPROVAL
131. VACATION - PUBLIC HEARING - VAC-1874 - CLARK COUNTY - Petition of Vacation submitted by Clark County for a twenty-foot (20') wide public alley generally located north of Bonneville Avenue and south of Clark Avenue, Ward 1 (M. McDonald). The Planning Commission (6-0 vote) and staff recommend APPROVAL
132. VACATION - PUBLIC HEARING - VAC-1933 - RICHENS TRUST, HUGH AND CARMA RICHENS TRUSTEES, ET AL ON BEHALF OF SOUTHWEST HOMES - Petition to vacate a portion of Maverick Street and Eisner Street, generally located south of Farm Road, Ward 6 (Mack). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL
133. VACATION - PUBLIC HEARING - VAC-1935 - BEAZER HOMES HOLDINGS CORPORATION - Petition to vacate public sewer, utility and drainage easements located on the north side of Boca River Drive, generally located west of Grass Palm Street, Ward 5 (Weekly). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL
134. ABEYANCE ITEM - VARIANCE - PUBLIC HEARING - VAR-1763 - MOVING FORWARD, INC. - Request for a Variance TO ALLOW 45 PARKING SPACES WHERE 61 PARKING SPACES ARE THE MINIMUM REQUIRED on 2 acres adjacent to the south side Smoke Ranch Road, between Avery Drive and Steinke Lane (APN: 138-23-110-034), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial), Ward 6 (Mack). Staff recommends DENIAL. The Planning Commission (6-1 vote) recommends APPROVAL
135. VARIANCE - PUBLIC HEARING - VAR-1757 - FARM & ALEXANDER PROPERTIES, LIMITED LIABILITY COMPANY ON BEHALF OF CITY DEVELOPMENT GROUP - Request for a Variance TO ALLOW 94 PARKING SPACES WHERE THE EXISTING AND PROPOSED USES REQUIRE 116 PARKING SPACES IN CONJUNCTION WITH A COMMERCIAL DEVELOPMENT adjacent to the southeast corner of Alexander Road and Tenaya Way (APN: 138-10-516-002, 003 and 004), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial), Ward 4 (Brown). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL
136. VARIANCE - PUBLIC HEARING - VAR-1892 - ETS ENTERTAINMENT - Request for a Variance TO ALLOW THE EXPANSION OF A NON-CONFORMING USE (SEXUALLY ORIENTED BUSINESS) on property located at 24 Fremont Street (APN: 139-34-111-028), C-2 (General Commercial) Zone, Ward 5 (Weekly). The Planning Commission (5-1 vote) and staff recommend APPROVAL
137. VARIANCE - PUBLIC HEARING - VAR-1927 - SOUTHWEST HOMES, LIMITED LIABILITY COMPANY - Appeal filed by Kummer Kaempfer Bonner & Renshaw from the Denial by the Planning Commission on a request for a Variance TO ALLOW 0.78 ACRES OF OPEN SPACE WHERE 2.06 ACRES ARE REQUIRED IN THE TOWN CENTER DEVELOPMENT STANDARDS on 20.6 acres for a 209-lot single family residential development adjacent to the southeast corner of Severance Lane and Campbell Road (APN: 125-17-401-005), T-C (Town Center) Zone, Ward 6 (Mack). The Planning Commission (5-0-1 vote) and staff recommend DENIAL
138. SPECIAL USE PERMIT RELATED TO VAR-1927 - PUBLIC HEARING - SUP-1926 - SOUTHWEST HOMES, LIMITED LIABILITY COMPANY - Appeal filed by Kummer Kaempfer Bonner & Renshaw from the Denial by the Planning Commission on a request for a Special Use Permit FOR A GATED COMMUNITY WITH PRIVATE STREETS on 20.6 acres for a 209-lot single family residential development adjacent to the southeast corner of Severance Lane and Campbell Road (APN: 125-17-401-005), T-C (Town Center) Zone, Ward 6 (Mack). The Planning Commission (5-0-1 vote) and staff recommend DENIAL

PLANNING & DEVELOPMENT DEPARTMENT – DISCUSSION

139. SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-1927 AND SUP-1926 - PUBLIC HEARING - SDR-1925 - SOUTHWEST HOMES, LIMITED LIABILITY COMPANY - Request for a Site Development Plan Review FOR A 209-LOT SINGLE FAMILY RESIDENTIAL DEVELOPMENT adjacent to the southeast corner of Severance Lane and Campbell Road (APN: 125-17-401-005), T-C (Town Center) Zone, Ward 6 (Mack). The Planning Commission (5-0-1 vote) and staff recommend DENIAL
140. REQUIRED SIX MONTH REVIEW - SPECIAL USE PERMIT - PUBLIC HEARING - RQR-1793 - LILLIAN HILDE TRUST ON BEHALF OF CLEAR CHANNEL OUTDOOR - Appeal filed by Clear Channel Outdoor from the Denial by the Planning Commission on a Required Six Month Review of an approved Special Use Permit [U-0029-87(3)] WHICH ALLOWED A 75 FOOT HIGH, 14 FOOT X 48 FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 2421 Stewart Avenue (APN: 139-35-612-044), C-1 (Limited Commercial) Zone, Ward 3 (Reese). The Planning Commission (7-0 vote) and staff recommend DENIAL
141. REQUIRED ONE YEAR REVIEW - SPECIAL USE PERMIT - PUBLIC HEARING - RQR-1738 - JOHN SELBY ON BEHALF OF LAMAR OUTDOOR ADVERTISING - Required One Year Review of an approved Special Use Permit [U-0107-95(2)] WHICH ALLOWED A 14-FOOT X 48-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 816 North Rancho Drive (APN: 139-29-704-001), C-1 (Limited Commercial) Zone, Ward 5 (Weekly). Staff recommends DENIAL. The Planning Commission (6-0-1 vote) recommends APPROVAL
142. REQUIRED ONE YEAR REVIEW - SPECIAL USE PERMIT - PUBLIC HEARING - RQR-1740 - 7-ELEVEN, INC. ON BEHALF OF LAMAR OUTDOOR ADVERTISING - Required One Year Review of an approved Special Use Permit [U-0141-94(2)] WHICH ALLOWED A 14 FOOT X 48 FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 2625 West Sahara Avenue (APN: 162-08-502-001), C-1 (Limited Commercial) Zone, Ward 1 (M. McDonald). Staff recommends DENIAL. The Planning Commission (4-3 vote) recommends APPROVAL
143. REQUIRED TWO YEAR REVIEW - SPECIAL USE PERMIT - PUBLIC HEARING - RQR-1736 - PAN PACIFIC RETAIL PROPERTIES ON BEHALF OF LAMAR OUTDOOR ADVERTISING - Required Two Year Review of an approved Special Use Permit [U-0137-95(1)] WHICH ALLOWED A 14 FOOT X 48 FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 2201 North Rainbow Boulevard (APN: 138-22-603-001), U (Undeveloped) Zone under Resolution of Intent to C-1 (Limited Commercial), Ward 6 (Mack). The Planning Commission (7-0 vote) and staff recommend APPROVAL
144. REQUIRED TWO YEAR REVIEW - SPECIAL USE PERMIT - PUBLIC HEARING - RQR-1791 - PAUL AND HAYA REISBORD ON BEHALF OF YESCO - Required Two Year Review of an approved Special Use Permit [U-0135-95(1)] WHICH ALLOWED A 14 FOOT BY 48 FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 1701 South Decatur Boulevard (APN: 162-06-301-001) C-1 (Limited Commercial) Zone, Ward 1 (M. McDonald). The Planning Commission (7-0 vote) and staff recommend APPROVAL
145. SPECIAL USE PERMIT - PUBLIC HEARING - SUP-1700 - SAHARA RAINBOW, LIMITED LIABILITY COMPANY ON BEHALF OF NAKATA TRADING, INC. - Request for a Special Use Permit FOR THE SALE OF BEER AND WINE FOR OFF-PREMISE CONSUMPTION IN CONJUNCTION WITH AN EXISTING MARKET (NAKATA MARKET OF JAPAN) at 2350 South Rainbow Boulevard, Suite 6 (APN: 163-02-415-015), C-1 (Limited Commercial) Zone, Ward 1 (M. McDonald). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL
146. SPECIAL USE PERMIT - PUBLIC HEARING - SUP-1781 - BASIM H. SHOSHANI, ET AL - Request for a Special Use Permit FOR THE SALE OF PACKAGED LIQUOR FOR OFF-PREMISES CONSUMPTION IN CONJUNCTION WITH AN EXISTING CONVENIENCE STORE (STOP AND SAVE MINI MART AND GAS) at 99 South Martin L King Boulevard (APN: 139-28-810-001), M (Industrial) Zone, Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend APPROVAL
147. SPECIAL USE PERMIT - PUBLIC HEARING - SUP-1827 - NUCLEUS HOLDINGS, LIMITED LIABILITY COMPANY ON BEHALF OF JAMIL A NESSAN - Appeal filed by Jamil Nessian from the Denial by the Planning Commission of a request for a Special Use Permit FOR A GENERAL BUSINESS-RELATED GAMING ESTABLISHMENT (Restricted Gaming; Limited to 4-slot Machines) at 900 North Martin L King Boulevard (APN: 139-28-604-008), C-1 (Limited Commercial) Zone, Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend DENIAL

PLANNING & DEVELOPMENT DEPARTMENT – DISCUSSION

148. SPECIAL USE PERMIT - PUBLIC HEARING - SUP-1841 - KRISHNA, INC. ON BEHALF OF JAY YOUNG - Request for a Special Use Permit FOR A PROPOSED BAILBOND SERVICE at 124 South 6th Street, Suite #150 (APN: 139-34-611-051), C-2 (General Commercial) Zone, Ward 5 (Weekly). Staff recommends DENIAL. The Planning Commission (3-3-1 vote) ended in a tie, which is tantamount to DENIAL
149. SPECIAL USE PERMIT - PUBLIC HEARING - SUP-1873 - WHISTLER COMMERCIAL HOLDINGS INC. ON BEHALF OF JOSE MARTINEZ - Request for a Special Use Permit FOR A RESTAURANT SERVICE BAR at 4440 East Washington Avenue, #105 and #106 (APN: 140-29-212-003), R-E (Residence Estates) Zone under Resolution of Intent to C-1 (Limited Commercial) Zone, Ward 3 (Reese). The Planning Commission (6-0 vote) and staff recommend APPROVAL
150. SPECIAL USE PERMIT - PUBLIC HEARING - SUP-1875 - E C T HOLDING, LIMITED LIABILITY COMPANY ON BEHALF OF OLD TOWN, INC. - Request for a Special Use Permit FOR A TAVERN and a Waiver of the minimum distance requirements from a Tavern and other protected uses on 2.61 acres located at 1208 East Charleston Boulevard (APN: 162-02-110-001, 003, 011, and 013), C-2 (General Commercial) Zone, Ward 3 (Reese). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL
151. VARIANCE RELATED TO SUP-1875 - PUBLIC HEARING - VAR-1879 - E C T HOLDING, LIMITED LIABILITY COMPANY ON BEHALF OF OLD TOWN, INC. - Request for a Variance TO ALLOW 172 PARKING SPACES WHERE 187 PARKING SPACES ARE REQUIRED on 2.61 acres located at 1208 East Charleston Boulevard (APN: 162-02-110-001, 003, 011, and 013), C-2 (General Commercial) Zone, PROPOSED USE: TAVERN, Ward 3 (Reese). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL
152. SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-1875 AND VAR-1879 - PUBLIC HEARING - SDR-1877 - E C T HOLDING, LIMITED LIABILITY COMPANY ON BEHALF OF OLD TOWN, INC. - Request for a Site Development Plan Review and a Waiver of the perimeter and parking lot landscape requirements FOR AN AUDITORIUM, INCLUDING A RESTAURANT AND TAVERN on 2.61 acres located at 1208 East Charleston Boulevard (APN: 162-02-110-001, 003, 011, and 013), C-2 (General Commercial) Zone, Ward 3 (Reese). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL
153. SPECIAL USE PERMIT - PUBLIC HEARING - SUP-1876 - HIGHLAND INDUSTRIAL PARK PARTNERSHIP ON BEHALF OF REAGAN OUTDOOR ADVERTISING - Request for a Special Use Permit FOR A PROPOSED 45-FOOT TALL, 24-FOOT BY 28-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 2901 Highland Drive (APN: 162-09-210-002), M (Industrial) Zone, Ward 1 (M. McDonald). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL
154. VARIANCE RELATED TO SUP-1876 - PUBLIC HEARING - VAR-1947 - HIGHLAND INDUSTRIAL PARK PARTNERSHIP ON BEHALF OF REAGAN OUTDOOR ADVERTISING - Request for a Variance TO ALLOW A PROPOSED 45-FOOT TALL OFF-PREMISE ADVERTISING (BILLBOARD) SIGN WHERE 40 FEET IS THE MAXIMUM HEIGHT PERMITTED at 2901 Highland Drive (APN: 162-09-210-002), M (Industrial) Zone, Ward 1 (M. McDonald). Staff recommends DENIAL. The Planning Commission (5-0-1 vote) recommends APPROVAL
155. SPECIAL USE PERMIT - PUBLIC HEARING - SUP-1945 - HIGHLAND INDUSTRIAL PARK PARTNERSHIP ON BEHALF OF REAGAN OUTDOOR ADVERTISING - Request for a Special Use Permit FOR A PROPOSED 45-FOOT TALL, 24-FOOT BY 28-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 2901 Highland Drive (APN: 162-08-611-011), M (Industrial) Zone, Ward 1 (M. McDonald). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL
156. VARIANCE RELATED TO SUP-1945 - PUBLIC HEARING - VAR-1946 - HIGHLAND INDUSTRIAL PARK PARTNERSHIP ON BEHALF OF REAGAN OUTDOOR ADVERTISING - Request for a Variance TO ALLOW A PROPOSED 45-FOOT TALL OFF-PREMISE ADVERTISING (BILLBOARD) SIGN WHERE 40 FEET IS THE MAXIMUM HEIGHT PERMITTED at 2901 Highland Drive (APN: 162-08-611-011), M (Industrial) Zone, Ward 1 (M. McDonald). Staff recommends DENIAL. The Planning Commission (5-0-1 vote) recommends APPROVAL

PLANNING & DEVELOPMENT DEPARTMENT – DISCUSSION

157. ABEYANCE ITEM - REZONING - PUBLIC HEARING - ZON-1773 - ANTHONY MOSLEY ON BEHALF OF GOD IN ME MINISTRY - Request for a Rezoning FROM: R-2 (Medium-Low Density Residential) Zone TO: C-V (Civic) Zone on approximately 0.48 acres located at 845, 851 and 857 Hassel Avenue and 856 Hart Avenue (APN: 139-21-612-016, 017, 018 and 030), PROPOSED USE: RESCUE MISSION, Ward 5 (Weekly). The Planning Commission (6-1 vote) and staff recommend DENIAL
158. REZONING - PUBLIC HEARING - ZON-1787 - ALBERT & KAMRAN INVESTMENTS, LIMITED LIABILITY COMPANY ON BEHALF OF SCOTT R GEARING - Request for a Rezoning FROM: U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] TO: C-1 (Limited Commercial) Zone on 0.43 acres adjacent to the southwest corner of Decatur Boulevard and Eugene Street (APN: 138-24-611-011 and 012), PROPOSED USE: RETAIL DEVELOPMENT, Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend APPROVAL
159. VARIANCE RELATED TO ZON-1787 - PUBLIC HEARING - VAR-1859 - ALBERT & KAMRAN INVESTMENTS, LIMITED LIABILITY COMPANY ON BEHALF OF SCOTT R GEARING - Request for a Variance TO ALLOW 19 PARKING SPACES WHERE 29 PARKING SPACES ARE REQUIRED AND TO ALLOW A PROPOSED RETAIL BUILDING 20 FEET FROM THE REAR PROPERTY LINE WHERE RESIDENTIAL ADJACENCY STANDARDS REQUIRE A SETBACK OF 62 FEET 6 INCHES on 0.43 acres adjacent to the southwest corner of Decatur Boulevard and Eugene Street (APN: 138-24-611-011 and 012), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation], [PROPOSED: C-1 (LIMITED COMMERCIAL) Zone], Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend APPROVAL
160. SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-1787 AND VAR-1859 - PUBLIC HEARING - SDR-1789 - ALBERT & KAMRAN INVESTMENTS, LIMITED LIABILITY COMPANY ON BEHALF OF SCOTT R GEARING - Request for a Site Development Plan Review FOR A PROPOSED 5,250 SQUARE FOOT RETAIL BUILDING (KAMRAN RETAIL CENTER); A WAIVER OF THE REQUIREMENT TO HAVE ALL THE PARKING IN THE REAR OR SIDES OF THE PARCEL, A WAIVER TO ALLOW A ZERO (0) FOOT SIDE SETBACK WHERE 10 FEET IS REQUIRED, A WAIVER TO ALLOW A 10 FOOT CORNER SIDE SETBACK WHERE 15 FEET IS REQUIRED, AND A WAIVER OF PERIMETER LANDSCAPING REQUIREMENTS on 0.43 acres adjacent to the southwest corner of Decatur Boulevard and Eugene Street (APN: 138-24-611-011 and 012), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation], [PROPOSED: C-1 (Limited Commercial) Zone], Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend APPROVAL
161. REZONING - PUBLIC HEARING - ZON-1833 - BERNICE Q.H. HOM REVOCABLE TRUST, ET AL ON BEHALF OF DR HORTON, INC. - Request for a Rezoning FROM: U (Undeveloped) [ML-TC (Medium-Low Density Residential - Town Center) General Plan Designation] TO: T-C (Town Center) on 15.23 acres adjacent to the southeast corner of Elkhorn Road and Campbell Road (APN: 125-20-101-004 and 005), PROPOSED USE: SINGLE FAMILY RESIDENTIAL DEVELOPMENT, Ward 6 (Mack). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL
162. VARIANCE RELATED TO ZON-1833 - PUBLIC HEARING - VAR-1858 - BERNICE Q.H. HOM REVOCABLE TRUST, ET AL ON BEHALF OF DR HORTON, INC. - Request for a Variance TO ALLOW 0.77 ACRES OF OPEN SPACE WHERE 1.05 ACRES IS REQUIRED on 15.23 acres adjacent to the southeast corner of Elkhorn Road and Campbell Road (APN: 125-20-101-004, 005 and 006), U (Undeveloped) Zone [ML-TC (Medium-Low Density Residential - Town Center) General Plan Designation] [PROPOSED: TC (Town Center)], Ward 6 (Mack). The Planning Commission (6-0-1 vote) and staff recommend DENIAL
163. REZONING - PUBLIC HEARING - ZON-1834 - NEVADA HOMES GROUP ON BEHALF OF KIMBALL HILL HOMES - Request for a Rezoning FROM: U (Undeveloped) [L (Low Density Residential) General Plan Designation] TO: R-PD4 (Residential Planned Development - 4 Units Per Acre) on 10.20 acres adjacent to the southwest corner of Deer Springs Way and Tee Pee Lane (APN: 125-19-701-005 and a portion of 004), PROPOSED USE: SINGLE FAMILY RESIDENTIAL DEVELOPMENT, Ward 6 (Mack). The Planning Commission (7-0 vote) and staff recommend APPROVAL

PLANNING & DEVELOPMENT DEPARTMENT – DISCUSSION

164. SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-1834 - PUBLIC HEARING - SDR-1835 - NEVADA HOMES GROUP ON BEHALF OF KIMBALL HILL HOMES - Request for a Site Development Plan Review FOR A 39-LOT SINGLE FAMILY RESIDENTIAL DEVELOPMENT on 10.20 acres adjacent to the southwest corner of Deer Springs Way and Tee Pee Lane (APN: 125-19-701-005 and a portion of 004), U (Undeveloped) Zone [L (Low Density Residential) General Plan Designation] [PROPOSED: R-PD4 (Residential Planned Development - 4 Units Per Acre)] , Ward 6 (Mack). The Planning Commission (7-0 vote) and staff recommend APPROVAL
165. REZONING - PUBLIC HEARING - ZON-1897 - BARRY AND MARY SHILLER LIVING TRUST - Request for a Rezoning FROM: R-E (Residence Estates) TO: R-D (Single Family Residential-Restricted) on 2.48 acres adjacent to the northeast corner of Del Rey Avenue and Vista Drive (APN: 162-06-510-034 and 035), PROPOSED USE: SINGLE FAMILY RESIDENTIAL DEVELOPMENT, Ward 1 (M. McDonald). The Planning Commission (7-0 vote) and staff recommends DENIAL
166. VARIANCE RELATED TO ZON-1897 - PUBLIC HEARING - VAR-1898 - BARRY AND MARY SHILLER LIVING TRUST - Request for a Variance TO ALLOW MINIMUM LOT SIZES OF 10,120 SQUARE FEET TO 10,813 SQUARE FEET WHERE 11,000 SQUARE FEET IS THE MINIMUM REQUIRED AND TO ALLOW MINIMUM LOT WIDTHS OF 78 FEET WHERE 90 FEET IS THE MINIMUM REQUIRED for a proposed 7-lot single family residential development on 2.48 acres adjacent to the northeast corner of Del Rey Avenue and Vista Drive (APN: 162-06-510-034 and 035), R-E (Residence Estates) Zone [PROPOSED: R-D (Single Family Residential-Restricted) Zone], Ward 1 (M. McDonald). The Planning Commission (7-0 vote) and staff recommend DENIAL
167. REZONING - PUBLIC HEARING - ZON-1905 - STATE OF NEVADA, DIVISION OF LANDS - Request for a Rezoning FROM: R-E (Residence Estates) TO: C-V (Civic) on 69.09 acres located at 1309 South Jones Boulevard (APN: 163-02-601-007) and 6171 West Charleston Boulevard (APN: 163-02-502-001), EXISTING USE: MENTAL HEALTH FACILITY, Ward 1 (M. McDonald). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL
168. REZONING - PUBLIC HEARING - ZON-1913 - ASIAN DEVELOPMENT, LIMITED LIABILITY COMPANY ON BEHALF OF LAND DEVELOPMENT & INVESTMENT DIVISION INC. - Request for a Rezoning FROM: U (Undeveloped) Zone [UC-TC (Urban Center Mixed-Use - Town Center) General Plan Designation] TO: T-C (Town Center) on 1.25 acres adjacent to southeast corner of Haley Avenue and Kevin Street (APN: 125-20-201-015), PROPOSED USE: OFFICE, Ward 6 (Mack). The Planning Commission (5-0-2 vote) and staff recommend APPROVAL
169. VARIANCE RELATED TO ZON-1913 - PUBLIC HEARING - VAR-1916 - MAPLE DEVELOPMENT, LIMITED LIABILITY COMPANY, ET AL, ON BEHALF OF LAND DEVELOPMENT & INVESTMENT DIVISION INC. - Request for a Variance TO ALLOW NO STEPBACKS WHERE STEPBACKS ARE REQUIRED AFTER THE FOURTH STORY IN THE TOWN CENTER DEVELOPMENT STANDARDS AND A WAIVER OF THE RESIDENTIAL ADJACENCY STANDARDS OF TITLE 19 on 3.80 acres adjacent to the northeast corner of Deer Springs Way and Kevin Street (APN: 125-20-201-015, 017 and 018), T-C (Town Center) Zone and U (Undeveloped) Zone [UC-TC (Urban Center Mixed-Use - Town Center) General Plan Designation], [PROPOSED: T-C (Town Center) Zone], Ward 6 (Mack). The Planning Commission (5-0-2 vote) and staff recommend APPROVAL
170. SPECIAL USE PERMIT RELATED TO ZON-1913 AND VAR-1916 - PUBLIC HEARING - SUP-1915 - MAPLE DEVELOPMENT, LIMITED LIABILITY COMPANY, ET AL, ON BEHALF OF LAND DEVELOPMENT & INVESTMENT DIVISION INC. - Request for a Special Use Permit FOR A FIFTEEN STORY OFFICE BUILDING WHERE TOWN CENTER DEVELOPMENT STANDARDS ALLOW A MAXIMUM OF TWELVE STORIES IN THE UC-TC (Urban Center Mixed-Use - Town Center) DISTRICT on 3.80 acres adjacent to the northeast corner of Deer Springs Way and Kevin Street (APN: 125-20-201-015, 017 and 018), T-C (Town Center) Zone and U (Undeveloped) Zone [UC-TC (Urban Center Mixed-Use - Town Center) General Plan Designation], [PROPOSED: T-C (Town Center) Zone], Ward 6 (Mack). The Planning Commission (5-0-2 vote) and staff recommend APPROVAL

PLANNING & DEVELOPMENT DEPARTMENT – DISCUSSION

171. SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-1913, VAR-1916 AND SUP-1915 - PUBLIC HEARING - SDR-1914 - MAPLE DEVELOPMENT, LIMITED LIABILITY COMPANY, ET AL, ON BEHALF OF LAND DEVELOPMENT & INVESTMENT DIVISION INC. - Request for a Site Development Plan Review FOR A FIFTEEN STORY OFFICE/RETAIL BUILDING WITH PARKING GARAGE on 3.80 acres adjacent to the northeast corner of Deer Springs Way and Kevin Street (APN: 125-20-201-015, 017 and 018), T-C (Town Center) Zone and U (Undeveloped) Zone [UC-TC (Urban Center Mixed-Use - Town Center) General Plan Designation], [PROPOSED: T-C (Town Center) Zone], Ward 6 (Mack). The Planning Commission (5-0-2 vote) and staff recommend APPROVAL
172. REZONING - PUBLIC HEARING - ZON-1923 - BEAZER HOMES HOLDINGS CORPORATION - Request for a Rezoning FROM: U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] TO: R-PD4 (Residential Planned Development - 4 Units per Acre) on 7.6 acres adjacent to the southeast corner of Hualapai Way and Grand Teton Drive (APN: 125-18-101-001 and 003), PROPOSED USE: SINGLE FAMILY RESIDENTIAL DEVELOPMENT, Ward 6 (Mack). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL
173. SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-1923 - PUBLIC HEARING - SDR-1924 - BEAZER HOMES HOLDINGS CORPORATION - Request for a Site Development Plan Review FOR A 52-LOT SINGLE FAMILY RESIDENTIAL DEVELOPMENT on 12.5 acres adjacent to the southeast corner of Hualapai Way and Grand Teton Drive (APN: 125-18-101-001 and 003, portions of 004, 006, 007), U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation], [PROPOSED: R-PD4 (Residential Planned Development - 4 Units per Acre)], Ward 6 (Mack). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL
174. REZONING - PUBLIC HEARING - ZON-1930 - RICHENS TRUST, HUGH & CARMA RICHENS, TRUSTEES ET AL ON BEHALF OF SOUTHWEST HOMES - Request for a Rezoning FROM: R-E (Residence Estates) Zone TO: R-PD2 (Residential Planned Development – 2 Units per Acre) on 4.28 acres adjacent to the southeast corner of Farm Road and Maverick Street (APN: 125-14-702-001 and 008), PROPOSED USE: SINGLE FAMILY DEVELOPMENT, Ward 6 (Mack). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL
175. SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-1930 - PUBLIC HEARING - SDR-2085 - RICHENS TRUST, HUGH & CARMA RICHENS TRUSTEES, ET AL ON BEHALF OF SOUTHWEST HOMES - Request for a Site Development Plan Review FOR AN 11-LOT SINGLE FAMILY RESIDENTIAL DEVELOPMENT on 4.28 acres adjacent to the southeast corner of Farm Road and Maverick Street (APN: 125-14-702-001 and 008), R-E (Residence Estates) Zone, [PROPOSED: R-PD2 (Residential Planned Development – 2 Units per Acre)], Ward 6 (Mack). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL
176. GENERAL PLAN AMENDMENT - PUBLIC HEARING - GPA-1016 - ROGER FOSTER - Request to amend a portion of the Centennial Hills Sector Plan of the General Plan FROM: O (Office) TO: SC (Service Commercial) on 2.5 acres adjacent to the north side of Cheyenne Avenue, approximately 340 feet east of Fort Apache Road (APN: 138-08-401-013), Ward 4 (Brown). The Planning Commission (5-2 vote) and staff recommend APPROVAL
177. REZONING RELATED TO GPA-1016 - PUBLIC HEARING - ZON-1017 - ROGER FOSTER - Request for a Rezoning FROM: U (Undeveloped) Zone [O (Office) General Plan Designation] [PROPOSED: SC (Service Commercial) General Plan Designation] under Resolution of Intent to O (Office) TO: C-1 (Limited Commercial) on 2.5 acres adjacent to the north side of Cheyenne Avenue, approximately 340 feet east of Fort Apache Road (APN: 138-08-401-013), PROPOSED USE: MINI-WAREHOUSE, Ward 4 (Brown). The Planning Commission (5-2 vote) and staff recommend APPROVAL
178. GENERAL PLAN AMENDMENT - PUBLIC HEARING - GPA-1922 - VICTORY OUTREACH, INC. - Request to Amend a portion of the Southeast Sector Plan of the General Plan FROM: M (Medium Density Residential) TO: PF (Public Facility) on 2.68 acres at 500 North 28th Street (APN: 139-36-110-034 & 035), Ward 3 (Reese). The Planning Commission (7-0 vote) and staff recommend APPROVAL
179. REZONING RELATED TO GPA-1922 - PUBLIC HEARING - ZON-1919 - VICTORY OUTREACH, INC. - Request for a Rezoning FROM: R-E (Residence Estates) TO: C-V (Civic) on 2.68 acres at 500 North 28th Street (APN: 139-36-110-034 & 035), PROPOSED USE: 20,376 SQUARE FOOT CHURCH, DAYCARE FACILITY, RECTORY, AND PLAYGROUND, Ward 3 (Reese). The Planning Commission (7-0 vote) and staff recommend APPROVAL

PLANNING & DEVELOPMENT DEPARTMENT – DISCUSSION

180. SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-1922 AND ZON-1919 - PUBLIC HEARING - SDR-1921 - VICTORY OUTREACH, INC. - Request for a Site Development Plan Review FOR A PROPOSED 20,376 SQUARE FOOT CHURCH, DAYCARE FACILITY, RECTORY, AND PLAYGROUND on 2.68 acres at 500 North 28th Street (APN: 139-36-110-034 & 035), R-E (Residence Estates) Zone, [PROPOSED: C-V (Civic)], Ward 3 (Reese). The Planning Commission (7-0 vote) and staff recommend APPROVAL

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

ADDENDUM

CITIZENS PARTICIPATION

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

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

Las Vegas Library, 833 Las Vegas Boulevard North
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 May 21, 2003 Meeting)

CITY COUNCIL AGENDA

MAY 21, 2003

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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)

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.

MAY 21, 2003

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

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

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

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

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

CEREMONIAL MATTERS

- CALL TO ORDER
- ANNOUNCEMENT RE: COMPLIANCE WITH OPEN MEETING LAW
- INVOCATION - JOHN BEAR, CHOCTAW/APACHE TRIBES
- PLEDGE OF ALLEGIANCE
- RECOGNITION OF THE EMPLOYEE OF THE MONTH
- RECOGNITION OF GIRLS VOLLEYBALL STATE CHAMPIONS
- RECOGNITION OF GIRLS SOCCER STATE CHAMPIONS
- PRESENTATION OF THE NEVADA PARKS AND RECREATION SOCIETY AWARDS
- RECOGNITION OF YOUTH WEEK
- RECOGNITION OF THE NEVADA CARPENTER'S UNION SAFETY AWARENESS MONTH
- RECOGNITION OF THE CARPENTERS FOR KIDNEYS 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 April 16, 2003
3. Discussion and possible action to adjust the City Manager's compensation (NOTE: To be trailed until the Afternoon Session, following the Closed Session)
4. Discussion and possible action to adjust the City Attorney's compensation (NOTE: To be trailed until the Afternoon Session, following the Closed Session)
5. Discussion and possible action to adjust the City Auditor's compensation (NOTE: To be trailed until the Afternoon Session, following the Closed Session)

CONSENT AGENDA

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

ADMINISTRATIVE SERVICES - CONSENT

6. Approval of the ratification of Jennifer Ellis in a Council support position to the Ward 3 office – Ward 3 (Reese)

BUILDING & SAFETY DEPARTMENT - CONSENT

7. Approval of an agreement with Pulte Homes which provides for the Department of Building & Safety to use 2 temporary employees to perform building inspections

FIELD OPERATIONS DEPARTMENT - CONSENT

8. Approval of the donation of one 1992 Chevrolet Caprice 4-door sedan to the City of Ely in accordance with Nevada Revised Statutes 332.185

FINANCE & BUSINESS SERVICES DEPARTMENT - CONSENT

9. Approval of Service and Material Checks/Payroll Checks/Wire Transfers/Other Checks and Investments
10. Approval of Notice of Intent to Augment the Fiscal Year 2003 Annual Budget of the City of Las Vegas General Fund
11. Approval of a new Family Child Care Home License, Araxie Arabian, 9516 Chanticleer Court, Araxie Arabian, 100% - Ward 4 (Brown)
12. ABEYANCE ITEM - Approval of a new Slot Operator Space Lease Location Restricted Gaming License for 4 slots, Westronics, Inc., db at Bells Market, 720 West Owens Avenue - Ward 5 (Weekly)
13. Approval of Change of Ownership and Business Name for a Beer/Wine/Cooler On-sale Liquor License subject to the provisions of the fire codes, From: Shuichi Tsukada, dba Teru Sushi, Shuichi Tsukada, 100%, To: Melanie S. Kim, dba Odoko Japanese Restaurant, 700 East Sahara Avenue, Melanie S. Kim, 100% - Ward 3 (Reese)

FINANCE & BUSINESS SERVICES DEPARTMENT - CONSENT

14. Approval of Change of Business Name for a Liquor Caterer License, Hacienda Gardens Banquet Hall, Inc., dba From: Drinks "R" Us Liquor Catering, To: Hacienda Gardens Banquet Hall, Inc., 4250 East Bonanza Road, Suite 10, Gloria Pulido, Dir, Pres, 100% - Ward 3 (Reese)
15. Approval of 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: Y2K, Inc., dba All Sports Bar & Grill, Timothy J. Korney, Pres, 19%, James A. Hamilton, Secy, 25%, Kathy L. Korney, Treas, 19%, Judith E. Hamilton, Dir, 25%, To: All Sports Pub & Poker, LLC, dba King Tut's Pub & Poker, 6138 West Charleston Boulevard, Derek C. LaFavor, Mmbr, 65%, Kevin G. Tuttle, Mmbr, 25%, Douglas G. McKay, 10% - Ward 1 (M. McDonald)
16. Approval of a new Hypnotist License, Dr. Zvia Ambar, dba Dr. Zvia Ambar, 8020 West Sahara Avenue Suite 220, Zvia S. Ambar, 100% - Ward 1 (M. McDonald)
17. Approval of a new Martial Arts Instruction Business License, Richard Leoni, dba United Martial Arts, 1591 North Buffalo Drive, Unit 130, Richard S. Leoni, 100% - Ward 2 (L.B. McDonald)
18. Preapproval of award of Bid Number 03.1730.08-CW, Buffalo Drive Road Improvements, Cheyenne to Lone Mountain 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 \$9,000,000 to \$12,000,000 - Capital Projects Fund) - Ward 4 (Brown)
19. Approval of award of Bid Number 030260-DAR, Annual Requirements Contract for Janitorial Cleaning Supplies - Department of Finance & Business Services - Award recommended to: ADVANCE MARKETING CORPORATION for Lots I, II & V and BRADY INDUSTRIES for Lots III, IV & VI (Estimated annual aggregate amount of \$400,000 - Internal Service Fund)
20. Approval of revision number one to purchase order 213749 for an annual requirements contract for industrial supplies & equipment (TB) - Various Departments - Award to: W. W. GRAINGER (\$140,000 - General Fund)
21. Approval of award of Contract 030325, Upgrade of Fire Alarm System in the new City Hall Annex (LED) - Department of Field Operations - Award recommended to: SIEMENS BUILDING TECHNOLOGIES, INC. (\$112,445 - Capital Projects Fund) - Ward 5 (Weekly)
22. Approval of revision number one to Purchase Order 216197 for abatement/demolition and other related services of dangerous buildings to Capriati Construction, Inc. (LED) - Departments of Neighborhood Services & Public Works - Award to: CAPRIATI CONSTRUCTION, INC. (\$95,172 - Capital Projects Fund) - All Wards
23. Approval of an annual contract for technical support maintenance of Microsoft software for the city-wide computer network (LW) - Department of Information Technologies - Award Recommended to: MICROSOFT CORPORATION (Estimated annual amount of \$92,600 - Internal Service Fund)
24. Approval of award of Contract No. 030320, Employment Development Services - EVOLVE Program (LR) - Department of Neighborhood Services - Award recommended to: THE BUSINESS CONNECTION (\$80,000 - Special Revenue Fund)
25. Approval of issuance of purchase orders for Leisure Services' summer program field trips (GL) - Department of Leisure Services - Award recommended to: VARIOUS VENDORS (Estimated aggregate amount of \$60,500 - General Fund)
26. Approval of an annual requirements contract for Asphalt Repair Material (DAR) - Department of Field Operations - Award recommended to: CONSTRUCTION SEALANTS & SUPPLY (Estimated annual usage amount of \$60,000 - Enterprise Fund)
27. Approval of issuance of a purchase order for a Climbing Wall at Lorenzi Park (DAR) - Department of Field Operations - Award recommended to: MIRACLE PLAYGROUND SALES (\$35,393 - Capital Projects Fund) - Ward 5 (Weekly)

HUMAN RESOURCES DEPARTMENT - CONSENT

28. Approval to contract with BenefitElect for Flex Plan Administration Services

NEIGHBORHOOD SERVICES DEPARTMENT - CONSENT

29. Approval of awarding \$35,000 of CDBG Public Service (Community Development Block Grant) funds to HELP of Southern Nevada for operating a tenant based rental assistance program for homeless families and individuals - All Wards
30. Approval of expending \$31,483 of Home Investment Partnership Program (HOME) funds for housing rehabilitation at 2212 West Washington Avenue - Ward 5 (Weekly)

PLANNING & DEVELOPMENT DEPARTMENT - CONSENT

31. Approval of a Professional Services Agreement with Poggemeyer Design Group, Inc. to prepare a master plan of the Kyle Canyon Gateway Area (\$60,000 - General Fund) - Ward 6 (Mack)

PUBLIC WORKS DEPARTMENT - CONSENT

32. Approval of a Dedication from the City of Las Vegas, a Municipal Corporation, for a portion of the Southeast Quarter of Section 27, T20S, R60E, Mount Diablo Base Meridian, for street Right-of-Way to dedicate 10 additional feet on Bonanza Road and a 25 foot radius and an easement for sewer purposes located at the northwest corner of Bonanza Road and 9th Street, Parcel Number 139-27-805-001 - Ward 5 (Weekly)
33. Approval of a Declaration of Utilization from the Bureau of Land Management for a portion of the Southeast Quarter of Section 5, T20S, R60E, Mount Diablo Base Meridian, for sewer purposes located on the south side of the Hickam Avenue alignment, west of Durango Drive, Parcel Number 138-05-801-007, -008 and -009 - County
34. Approval of Interlocal Contract Number 431 between the Regional Transportation Commission of Southern Nevada, Clark County and the Cities of Las Vegas, North Las Vegas and Henderson to design and construct traffic capacity and safety improvements within the entities participating in the 2002-2003 Traffic Capacity and Safety Improvement Projects Interlocal Contract (\$3,413,152 - Regional Transportation Commission of Southern Nevada) - All Wards
35. Approval of a Bill of Sale to the Las Vegas Valley Water District for transfer of ownership of water distribution facilities installed in conjunction with the I-15 Freeway Channel Project, Alta Drive to Wall Street and Sahara Avenue Bypass - Ward 3 (Reese)
36. Approval of a Bill of Sale to the Las Vegas Valley Water District for transfer of ownership of water distribution facilities installed in conjunction with the Mojave Road Improvements Project, Stewart Avenue to Owens Avenue - Ward 3 (Reese)
37. Approval of Interlocal Agreement Number 108917 with the Las Vegas Valley Water District for construction of a water lateral as part of Special Improvement District Number 1499 - Alexander Road, US-95 to Rancho Drive Project - Ward 6 (Mack)
38. Approval of an Encroachment Request from Tetra Tech on behalf of Town Center Ventures, LLC, owner (southeast corner of Gilcrease Avenue and Tee Pee Lane) - Ward 6 (Mack)
39. Approval of an Encroachment Request from John Davis on behalf of Church Pentecostal Temple of God, owner (Madison Avenue west of "F" Street) - Ward 5 (Weekly)
40. Approval of Amendment Number 3 to the Interlocal Contract with Clark County for the Department of Social Services to assist in evaluating City-designated special improvement district hardship applications (\$35 an hour/estimated \$1,000 a year) - (Revolving Special Improvement District Fund) - All Wards

PUBLIC WORKS DEPARTMENT - CONSENT

41. Approval of an Interlocal Agreement between the City of Las Vegas and the Clark County School District for Traffic Control Improvements for future new schools within the City of Las Vegas - All Wards

RESOLUTIONS - CONSENT

42. R-81-2003 - Approval of a Resolution authorizing the issuance and sale of economic development revenue bonds for The Andre Agassi Charitable Foundation - Ward 5 (Weekly)
43. R-82-2003 - Approval of a Resolution Amending Schedule 25-II - 35 Miles Per Hour Speed Limits, and Schedule 25-IV - 45 Miles Per Hour Speed Limits, to Change the Speed Limit on Cheyenne Avenue between the 215 Beltway and US 95 from 35 Miles Per Hour to 45 Miles Per Hours - Ward 4 (Brown)

REAL ESTATE COMMITTEE - CONSENT

44. Approval of Interlocal Agreement Number 109073 with the Las Vegas Valley Water District for water service to Parcel Number 139-31-801-014 known as the redevelopment of Fire Station #5 located in the vicinity of Hinson Street and Charleston Boulevard (\$39,269 - Fire & Rescue Capital Improvement Projects) - Ward 1 (M. McDonald)
45. Approval of an Easement and Rights-of-Way between the City of Las Vegas and the Las Vegas Valley Water District for water lines and appurtenance(s) to service a portion of Parcel Number 139-31-801-014 for the redevelopment of Fire Station #5 located in the vicinity of Hinson Street and Charleston Boulevard - Ward 1 (M. McDonald)
46. Approval of a Dedication on Parcel Number 139-31-801-014 for a public drainage easement in relation to the redevelopment of Fire Station #5 located in the vicinity of Hinson Street and Charleston Boulevard - Ward 1 (M. McDonald)
47. Approval of an Easement and Rights-of-Way between the City of Las Vegas and the Las Vegas Valley Water District for a fire hydrant to service the redevelopment of Fire Station #5 located in the vicinity of Hinson Street and Charleston Boulevard - Ward 1 (M. McDonald)
48. Approval of Interlocal Agreement Number 108978 with the Las Vegas Valley Water District for water service to Parcel Number 162-03-514-052 known as Huntridge Circle Park (\$850 - Parks Capital Improvement Projects) - Ward 3 (Reese)
49. Approval of an Easement and Rights-of-Way between the City of Las Vegas and the Las Vegas Valley Water District for water lines and appurtenance(s) to service a portion of Parcel Number 162-03-514-052 for the renovations of Huntridge Circle Park located at 1251 South Maryland Parkway - Ward 3 (Reese)
50. Approval of an Easement and Rights-of-Way between the City of Las Vegas and the Las Vegas Valley Water District for a water facilities easement to service a portion of Parcel Number 138-31-501-003 known as Angel Park Golf Course located in the vicinity of Rampart Boulevard and Alta Drive - Ward 2 (L.B. McDonald)
51. Approval of the Agreement for Purchase and Sale of Residential House located at 6280 Queen Irene Court to Jerry Parker, Dorothy Parker, Lee Sorensen, Joyce Sorensen and William Gibson for \$11,000 (incoming funds less closing costs to be applied towards Road Projects/Rights-of-Way acquisition) - Ward 6 (Mack)
52. Approval of a Bill of Sale from the City of Las Vegas to Jerry Parker, Dorothy Parker, Lee Sorensen, Joyce Sorensen and William Gibson in conjunction with their purchase of a City-owned home located at 6280 Queen Irene Court - Ward 6 (Mack)
53. Approval of the Agreement for the Purchase and Sale of Residential House located at 8660 Azure Drive to Centennial Hills, LLC for \$75,000 (incoming funds less closing costs to be applied towards Road Projects/Rights-of-Way acquisition) - Ward 6 (Mack)
54. Approval of a Bill of Sale from the City of Las Vegas to Centennial Hills, LLC in conjunction with their purchase of a City-owned home located at 8660 Azure Drive - Ward 6 (Mack)

REAL ESTATE COMMITTEE – CONSENT

55. Approval of an Agreement for the Sale of Real Property between Priority One Commercial (on behalf of the City of Las Vegas) and North Airport Center, LLC, for City-owned Parcel Numbers 139-22-313-004 through 139-22-313-010 (seven vacant lots averaging 6,907 square feet) located on Gregory Street between Elliot and Alexander Avenues (\$138,265 revenue less associated closing costs - Parks Capital Improvement Project Fund) - Ward 5 (Weekly)
56. Approval authorizing staff to enter into negotiations with From Dreams To Reality for lease of approximately 2,800 square feet of office space located at Stupak Community Center, 300 West Boston Avenue - Ward 1 (M. McDonald)
57. Approval authorizing staff to submit a letter to the Bureau of Land Management relinquishing approximately 0.27 acres of City-leased Bureau of Land Management land known as a portion of Parcel Number 125-20-501-002 in the vicinity of Elkhorn Road and US 95 in favor of the State of Nevada Department of Transportation for the planning and design of the Elkhorn Overpass - Ward 6 (Mack)
58. Approval of a Memorandum of Lease between the City of Las Vegas and The Charter School Development Foundation for property located on the southwest corner of Lake Mead Boulevard and J Street - Ward 5 (Weekly)
59. Approval of Amendment Number 1 to Lease Agreement between the City of Las Vegas and The Charter School Development Foundation for property located on the southwest corner of Lake Mead Boulevard and J Street - Ward 5 (Weekly)
60. Approval of a Lease Agreement between the City of Las Vegas and In-House Productions at the Las Vegas Business Center (\$31,536 revenue/36 months-Las Vegas Business Center Operations Fund) - Ward 5 (Weekly)
61. Approval for Office District Parking I, Inc., as Purchaser, to enter into a Purchase and Sales Agreement with Gerry R. Alesia and Antoinette Alesia (50%), Paul Orfalea (25%), and Dennis Itule and Sheridan Itule (25%), Trustees of the Itule Family Trust dated October 19, 1987, collectively as Seller, for a parcel commonly known as 608 South Fourth Street, in the amount of \$400,000 including brokerage fees (APN 139-34-311-108) - Ward 1 (M. McDonald)
62. Approval for Office District Parking I, Inc., as purchaser, to enter into a Purchase and Sales Agreement with Harold & Linda Foster Trust, as Seller, for a parcel commonly known as 604 South Fourth Street, in the amount of \$400,000 (APN 139-34-311-109) - Ward 1 (M. McDonald)

DISCUSSION / ACTION ITEMS

ADMINISTRATIVE - DISCUSSION

63. Report and possible action concerning the status of 2003 legislative issues

CITY ATTORNEY - DISCUSSION

64. Discussion and possible action on Appeal of Work Card Denial: Terry Weathers, 3120 South Wynn Road, Apt. #19, Las Vegas, Nevada 89102
65. Discussion and possible action on Appeal of Work Card Denial: Held in Abeyance from May 7, 2003. Fabio Armario Mejia, 5005 Chambliss Drive, Las Vegas, Nevada 89130

FINANCE & BUSINESS SERVICES DEPARTMENT - DISCUSSION

66. 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: Marganna, Inc., dba Las Vegas Bar and Liquors, Anna M. Rozen, Dir, Pres, 50%, Margaret Guarini, Dir, Secy, Treas, 50%, To: L.V.B.L. Las Vegas Bar & Liquor, LLC, dba Las Vegas Bar and Liquor, 1600 East Sahara Avenue, Robert J. A. Ferranti, Sr., Mgr, Mmbr, 100% - Ward 3 (Reese)

FINANCE & BUSINESS SERVICES DEPARTMENT - DISCUSSION

67. Discussion and possible action regarding Temporary Approval of a new Martial Arts Instruction Business License subject to the provisions of the planning and fire codes, TKO Family Martial Arts, LLC, dba TKO Family Martial Arts, 450 South Buffalo Drive, Suite 111, James J. Kobielsky, Mgr, 100% - Ward 2 (L.B. McDonald)
68. Discussion and possible action regarding an Appeal of Denial of Business License for an Independent Massage Therapist, Feng Chen, dba Feng Chen, 7450 West Cheyenne Avenue, Suite 113, Feng Chen, 100% - Ward 4 (Brown)
69. Discussion and possible action regarding Temporary Approval of Change of Ownership for a Tavern Liquor License subject to the provisions of the fire codes and Health Dept. regulations, From: Robin Ellen Dzvonic, 100%, To: Rosemac, Inc., dba Thunderbird Lounge, 1215 Las Vegas Boulevard South, Rosemary Aubry, Dir, Pres, Treas, 100%, John M. Cameron, Dir, Secy - Ward 3 (Reese)
70. Discussion and possible action regarding Temporary Approval of a Beer/Wine/Cooler On-sale Liquor License subject to the provisions of the planning codes, Tita's, Inc., dba Juanitas Restaurant, 4440 East Washington Avenue, Suite 106, Jose Martinez, Dir, Pres, Secy, Treas, 100% - Ward 3 (Reese)
71. ABEYANCE ITEM - Discussion and possible action regarding a Six Month Review of a Restricted Gaming License for 7 slots, E-T-T, Inc., db at Texaco Star Mart, 9991 West Charleston Boulevard, Mixed Nuts Hospitality Group, LLC, Participant in Gaming Revenue, William R. Phillips, Mmbr, Mgr, 100% - Ward 2 (L.B. McDonald)
72. ABEYANCE ITEM - Discussion and possible action regarding Approval to Participate in Revenue for a Restricted Gaming License for 5 slots subject to approval by the Nevada Gaming Commission, Cardivan Company, db at Texaco Star Mart, 1500 West Charleston Boulevard, Mixed Nuts Hospitality Group, LLC, Participant in Gaming Revenue, William R. Phillips, Mmbr, Mgr, 100% - Ward 5 (Weekly)
73. ABEYANCE ITEM - Discussion and possible action regarding Approval to Participate in Revenue for a Restricted Gaming License for 4 slots subject to approval by the Nevada Gaming Commission, Cardivan Company, db at Texaco Star Mart, 598 North Eastern Avenue, Mixed Nuts Hospitality Group, LLC, Participant in Gaming Revenue, William R. Phillips, Mmbr, Mgr, 100% - Ward 3 (Reese)
74. ABEYANCE ITEM - Discussion and possible action regarding Approval to Participate in Revenue for a Restricted Gaming License for 4 slots subject to approval by the Nevada Gaming Commission, Cardivan Company, db at Texaco Star Mart, 298 South Decatur Boulevard, Mixed Nuts Hospitality Group, LLC, Participant in Gaming Revenue, William R. Phillips, Mmbr, Mgr, 100% - Ward 1 (M. McDonald)

LEISURE SERVICES DEPARTMENT - DISCUSSION

75. Discussion and possible action on Skate Park Safety Coalition - Various Wards

NEIGHBORHOOD SERVICES DEPARTMENT - DISCUSSION

76. Report on the status of the EVOLVE Demonstration/Pilot program whose goal is to provide job readiness, education, training and employment services to disadvantaged and dislocated participants - All Wards
77. Discussion and possible action on allocating a total of \$585,390 in Department of Labor earmark funding to four EVOLVE program partners (Clark County School District, Board of Regents on behalf of UNLV, Board of Regents on behalf of UNR and Nevada Partners Inc. on behalf of the G.I.F.T. Program) - All Wards
78. Discussion and possible action regarding the future operation and funding in an amount anticipated to be \$243,900 in FY2003/2004 for the Crisis Intervention Center - All Wards

PUBLIC WORKS DEPARTMENT - DISCUSSION

79. Discussion and possible action on a request to install Speed Humps on Shetland Road between Charleston Boulevard and Palomino Lane (\$13,500 - Neighborhood Traffic Management Program) - Ward 1 (M. McDonald)

RESOLUTIONS - DISCUSSION

80. R-83-2003 - Discussion and possible action regarding a Resolution supporting the development of a Performing Arts Center by the Las Vegas Performing Arts Center Foundation, Inc., approving the Memorandum of Understanding between City Parkway IV and City Parkway V and Las Vegas Performing Arts Center Foundation, Inc., approving certain provisions of the Memorandum of Understanding, and providing for other matters related thereto

BOARDS & COMMISSIONS - DISCUSSION

81. ABEYANCE ITEM - HISTORIC PRESERVATION COMMISSION – Cathie Kelly, Term Expiration 3/6/2003
82. ABEYANCE ITEM - PARK & RECREATION ADVISORY COMMISSION – Zelda Weingard, Term Expiration 11-18-2005 (Resigned)
83. CHILD CARE LICENSING BOARD – Linda Powers, Term Expiration 6-2005 (Resigned)

RECOMMENDING COMMITTEE REPORTS - DISCUSSION

BILLS ELIGIBLE FOR ADOPTION AT THIS MEETING

84. Bill No. 2003-41 – Levies Assessment for Special Improvement District No. 1485 - Alta Drive (Landscape Maintenance FY2004) Sponsored by: Step Requirement
85. Bill No. 2003-44 – Authorizing the issuance of City of Las Vegas General Obligation (Limited Tax) Redevelopment Project Refunding Bonds, (Additionally Secured with Pledged Revenues) Series 2003A
86. Bill No. 2003-45 – Authorizing the issuance of the City of Las Vegas General Obligation Medium-Term Detention Center Refunding Bonds Series 2003B
87. Bill No. 2003-46 – Annexation No. ANX-1238 – Property location: On the southeast corner of Buffalo Drive and Grand Teton Drive; Petitioned by: Clark County School District; Acreage: 40.10 acres; Zoned: R-A (County zoning), U (PF) (City equivalent). Sponsored by: Councilman Michael Mack

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. 2002-145 – Repeals and replaces LVMC Chapter 6.50, relating to liquor control, and revises related zoning provisions. Proposed by: Mark Vincent, Director, Finance and Business Services
89. Bill No. 2003-47 – Annexation No. ANX-1603 – Property location: On the northeast corner of Regena Avenue and Riley Street; Petitioned by: Michael Monahan and Michelle Ware; Acreage: 0.75 acres; Zoned: R-E (County zoning), R-E (City equivalent). Sponsored by: Councilman Michael Mack
90. Bill No. 2003-48 – Annexation No. ANX-1752 – Property location: On the north side of Smoke Ranch Road, 450 feet east of Michael Way; Petitioned by: Thomas Fett; Acreage: 1.18 acres; Zoned: R-E (County zoning), R-E (City equivalent). Sponsored by: Councilman Lawrence Weekly

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. 2003-49 – Exempts the buying, selling or trading of used CD's , DVD's, video games, videotapes, cassettes or sound recordings from the secondhand dealer business licensing requirements. Proposed by: Mark Vincent, Director of Finance and Business Services
92. Bill No. 2003-50 – Requires a special use permit for massage establishments in the C-1, C-2, C-PB and C-M Zoning Districts, and allows the use as a conditional use in the M Zoning District. Sponsored by: Councilman Michael J. McDonald

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.

93. Bill No. 2003-51 – Adjusts the on-site parking requirements for barber shops and beauty parlors. Proposed by: Robert S. Genzer, Director of Planning and Development
94. Bill No. 2003-52 – Establishes parameters for the keeping of carrier or racing pigeons within the City. Sponsored by: Mayor Oscar B. Goodman
95. Bill No. 2003-53 – Establishes zoning requirements for facilities that provide testing, treatment, or counseling for drug or alcohol abuse, and updates zoning provisions regarding similar and related uses. Sponsored by: Michael J. McDonald
96. Bill No. 2003-54 – Permits restricted gaming in supper clubs under certain circumstances, and prohibits restricted gaming in the Downtown Entertainment Overlay District. Sponsored by: Councilman Larry Brown

CLOSED SESSION – To Be Held at Conclusion of Morning Session

Upon a duly carried Motion, a closed meeting is called in accordance with NRS 241.030 to discuss the following items:

- A. City Manager's Annual Performance Review
- B. City Attorney's Annual Performance Review
- C. City Auditor's Annual Performance Review

1:00 P.M. - AFTERNOON SESSION

97. 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

HEARINGS - DISCUSSION

98. Public hearing to consider the report of expenses to recover costs for abatement of dangerous building/demolition located at 222 W. Philadelphia Ave. PROPERTY OWNERS: BHUPINDER S. BHATTI - Ward 1 (M. McDonald)
99. Public hearing to consider the report of expenses to recover costs for abatement of a dangerous building located at 231 W. Philadelphia Avenue. PROPERTY OWNER: JAMES M. HARGROVE - Ward 1 (M. McDonald)

100. ABEYANCE ITEM - Public hearing to consider the report of expenses to recover costs for abatement of a dangerous building located at 1401 E. Oakey Blvd. PROPERTY OWNER: MOLLY SCHIMEL - Ward 3 (Reese)
101. Public hearing to consider the report of expenses to recover costs for abatement of a dangerous building located at 3518 Navajo Way. PROPERTY OWNER: SECRETARY HOUSING & URBAN DEV., C/O FIRST PRESTON FORECLOSURE - Ward 5 (Weekly)
102. Request to Rescind a Previous City Council action on the renewal of the Ten-Day Notice and Order to Abate Dangerous Building/Demolition because of owner's failure to clean property located at 3340 N. Rainbow Blvd., as promised in his appeal presented at the December 4, 2002 City Council meeting. PROPERTY OWNER: MATRIX CONSTRUCTION CONSULTING, INC.; EDWARD LOVETT, PRESIDENT, MATRIX CONSTRUCTION CONSULTING, INC. - Ward 6 (Mack)
103. Hearing to renew the Ten-Day Notice and Order to Abate Dangerous Building/Demolition because of owner's failure to clean property located at 3340 N. Rainbow Blvd., as promised in his appeal presented at the December 4, 2002 City Council meeting. PROPERTY OWNER: MATRIX CONSTRUCTION CONSULTING, INC.; EDWARD LOVETT, PRESIDENT, MATRIX CONSTRUCTION CONSULTING, INC. - Ward 6 (Mack)

PLANNING & DEVELOPMENT DEPARTMENT

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

PLANNING & DEVELOPMENT DEPARTMENT – DISCUSSION

104. SITE DEVELOPMENT PLAN REVIEW - SDR-2034 - LB LVTC II, LIMITED LIABILITY COMPANY ON BEHALF OF TRIAD DEVELOPMENT, LIMITED LIABILITY COMPANY - Request for a Site Development Plan Review and a Reduction in the Amount of Perimeter Landscaping FOR A PROPOSED 84,500 SQUARE FOOT, 8 BUILDING OFFICE PARK adjacent to the northwest corner of Smoke Ranch Road and US 95 (APN: 138-15-810-017), C-PB (Planned Business Park) Zone, Ward 4 (Brown). The Planning Commission (7-0 vote) and staff recommend APPROVAL
105. ABEYANCE ITEM - REVIEW OF CONDITION - PUBLIC HEARING - ROC-2114 - DESERT LINCOLN MERCURY - Request for a Review of Condition Number 10 of an approved Rezoning (Z-0048-87) which prohibited body or fender work at 5700 West Sahara Avenue (APN: 163-01-405-001, 002 and 003), R-E (Residence Estates) Zone under Resolution of Intent to P-R (Professional Office and Parking) and C-2 (General Commercial), U (Undeveloped) Zone [GC (General Commercial) General Plan Designation] under Resolution of Intent to P-R (Professional Office and Parking) and C-2 (General Commercial) Zones, Ward 1 (M. McDonald). Staff has NO RECOMMENDATION

PLANNING & DEVELOPMENT DEPARTMENT – DISCUSSION

106. ABEYANCE ITEM - SPECIAL USE PERMIT RELATED TO ROC-2114 - PUBLIC HEARING - SUP-1408 - DESERT LINCOLN MERCURY - Request for a Special Use Permit FOR AN AUTO PAINT & BODY SHOP IN CONJUNCTION WITH AN EXISTING NEW CAR DEALERSHIP (DESERT LINCOLN MERCURY) at 5700 West Sahara Avenue (APN: 163-01-405-001, 002 and 003), R-E (Residence Estates) Zone under Resolution of Intent to P-R (Professional Office and Parking) and C-2 (General Commercial), U (Undeveloped) Zone [GC (General Commercial) General Plan Designation] under Resolution of Intent to P-R (Professional Office and Parking) and C-2 (General Commercial) Zones, Ward 1 (M. McDonald). The Planning Commission (7-0 vote) and staff recommend APPROVAL
107. ABEYANCE ITEM - SITE DEVELOPMENT PLAN REVIEW RELATED TO ROC-2114 AND SUP-1408 - PUBLIC HEARING - SDR-1407 - DESERT LINCOLN MERCURY - Request for a Site Development Plan Review FOR AN AUTO PAINT AND BODY SHOP IN CONJUNCTION WITH AN EXISTING NEW CAR DEALERSHIP (DESERT LINCOLN MERCURY); A REDUCTION OF THE PERIMETER LANDSCAPING REQUIREMENTS; A WAIVER OF THE PARKING LOT LANDSCAPE FINGERS; A WAIVER OF THE REQUIRED LANDSCAPE PLANTER BETWEEN THE BUILDING AND THE PARKING AREA, AND A WAIVER OF THE PEDESTRIAN

- OPEN SPACE AND PLAZA REQUIREMENT on 7.75 acres at 5700 West Sahara Avenue (APN: 163-01-405-001, 002 and 003), R-E (Residence Estates) Zone under Resolution of Intent to P-R (Professional Office and Parking) and C-2 (General Commercial), U (Undeveloped) Zone [GC (General Commercial) General Plan Designation] under Resolution of Intent to P-R (Professional Office and Parking), C-2 (General Commercial) and C-2 (General Commercial) Zones, Ward 1 (M. McDonald). The Planning Commission (7-0 vote) and staff recommend APPROVAL

- 108. REVIEW OF CONDITION - PUBLIC HEARING - ROC-2014 - CONCORDIA HOMES - Request for a Review of Condition Number 3 OF AN APPROVED SITE DEVELOPMENT PLAN REVIEW [Z-0069-02(1)] TO ALLOW A THREE FOOT SIDE SETBACK WHERE A FIVE FOOT SIDE SETBACK WAS APPROVED IN CONJUNCTION WITH A 142 LOT SINGLE FAMILY SUBDIVISION on 20.27 acres adjacent to the northwest and southeast corners of Deer Springs Way and Campbell Road (APN: 125-20-201-011 and 012; 125-20-301-006 and 007), TC (Town Center) Zone, Ward 6 (Mack). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL

- 109. REVIEW OF CONDITION - PUBLIC HEARING - ROC-2137 - NEVADA POWER COMPANY - Request for a Review of Condition #1 of an approved One Year Review [Z-0095-91(4)] which stated that the deferment of landscaping shall be allowed until April 1, 2004. In the interim, 3-inch decomposed granite mulch and 36-inch minimum diameter boulders shall be installed along Iron Mountain Road frontage no later than July 1, 2003 on property located adjacent to the northwest corner of Iron Mountain Road and Decatur Boulevard (A PORTION OF APN: 125-01-701-001), C-V (Civic) Zone, Ward 6 (Mack). Staff recommends APPROVAL

- 110. MASTER SIGN PLAN - PUBLIC HEARING - MSP-2032 - MOUNTAIN VIEW PROFESSIONAL PARK, LIMITED LIABILITY COMPANY - Request for a Master Sign Plan FOR AN APPROVED 69,000 SQUARE FOOT OFFICE DEVELOPMENT on 7.50 acres adjacent to the north side of Smoke Ranch Road, approximately 730 feet east of Tenaya Way (APN: 138-15-810-016), C-PB (Planned Business Park) Zone, Ward 4 (Brown). The Planning Commission (7-0 vote) and staff recommend APPROVAL

- 111. VACATION - PUBLIC HEARING - VAC-1939 - BEAZER HOMES HOLDINGS CORPORATION - Petition to vacate U.S. Government Patent Reservations and Right-of-Way generally located adjacent to the southeast corner of Grand Teton Drive and Hualapai Way, Ward 6 (Mack). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL

- 112. VACATION - PUBLIC HEARING - VAC-1981 - KB HOME NEVADA, INC. - Petition to vacate public easements generally located south of Alexander Road, east of Maverick Street, Ward 6 (Mack). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL

- 113. VACATION - PUBLIC HEARING - VAC-1965 - CORONOPARK, LIMITED LIABILITY COMPANY - Petition to vacate a portion of Donald Nelson Avenue, generally located west of Grand Canyon Drive, Ward 6 (Mack). The Planning Commission (7-0 vote) and staff recommend APPROVAL

- 114. VACATION - PUBLIC HEARING - VAC-2017 - CITY OF LAS VEGAS - Petition of Vacation to vacate a public alley, generally located between Bonneville Avenue and Garces Avenue, approximately 180 feet west of Fourth Street, Ward 1 (M. McDonald). The Planning Commission (7-0 vote) and staff recommend APPROVAL

PLANNING & DEVELOPMENT DEPARTMENT – DISCUSSION

- 115. VARIANCE - PUBLIC HEARING - VAR-1952 - DR. SAMUEL I. KIM - Request for a Variance TO ALLOW A REAR SETBACK OF 40 FEET WHERE THE RESIDENTIAL ADJACENCY STANDARDS REQUIRE A 96 FOOT SETBACK IN CONJUNCTION WITH A 32-FOOT TALL OFFICE BUILDING adjacent to the west side of Crystal Water Way approximately 323 feet south of Sahara Avenue (APN: 163-08-120-018), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial) Zone, Ward 2 (L.B. McDonald). The Planning Commission (6-1 vote) and staff recommend APPROVAL

- 116. SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-1952 - PUBLIC HEARING - SDR-1951 - DR. SAMUEL I. KIM - Request for a Site Development Plan Review FOR A PROPOSED 4,889 SQUARE FOOT OFFICE BUILDING AND A REDUCTION IN THE AMOUNT OF PERIMETER LANDSCAPING adjacent to the west side of Crystal Water Way approximately 323 feet south of Sahara Avenue (APN: 163-08-120-018), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial) Zone, Ward 2 (L.B. McDonald). The Planning Commission (6-1 vote) and staff recommend APPROVAL

117. REQUIRED ONE YEAR REVIEW - SPECIAL USE PERMIT - PUBLIC HEARING - RQR-1993 - CITY PARKWAY IV A, INC. ON BEHALF OF LAMAR OUTDOOR ADVERTISING COMPANY - Required One Year Review of an approved Special Use Permit [U-0238-94(4)] WHICH ALLOWED A 14 FOOT X 48 FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN adjacent to the south side of Oran K. Gragson Highway (U.S. 95) between "F" Street and Main Street (APN: 139-27-401-031), M (Industrial) Zone, Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend APPROVAL
118. REQUIRED ONE YEAR REVIEW - SPECIAL USE PERMIT - PUBLIC HEARING - RQR-1974 - UNION PACIFIC RAILROAD COMPANY, ET AL ON BEHALF OF CLEAR CHANNEL OUTDOOR AND VIACOM OUTDOOR ADVERTISING - Required One Year Review FOR 12 EXISTING OFF-PREMISE ADVERTISING (BILLBOARD) SIGNS on property bounded by U.S.-95, I-15 and Grand Central Parkway (APN: 139-33-610-004, 139-33-710-001, 139-33-511-003, 004, and 139-27-410-002 and 005), PD (Planned Development) Zone, Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend APPROVAL
119. REQUIRED TWO YEAR REVIEW - SPECIAL USE PERMIT - PUBLIC HEARING - RQR-1994 - RANCHO DECATUR, LIMITED LIABILITY COMPANY ON BEHALF OF LAMAR ADVERTISING - Required Two Year Review of an approved Special Use Permit (U-0059-01) FOR FIVE (5) 14 FOOT X 48 FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGNS adjacent to the northeast corner of Smoke Ranch Road and Decatur Boulevard (APN: 139-18-410-001), C-2 (General Commercial) Zone under Resolution of Intent to C-M (Commercial/ Industrial), Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend APPROVAL
120. SPECIAL USE PERMIT - PUBLIC HEARING - SUP-1948 - CITY OF LAS VEGAS - Request for a Special Use Permit FOR A PROPOSED TAVERN IN THE DURANGO HILLS GOLF COURSE CLUBHOUSE LOCATED WITHIN THE CHEYENNE/DURANGO PARK AND A WAIVER OF THE 1,500 FOOT DISTANCE SEPARATION REQUIREMENT BETWEEN TAVERNS at 3501 North Durango Drive (APN: 138-08-701-013), U (Undeveloped) Zone [PF (Public Facilities) General Plan Designation] under Resolution of Intent to C-V (Civic), Ward 4 (Brown). The Planning Commission (7-0 vote) and staff recommend APPROVAL
121. SPECIAL USE PERMIT - PUBLIC HEARING - SUP-1950 - MER-CAR CORPORATION ON BEHALF OF BOU OSTEEN - Appeal filed by Bou Osteen from the Denial by the Planning Commission of a request for a Special Use Permit FOR A FINANCIAL INSTITUTION, SPECIFIED (CHECK CASHING) at 1401 East Charleston Boulevard (APN: 139-35-401-002), C-1 (Limited Commercial) Zone, Ward 5 (Weekly). The Planning Commission (5-2 vote) recommends DENIAL. Staff recommends APPROVAL
122. SPECIAL USE PERMIT - PUBLIC HEARING - SUP-1982 - HOWARD HUGHES CORPORATION ON BEHALF OF THE F.M. AND NANCY CORRIGAN TRUST - Request for a Special Use Permit FOR A PROPOSED TAVERN at 10820 West Charleston Boulevard (APN: 137-36-414-003), P-C (Planned Community) Zone, Ward 2 (L.B. McDonald). The Planning Commission (5-0-2 vote) and staff recommend APPROVAL

PLANNING & DEVELOPMENT DEPARTMENT – DISCUSSION

123. SPECIAL USE PERMIT - PUBLIC HEARING - SUP-2008 - TRANSIT SYSTEMS DEVELOPMENT, LIMITED LIABILITY COMPANY, ET AL - Request for a Special Use Permit FOR THE EXTENSION OF THE LAS VEGAS MONORAIL SYSTEM from the Sahara Station to Stewart Avenue (APN: 139-34-302-004, 005, 006 and 139-33-702-003), Ward 1 (M. McDonald) and Ward 5 (Weekly). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL
124. SPECIAL USE PERMIT - PUBLIC HEARING - SUP-2036 - VIVINIAN O'HARE ON BEHALF OF FOCUS PROPERTY GROUP - Request for a Special Use Permit FOR A GATED DEVELOPMENT WITH PRIVATE STREETS adjacent to the east side of Tee Pee Lane, approximately 250 feet north of Grand Teton Drive (APN: 125-07-801-002), T-C (Town Center) Zone, Ward 6 (Mack). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL
125. SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-2036 - PUBLIC HEARING - SDR-2035 - VIVINIAN O'HARE ON BEHALF OF FOCUS PROPERTY GROUP - Request for a Site Development Plan Review FOR A PROPOSED 265-LOT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT on 25.91 acres adjacent to the east side of Tee Pee Lane, approximately 250 feet north of Grand Teton Drive (APN: 125-07-801-002), T-C (Town Center) Zone, Ward 6 (Mack). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL
126. REZONING - PUBLIC HEARING - ZON-1855 - JAMES PINJUV, ET AL - Request for a Rezoning FROM: R-E (Residence Estates) TO: R-PD3 (Residential Planned Development - 3 Units Per Acre) on 9.46 acres adjacent to the northwest corner of Azure Drive and Rio Vista Street (APN: 125-27-503-013 and 014), PROPOSED USE: SINGLE FAMILY RESIDENTIAL DEVELOPMENT, Ward 6 (Mack). The Planning Commission (7-0 vote) and staff recommend APPROVAL
127. REZONING - PUBLIC HEARING - ZON-1936 - SOUTHWEST DESERT EQUITIES, LIMITED LIABILITY COMPANY, ET AL ON BEHALF OF GREYSTONE NEVADA, LIMITED LIABILITY COMPANY - Request for a Rezoning FROM: U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] TO: PD (Planned Development) on 18.83 acres adjacent to the northwest corner of Peaceful Dawn Avenue and Cliff Shadows Parkway (APN: 137-01-101-002, 003, 004, and a portion of 005), PROPOSED USE: SINGLE FAMILY RESIDENTIAL DEVELOPMENT, Ward 4 (Brown). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL
128. SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-1936 - PUBLIC HEARING - SDR-1937 - SOUTHWEST DESERT EQUITIES, LIMITED LIABILITY COMPANY, ET AL ON BEHALF OF GREYSTONE NEVADA, LIMITED LIABILITY COMPANY - Request for a Site Development Plan Review FOR A 171-LOT SINGLE FAMILY DETACHED RESIDENTIAL DEVELOPMENT on 18.83 acres adjacent to the northwest corner of Peaceful Dawn Avenue and Cliff Shadows Parkway (APN: 137-01-101-002, 003, 004, and a portion of 005), U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] [PROPOSED: PD (Planned Development) Zone], Ward 4 (Brown). Staff recommends DENIAL. The Planning Commission (6-0-1 vote) recommends APPROVAL
129. VARIANCE RELATED TO ZON-1936 AND SDR-1937 - PUBLIC HEARING - VAR-2196 - SOUTHWEST DESERT EQUITIES, LIMITED LIABILITY COMPANY, ET AL ON BEHALF OF GREYSTONE NEVADA, LIMITED LIABILITY COMPANY - Request for a Variance TO ALLOW 1.3 ACRES OF OPEN SPACE WHERE 1.30 ACRES IS REQUIRED on 18.83 acres adjacent to the northwest corner of Peaceful Dawn Avenue and Cliff Shadows Parkway (APN: 137-01-101-002, 003, 004, and a portion of 005), U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] [PROPOSED: PD (Planned Development)], Ward 4 (Brown). Staff recommends DENIAL. The Planning Commission (6-0-1 vote) recommends APPROVAL. NOTE: Variance is to allow 1.25 acres of open space instead of 1.45 acres
130. REZONING - PUBLIC HEARING - ZON-1957 - CITY OF LAS VEGAS - Request for a Rezoning FROM: C-2 (General Commercial) TO: R-1 (Single Family Residential) on 0.75 acres at 4130, 4134 and 4138 Coran Lane (APN: 139-19-610-013, 014 and 015) EXISTING USE: THREE SINGLE FAMILY DWELLINGS, Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend APPROVAL

PLANNING & DEVELOPMENT DEPARTMENT – DISCUSSION

131. REZONING - PUBLIC HEARING - ZON-2038 - JACOB, LIMITED PARTNERSHIP ON BEHALF OF GREEN, HERRINGTON & HOWELL, LIMITED LIABILITY COMPANY - Request for a Rezoning FROM: U (Undeveloped) [SC (Service Commercial) General Plan Designation] under Resolution of Intent to N-S (Neighborhood Service) TO: C-1 (Limited Commercial) on 1.11 acres adjacent to the north side of Lake Mead Boulevard, approximately 630 feet west of Torrey Pines Drive (APN: 138-23-201-003), PROPOSED USE: FAMILY DOLLAR STORE, Ward 6 (Mack). Staff recommends DENIAL. The Planning Commission (6-1 vote) recommends APPROVAL
132. SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-2038 - PUBLIC HEARING - SDR-2039 - JACOB, LIMITED PARTNERSHIP ON BEHALF OF GREEN, HERRINGTON & HOWELL, LIMITED LIABILITY COMPANY - Request for a Site Development Plan Review and WAIVERS TO THE COMMERCIAL DESIGN STANDARDS FOR A PROPOSED 9,968 SQUARE FOOT FAMILY DOLLAR STORE; AND A REDUCTION IN THE AMOUNT OF PERIMETER LANDSCAPING on 1.11 acres adjacent to the north side of Lake Mead Boulevard, approximately 630 feet west of Torrey Pines Drive (APN: 138-23-201-003), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to N-S (Neighborhood Service) [Proposed: C-1 (Limited Commercial)], Ward 6 (Mack). Staff recommends DENIAL. The Planning Commission (6-1 vote) recommends APPROVAL
133. GENERAL PLAN AMENDMENT - PUBLIC HEARING - GPA-1983 - CITY OF LAS VEGAS - Request to amend Map No. 2 of the Interlocal Agreement Joint Parks and Trails Plan; Map No. 2 of the Master Plan Transportation Trails Element and Map No. 2 of the Recreation Trails Element to realign minor sections of trails along Hualapai Way and Grand Teton Drive, Ward 6 (Mack). The Planning Commission (7-0 vote) and staff recommend APPROVAL
134. GENERAL PLAN AMENDMENT - PUBLIC HEARING - GPA-2249 - CITY OF LAS VEGAS - Request to amend the Southeast Sector Plan of the City of Las Vegas General Plan by the adoption of the "Downtown North Land Use Plan." The Downtown North Area is located south of Owens Avenue, east of Interstate 15, north of Interstate 515, and west of Bruce Street, Sagman Street, and Ninth Street, Ward 5 (Weekly). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL
135. ABEYANCE ITEM - GENERAL PLAN AMENDMENT - PUBLIC HEARING - GPA-1016 - ROGER FOSTER - Request to amend a portion of the Centennial Hills Sector Plan of the General Plan FROM: O (Office) TO: SC (Service Commercial) on 2.5 acres adjacent to the north side of Cheyenne Avenue, approximately 340 feet east of Fort Apache Road (APN: 138-08-401-013), Ward 4 (Brown). The Planning Commission (5-2 vote) and staff recommend APPROVAL
136. ABEYANCE ITEM - REZONING RELATED TO GPA-1016 - PUBLIC HEARING - ZON-1017 - ROGER FOSTER - Request for a Rezoning FROM: U (Undeveloped) Zone [O (Office) General Plan Designation] [PROPOSED: SC (Service Commercial) General Plan Designation] under Resolution of Intent to O (Office) TO: C-1 (Limited Commercial) on 2.5 acres adjacent to the north side of Cheyenne Avenue, approximately 340 feet east of Fort Apache Road (APN: 138-08-401-013), PROPOSED USE: MINI-WAREHOUSE, Ward 4 (Brown). The Planning Commission (5-2 vote) and staff recommend APPROVAL
137. GENERAL PLAN AMENDMENT - PUBLIC HEARING - GPA-1498 - JAMES R. DAVIDSON, ET AL - Request to amend a portion of the Centennial Hills Sector Plan of the General Plan FROM: DR (Desert Rural Density Residential) TO: L (Low Density Residential) on 7.8 acres adjacent to the northwest corner of Alexander Road and Cimarron Road (APN: 138-04-404-030 through 034), PROPOSED USE: SINGLE FAMILY RESIDENTIAL DEVELOPMENT, Ward 4 (Brown). The Planning Commission (7-0 vote) and staff recommend APPROVAL
138. REZONING RELATED TO GPA-1498 - PUBLIC HEARING - ZON-2023 - JAMES R. DAVIDSON, ET AL - Request for a Rezoning FROM: R-E (Residence Estates), R-E (Residence Estates) under Resolution of Intent to R-1 (Single Family Residential), and U (Undeveloped) [DR (Desert Rural Density Residential) General Plan Designation] [Proposed: L (Low Density Residential)] TO: R-1 (Single Family Residential) on 7.8 acres adjacent to the northwest corner of Alexander Road and Cimarron Road (APN: 138-04-404-030 through 034), PROPOSED USE: SINGLE FAMILY RESIDENTIAL DEVELOPMENT, Ward 4 (Brown). The Planning Commission (7-0 vote) and staff recommend APPROVAL

PLANNING & DEVELOPMENT DEPARTMENT – DISCUSSION

139. SPECIAL USE PERMIT RELATED TO GPA-1498 AND ZON-2023 - PUBLIC HEARING - SUP-2033 - JAMES R. DAVIDSON, ET AL - Request for a Special Use Permit TO ALLOW A PRIVATE STREET FOR A PROPOSED 26-LOT SINGLE FAMILY RESIDENTIAL DEVELOPMENT on 7.8 acres adjacent to the northwest corner of Alexander Road and Cimarron Road (APN: 138-04-404-030 through 034), R-E (Residence Estates), R-E (Residence Estates) under Resolution of Intent to R-1 (Single Family Residential), and U (Undeveloped) [DR (Desert Rural Density Residential) General Plan Designation] Zones [Proposed: R-1 (Single Family Residential)], Ward 4 (Brown). The Planning Commission (7-0 vote) and staff recommend APPROVAL
140. SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-1498, ZON-2023 AND SUP-2033 - PUBLIC HEARING - SDR-2031 - JAMES R. DAVIDSON, ET AL - Request for a Site Development Plan Review FOR A 26-LOT SINGLE FAMILY DEVELOPMENT on 7.8 acres adjacent to the northwest corner of Alexander Road and Cimarron Road (APN: 138-04-404-030 through 034), R-E (Residence Estates) R-E (Residence Estates) under Resolution of Intent to R-1 (Single Family Residential) and U (Undeveloped) [DR (Desert Rural) General Plan Designation] [Proposed: L (Low Density Residential) General Plan Designation] [Proposed: R-1 (Single Family Residential)] Zones, Ward 4 (Brown). The Planning Commission (7-0 vote) and staff recommend APPROVAL
141. VACATION RELATED TO GPA-1498, ZON-2023, SUP-2033 AND SDR-2031 - PUBLIC HEARING - VAC-2027 - MARIE ONGSIACO - Petition to vacate a portion of Tomsik Street, generally located between Alexander Road and Florine Avenue, Ward 4 (Brown). The Planning Commission (7-0 vote) and staff recommend APPROVAL
142. GENERAL PLAN AMENDMENT - PUBLIC HEARING - GPA-1969 - RBJ SEPARATE PROPERTY TRUST, ET AL ON BEHALF OF HELLER DEVELOPMENT COMPANY - Request to amend a portion of the Centennial Hills Sector of the General Plan FROM: RNP (Rural Neighborhood Preservation) TO: DR (Desert Rural Residential) on 6.75 acres adjacent to the southwest corner of Tropical Parkway and Rebecca Road (APN: 125-26-301-003 and 004), PROPOSED USE: SINGLE FAMILY DEVELOPMENT, Ward 6 (Mack). The Planning Commission (7-0 vote) and staff recommend APPROVAL
143. REZONING RELATED TO GPA-1969 - PUBLIC HEARING - ZON-1970 - RBJ SEPARATE PROPERTY TRUST, ET AL ON BEHALF OF HELLER DEVELOPMENT COMPANY - Request for a Rezoning FROM: U (Undeveloped) [RNP (Rural Neighborhood Preservation) General Plan Designation] [PROPOSED: DR (Desert Rural Residential)] TO: R-PD2 (Residential Planned Development - 2 Units Per Acre) on 6.75 acres adjacent to the southwest corner of Tropical Parkway and Rebecca Road (APN: 125-26-301-003 and 004), PROPOSED USE: SINGLE FAMILY DEVELOPMENT, Ward 6 (Mack). The Planning Commission (7-0 vote) and staff recommend APPROVAL
144. VARIANCE RELATED TO GPA-1969 AND ZON-1970 - PUBLIC HEARING - VAR-1972 - RBJ SEPARATE PROPERTY TRUST, ET AL ON BEHALF OF HELLER DEVELOPMENT COMPANY - Request for a Variance TO ALLOW ZERO SQUARE FEET OF OPEN SPACE WHERE 11,326 SQUARE FEET OF OPEN SPACE IS REQUIRED IN CONJUNCTION WITH A PROPOSED 16-LOT SINGLE FAMILY RESIDENTIAL DEVELOPMENT adjacent to the southwest corner of Tropical Parkway and Rebecca Road (APN: 125-26-301-003 and 004), U (Undeveloped) Zone [RNP (Rural Neighborhood Preservation) General Plan Designation] [PROPOSED: DR (Desert Rural Residential) General Plan Designation], PROPOSED: R-PD2 (Residential Planned Development - 2 Units Per Acre), Ward 6 (Mack). Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL
145. SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-1969, ZON-1970 AND VAR-1972 - PUBLIC HEARING - SDR-1971 - RBJ SEPARATE PROPERTY TRUST, ET AL ON BEHALF OF HELLER DEVELOPMENT COMPANY - Request for a Site Development Plan Review FOR A PROPOSED 16-LOT SINGLE FAMILY RESIDENTIAL DEVELOPMENT on 6.75 acres adjacent to the southwest corner of Tropical Parkway and Rebecca Road (APN: 125-26-301-003 and 004), U (Undeveloped) Zone [RNP (Rural Neighborhood Preservation) General Plan Designation] [Proposed: DR (Desert Rural Residential) General Plan Designation] [Proposed: R-PD2 (Residential Planned Development - 2 Units Per Acre)], Ward 6 (Mack). Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL

PLANNING & DEVELOPMENT DEPARTMENT – DISCUSSION

146. GENERAL PLAN AMENDMENT - PUBLIC HEARING - GPA-1989 - DFA, LIMITED LIABILITY COMPANY - Request to amend a portion of the Southeast Sector of the General Plan FROM: M (Medium Density Residential) and SC (Service Commercial) TO: SC (Service Commercial) on 0.57 acres at 1722 West Bonanza Road (APN: 139-28-302-026), PROPOSED USE: OFFICE, Ward 5 (Weekly). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL
147. REZONING RELATED TO GPA-1989 - PUBLIC HEARING - ZON-1992 - DFA, LIMITED LIABILITY COMPANY - Request for Rezoning FROM: R-3 (Medium Density Residential) TO: C-1 (Limited Commercial) on 0.57 acres at 1722 West Bonanza Road (APN: 139-28-302-026), PROPOSED USE: OFFICE, Ward 5 (Weekly). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL
148. SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-1989 AND ZON-1992 - PUBLIC HEARING - SDR-1991 - DFA, LIMITED LIABILITY COMPANY - Request for a Site Development Plan Review and a Reduction in the Amount of Required Perimeter Landscaping FOR A PROPOSED 5,255 SQUARE FOOT OFFICE DEVELOPMENT on 0.57 acres at 1722 West Bonanza Road (APN: 139-28-302-026), R-3 (Medium Density Residential) Zone [Proposed: C-1 (Limited Commercial)], Ward 5 (Weekly). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL
149. GENERAL PLAN AMENDMENT - PUBLIC HEARING - GPA-1996 - FORTUNE N. LAMB, ET AL ON BEHALF OF GEORGE GEKAKIS, INC. - Request to amend a portion of the Southwest Sector Plan of the General Plan FROM: R (Rural Density Residential) TO: M (Medium Density Residential) on 9.83 acres adjacent to the east side of Jones Boulevard, approximately 630 feet south of Cheyenne Avenue (APN: 138-13-101-002, 003 and 004), PROPOSED USE: AGE RESTRICTED APARTMENTS, Ward 5 (Weekly). Staff recommends DENIAL. The Planning Commission (6-0-1 vote) recommends APPROVAL
150. REZONING RELATED TO GPA-1996 - PUBLIC HEARING - ZON-1997 - FORTUNE N. LAMB, ET AL ON BEHALF OF GEORGE GEKAKIS, INC. - Request for a Rezoning FROM: U (Undeveloped) [R (Rural Density Residential) General Plan Designation] [Proposed: M (Medium Density Residential) General Plan Designation] and R-E (Residence Estates) TO: R-3 (Medium Density Residential) on 9.83 acres adjacent to the east side of Jones Boulevard, approximately 630 feet south of Cheyenne Avenue (APN: 138-13-101-002, 003 and 004), PROPOSED USE: AGE RESTRICTED APARTMENTS, Ward 5 (Weekly). Staff recommends DENIAL. The Planning Commission (6-0-1 vote) recommends APPROVAL
151. VARIANCE RELATED TO GPA-1996 AND ZON-1997 - PUBLIC HEARING - VAR-2002 - FORTUNE N. LAMB, ET AL ON BEHALF OF GEORGE GEKAKIS, INC. - Request for a Variance TO ALLOW THREE-STORY BUILDINGS WHERE THE R-3 (MEDIUM DENSITY RESIDENTIAL) ZONING DISTRICT ALLOWS MAXIMUM BUILDING HEIGHTS OF TWO STORIES AND TO ALLOW 249 PARKING SPACES WHERE 285 ARE REQUIRED IN CONJUNCTION WITH A PROPOSED AGE-RESTRICTED APARTMENT COMPLEX adjacent to the east side of Jones Boulevard, approximately 630 feet south of Cheyenne Avenue (APN: 138-13-101-002, 003 and 004), U (Undeveloped) Zone [R (Rural Density Residential) General Plan Designation] and R-E (Residence Estates) Zone [Proposed: R-3 (Medium Density Residential)], Ward 5 (Weekly). Staff recommends DENIAL. The Planning Commission (4-2-1 vote) recommends APPROVAL
152. SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-1996, ZON-1997 AND VAR-2002 - PUBLIC HEARING - SDR-1999 - FORTUNE N. LAMB, ET AL ON BEHALF OF GEORGE GEKAKIS, INC. - Request for a Site Development Plan Review FOR A PROPOSED TWO AND THREE STORY, 237-UNIT AGE RESTRICTED APARTMENT COMPLEX AND A WAIVER TO THE DENSITY REQUIREMENTS WITHIN A RURAL PRESERVATION NEIGHBORHOOD BUFFER on 9.83 acres adjacent to the east side of Jones Boulevard, approximately 630 feet south of Cheyenne Avenue (APN: 138-13-101-002, 003 and 004), U (Undeveloped) [R (Rural Density Residential) General Plan Designation] [Proposed: M (Medium Density Residential) General Plan Designation] and R-E (Residence Estates) Zones [Proposed: R-3 (Medium Density Residential)], Ward 5 (Weekly). Staff recommends DENIAL. The Planning Commission (4-2-1 vote) recommends APPROVAL

PLANNING & DEVELOPMENT DEPARTMENT – DISCUSSION

153. GENERAL PLAN AMENDMENT - PUBLIC HEARING - GPA-2003 - ANCHOR CAPITAL GAINS, LIMITED LIABILITY COMPANY - Request to amend a portion of the Centennial Hills Sector Plan of the General Plan FROM: SC (Service Commercial) TO: GC (General Commercial) on 11.08 acres adjacent to the west side of Rancho Drive, approximately 900 feet north of Alexander Road (APN: 138-02-814-012), PROPOSED USE: OFFICE/RETAIL WITH WAREHOUSE, Ward 6 (Mack). The Planning Commission (7-0 vote) and staff recommend APPROVAL
154. VARIANCE RELATED TO GPA-2003 - PUBLIC HEARING - VAR-2005 - ANCHOR CAPITAL GAINS, LIMITED LIABILITY COMPANY - Request for a Variance TO ALLOW A SETBACK OF 58-FEET WHERE THE RESIDENTIAL ADJACENCY STANDARDS REQUIRE A SETBACK OF 60-FEET FOR A PROPOSED OFFICE AND RETAIL WITH WAREHOUSE DEVELOPMENT adjacent to the west side of Rancho Drive, approximately 900 feet north of Alexander Road (APN: 138-02-814-012), C-2 (General Commercial) Zone, Ward 6 (Mack). Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL
155. SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-2003 AND VAR-2005 - PUBLIC HEARING - SDR-2004 - ANCHOR CAPITAL GAINS, LIMITED LIABILITY COMPANY - Request for a Site Development Plan Review including a WAIVER OF THE COMMERCIAL DEVELOPMENT STANDARDS FOR A PROPOSED 141,136 SQUARE FOOT OFFICE AND RETAIL WITH WAREHOUSE DEVELOPMENT on 11.08 acres adjacent to the west side of Rancho Drive, approximately 900 feet north of Alexander Road (APN: 138-02-814-012), C-2 (General Commercial) Zone, Ward 6 (Mack). The Planning Commission (7-0 vote) and staff recommend APPROVAL
156. GENERAL PLAN AMENDMENT - PUBLIC HEARING - GPA-2022 - BLACK MOUNTAIN BOULDER, LIMITED LIABILITY COMPANY, ET AL ON BEHALF OF U.S. HOME CORPORATION - Request to amend a portion of the Centennial Hills Sector Plan of the General Plan FROM: DR (Desert Rural Density Residential) TO: R (Rural Density Residential) on 28.56 acres adjacent to the south side of Azure Drive, between Torrey Pines Drive and Bronco Street (APN: 125-26-601-002 through 005), PROPOSED USE: SINGLE FAMILY RESIDENTIAL, Ward 6 (Mack). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL
157. REZONING RELATED TO GPA-2022 - PUBLIC HEARING - ZON-2025 - BLACK MOUNTAIN BOULDER, LIMITED LIABILITY COMPANY, ET AL ON BEHALF OF U.S. HOME CORPORATION - Request for a Rezoning FROM: R-E (Residence Estates) TO: R-PD3 (Residential Planned Development - 3 Units Per Acre) on 28.56 acres adjacent to the south side of Azure Drive, between Torrey Pines Drive and Bronco Street (APN: 125-26-601-002 through 005), PROPOSED USE: SINGLE FAMILY RESIDENTIAL DEVELOPMENT, Ward 6 (Mack). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL
158. VARIANCE RELATED TO GPA-2022 AND ZON-2025 - PUBLIC HEARING - VAR-2186 - BLACK MOUNTAIN BOULDER, LIMITED LIABILITY COMPANY ET AL ON BEHALF OF U.S. HOME CORPORATION - Request for a Variance TO ALLOW 47,028 SQUARE FEET OF OPEN SPACE WHERE 69,792 SQUARE FEET OF OPEN SPACE IS REQUIRED IN CONJUNCTION WITH A PROPOSED 97-LOT SINGLE FAMILY RESIDENTIAL DEVELOPMENT on 28.56 acres adjacent to the south side of Azure Drive, between Torrey Pines Drive and Bronco Street (APN: 125-26-601-002 through 005), R-E (Residence Estates) Zone [Proposed: R-PD3 (Residential Planned Development - 3 Units Per Acre)], Ward 6 (Mack). Staff recommends DENIAL. The Planning Commission (6-0-1 vote) recommends APPROVAL
159. SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-2022, ZON-2025 AND VAR-2186 - PUBLIC HEARING - SDR-2026 - BLACK MOUNTAIN BOULDER, LIMITED LIABILITY COMPANY, ET AL ON BEHALF OF U.S. HOME CORPORATION - Request for a Site Development Plan Review FOR A PROPOSED 97-LOT SINGLE FAMILY RESIDENTIAL DEVELOPMENT on 28.56 acres adjacent to the south side of Azure Drive, between Torrey Pines Drive and Bronco Street (APN: 125-26-601-002 through 005), R-E (Residence Estates) Zone [Proposed: R-PD3 (Residential Planned Development - 3 Units Per Acre)], Ward 6 (Mack). Staff recommends DENIAL. The Planning Commission (6-0-1 vote) recommends APPROVAL

PLANNING & DEVELOPMENT DEPARTMENT – DISCUSSION

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

ADDENDUM

CITIZENS PARTICIPATION

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

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

Las Vegas Library, 833 Las Vegas Boulevard North
Senior Citizen Center, 450 E. Bonanza Road
Clark County Government Center, 500 S. Grand Central Parkway
Court Clerk's Office Bulletin Board, City Hall Plaza
City Hall Plaza, Special Outside Posting Bulletin Board

EXHIBIT C

(Attach Affidavit of Publication of Notice of Deposit of the Bond Ordinance)

RECEIVED
CITY CLERK

AFFP DISTRICT COURT
Clark County, Nevada
AFFIDAVIT OF PUBLICATION

2003 MAY 23 A 11: 56

STATE OF NEVADA)
COUNTY OF CLARK) SS:

Donna Stark, being 1st duly sworn, deposes and says:
That she is the Legal Clerk for the Las Vegas Review-Journal and the Las Vegas Sun, daily newspapers regularly issued, published and circulated in the City of Las Vegas, County of Clark, State of Nevada, and that the advertisement, a true copy attached for,

LV CITY CLERK
2758041

2296311LV

was continuously published in said Las Vegas Review Journal and/or Las Vegas Sun in 1 edition(s) of said newspaper issued from 05/10/2003 to 05/10/2003, on the following days: MAA 10, 2003

Signed: _____

Donna Stark

SUBSCRIBED AND SWORN BEFORE ME THIS THE _____

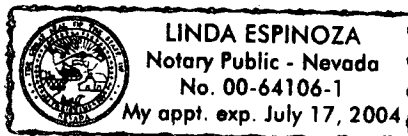
21st

day of _____ 2003

May

Linda Espinoza

Notary Public



BILL NO. 2003-45
AN ORDINANCE DESIGNATED BY THE SHORT TITLE "2003 MEDIUM-TERM OBTENTION CENTER REFUNDING BOND ORDINANCE" PROVIDING FOR THE ISSUANCE BY THE CITY OF LAS VEGAS OF ITS GENERAL OBLIGATION (LIMITED TAX) MEDIUM-TERM OBTENTION CENTER REFUNDING BONDS, SERIES 2003B, FOR THE PURPOSE OF REFUNDING CERTAIN OUTSTANDING BONDS OF THE CITY; PROVIDING COVENANTS, AGREEMENTS AND OTHER DETAILS CONCERNING THE BONDS, THE PROJECT AND GENERAL TAX PROCEEDS; PROVIDING OTHER MATTERS RELATING THERETO.
PUBLIC NOTICE IS HEREBY GIVEN, that an adequate number of typewritten copies of the above entitled proposed Ordinance are available for public inspection and distribution at the office of the City Clerk of the City of Las Vegas, at her office in City Hall, 400 Stewart Avenue, Las Vegas, Nevada, and that such Ordinance was proposed on May 7, 2003, and will be considered for adoption at a regular meeting of the City Council of the City of Las Vegas on May 21, 2003.
/s/ Barbara Jo Ronemus
City Clerk
PUB: May 10, 2003
LV Review-Journal

EXHIBIT D

(Attach Affidavit of Publication of Adoption of Bond Ordinance)

RECEIVED
CITY CLERK

AFFP DISTRICT COURT
Clark County, Nevada

2003 MAY 23 A 11: 56

AFFIDAVIT OF PUBLICATION

STATE OF NEVADA)
COUNTY OF CLARK) SS:

Donna Stark, being 1st duly sworn, deposes and says:
That she is the Legal Clerk for the Las Vegas Review-Journal and the Las Vegas Sun, daily newspapers regularly issued, published and circulated in the City of Las Vegas, County of Clark, State of Nevada, and that the advertisement, a true copy attached for,

LV CITY CLERK
2758041

2296311LV


was continuously published in said Las Vegas Review Journal and/or Las Vegas Sun in 1 edition(s) of said newspaper issued from 05/10/2003 to 05/10/2003, on the following days: MAA 10, 2003

Signed: Donna Stark

SUBSCRIBED AND SWORN BEFORE ME THIS THE 21st

day of May 2003

Linda Espinoza
Notary Public

 LINDA ESPINOZA
Notary Public - Nevada
No. 00-64106-1
My appt. exp. July 17, 2004

BILL NO. 2003-45
AN ORDINANCE DESIGNATED BY THE SHORT TITLE "MEDIUM-TERM DETENTION CENTER REFUNDING BOND ORDINANCE"; PROVIDING FOR THE ISSUANCE BY THE CITY OF LAS VEGAS OF ITS GENERAL OBLIGATION (LIMITED TAX) MEDIUM-TERM DETENTION CENTER REFUNDING BONDS, SERIES 2003B, FOR THE PURPOSE OF REFUNDING CERTAIN OUTSTANDING BONDS OF THE CITY; PROVIDING COVENANTS, AGREEMENTS AND OTHER DETAILS CONCERNING THE BONDS, THE PROJECT AND GENERAL TAX PROCEEDS; PROVIDING OTHER MATTERS RELATING THERETO.
PUBLIC NOTICE IS HEREBY GIVEN, that an adequate number of typewritten copies of the above entitled proposed Ordinance are available for public inspection and distribution at the office of the City Clerk of the City of Las Vegas, at her office in City Hall, 400 Stewart Avenue, Las Vegas, Nevada, and that such Ordinance was proposed on May 7, 2003, and will be considered for adoption at a regular meeting of the City Council of the City of Las Vegas on May 21, 2003.
/s/ Barbara Jo Ronemus
City Clerk
PUB: May 10, 2003
LV Review-Journal

AFFP DISTRICT COURT
Clark County, Nevada

AFFIDAVIT OF PUBLICATION

STATE OF NEVADA)
COUNTY OF CLARK) SS:

Donna Stark, being 1st duly sworn, deposes and says:

That she is the Legal Clerk for the Las Vegas Review-Journal and the Las Vegas Sun, daily newspapers regularly issued, published and circulated in the City of Las Vegas, County of Clark, State of Nevada, and that the advertisement, a true copy attached for,

LV CITY CLERK
2776338

2296311LV

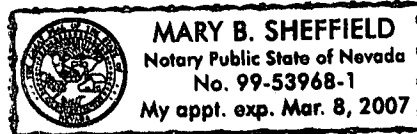
was continuously published in said Las Vegas Review Journal and/or Las Vegas Sun in 1 edition(s) of said newspaper issued from 05/24/2003 to 05/24/2003, on the following days: MAY 24, 2003

Signed: Donna Stark

SUBSCRIBED AND SWORN BEFORE ME THIS THE 29

day of May 2003

Mary B. Sheffield
Notary Public



RECEIVED
CITY CLERK

2003 MAY 29 P. 11:02

BILL NO. 2003-45
ORDINANCE NO. 5602

AN ORDINANCE DESIGNATED BY THE SHORT TITLE "2003 MEDIUM-TERM DETENTION CENTER REFUNDING BOND ORDINANCE"; PROVIDING FOR THE ISSUANCE BY THE CITY OF LAS VEGAS OF ITS GENERAL OBLIGATION (LIMITED TAX) MEDIUM-TERM DETENTION CENTER REFUNDING BONDS, SERIES 2003B, FOR THE PURPOSE OF REFUNDING CERTAIN OUTSTANDING BONDS OF THE CITY; PROVIDING COVENANTS AND OTHER PROVISIONS CONCERNING THE BONDS; THE PROJECT AND GENERAL TAX PROCEEDS; PROVIDING OTHER MATTERS RELATING THERETO.

PUBLIC NOTICE IS HEREBY GIVEN, and that such Ordinance was proposed on May 7, 2003, and was passed and adopted at a meeting held on May 21, 2003, by the following vote of the City Council:

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

This Ordinance shall be in full force and effect from and after the 25th day of May, 2003, i.e., the day after the publication of such Ordinance by its title only.

IN WITNESS WHEREOF, the City Council of the City of Las Vegas, Nevada, has caused this Ordinance to be published by title only.
DATED this May 21, 2003.
Attest:
/s/ Oscar Goodman
Mayor
/s/ Barbara Jo Ronemus
City Clerk
PUB: May 24, 2003
LV Review-Journal