

Summary - An ordinance authorizing the issuance of the City of Las Vegas, Nevada Special Improvement District No. 404 (Summerlin Area) Local Improvement Refunding Bonds, Series 1996, approving the form of certain documents with respect to such bonds, ratifying action taken by City officers toward the issuance of such bonds, and providing other matters related thereto.

BILL NO. 96-37
ORDINANCE NO. 3981 FIRST AMENDMENT

AN ORDINANCE CONCERNING THE CITY OF LAS VEGAS, NEVADA SPECIAL IMPROVEMENT DISTRICT NO. 404 (SUMMERLIN AREA); AUTHORIZING THE ISSUANCE AND SALE BY THE CITY OF ITS SPECIAL IMPROVEMENT DISTRICT NO. 404 (SUMMERLIN AREA) LOCAL IMPROVEMENT REFUNDING BONDS, SERIES 1996, FOR THE REFUNDING OF A PORTION OF THE CITY'S OUTSTANDING SPECIAL IMPROVEMENT DISTRICT NO. 404 (SUMMERLIN AREA) UPDATES™ LOCAL IMPROVEMENT BONDS, SERIES 1989; AUTHORIZING THE EXECUTION AND DELIVERY OF A FIFTH SUPPLEMENTAL INDENTURE, ESCROW AGREEMENT, LETTER OF REPRESENTATIONS AND PURCHASE CONTRACT WITH RESPECT TO SUCH BONDS; AUTHORIZING THE USE OF AN OFFICIAL STATEMENT IN CONNECTION WITH THE OFFERING OF SUCH BONDS; AMENDING ORDINANCE NO. 3467 ADOPTED BY THE CITY COUNCIL ON NOVEMBER 15, 1989; MAKING CERTAIN DETERMINATIONS AND FINDINGS; RATIFYING, APPROVING AND CONFIRMING ALL ACTION PREVIOUSLY TAKEN DIRECTED TOWARD THE REFUNDING AND THE ISSUANCE OF BONDS THEREFOR; AND PROVIDING THE EFFECTIVE DATE HEREOF.

WHEREAS, the City of Las Vegas, Nevada (the "City") is organized and operating pursuant to the provisions of Chapter 517, Statutes of Nevada 1983, as amended, and the general laws of the State of Nevada; and

WHEREAS, the City Council of the City (the "Council") has heretofore, pursuant to the requisite preliminary proceedings, created the City of Las Vegas, Nevada Special Improvement District No. 404 (Summerlin Area) (the "District") for the purpose of acquiring and improving a street, water, sanitary sewer, storm sewer, curb and gutter, and sidewalk project (the "Project") and has provided that the entire cost and expense of the Project shall be paid by special assessments, according to benefits, levied against the benefited lots, tracts and parcels of land in the District; and

WHEREAS, the Council has by Ordinance No. 3467, as amended, adopted and approved on November 15, 1989, levied assessments in the amount of \$73,885,000 against the property in the District benefited by the Project; and

WHEREAS, the City has heretofore issued its City of Las Vegas, Nevada Special Improvement District No. 404 (Summerlin Area) UPDATES™ Local Improvement Bonds, Series 1989 in the aggregate principal amount of \$73,885,000 (the "Bonds") pursuant to a Trust Indenture dated as of December 1, 1989 (the "Original Indenture") between the City and State Street Bank and Trust Company, N.A. (the "Trustee") to finance the costs of the acquisition and improvement of the Project, such amount not exceeding the aggregate principal amount of the assessments unpaid as of the date of original issuance of the Bonds; and

WHEREAS, pursuant to the terms of the Original Indenture, the City has converted a portion of the Bonds to Fixed Interest Rate Bonds (as defined in the Original Indenture); and

WHEREAS, on March 5, 1990, the City converted \$10,000,000 of the Bonds to Fixed Rate Bonds (the "1990 Converted Bonds"); and

WHEREAS, the 1990 Converted Bonds mature on November 1, 2009, but are subject to mandatory redemption on November 1 of each of the following years and in the following amounts and bear interest at the following rates:

<u>Interest Rate (Per Annum)</u>	<u>Principal Maturing</u>	<u>Years Maturing</u>
7.60%	\$305,000	1996
7.70	325,000	1997
7.80	355,000	1998
7.90	380,000	1999
8.00	410,000	2000
8.10	450,000	2001
8.20	485,000	2002
8.30	525,000	2003
8.40	585,000	2004
8.45	615,000	2005
8.45	665,000	2006
8.50	715,000	2007
8.50	785,000	2008
8.50	850,000	2009

; and

WHEREAS, the 1990 Converted Bonds are subject to redemption prior to their maturities, at the option of the City, in whole or in part on May 1, 1996, at a price equal to the principal amount of each bond so redeemed, accrued interest thereon to the redemption date, and a premium equal to two and one-half percent (2.5%) of the principal amount of each bond or portion thereof so redeemed; and

WHEREAS, on August 5, 1991, the City converted \$10,000,000 of the Bonds to Fixed Rate Bonds (the "1991 Converted Bonds"); and

WHEREAS, the 1991 Converted Bonds mature on November 1, 2009, but are subject to mandatory redemption on November 1 of each of the following years and in the following amounts and bear interest at the following rates:

<u>Interest Rate</u> <u>(Per Annum)</u>	<u>Principal</u> <u>Maturing</u>	<u>Years</u> <u>Maturing</u>
8.60%	\$320,000	1996
8.60	345,000	1997
8.60	375,000	1998
8.60	405,000	1999
8.60	430,000	2000
8.60	465,000	2001
8.60	510,000	2002
8.60	545,000	2003
8.60	595,000	2004
8.60	645,000	2005
8.60	700,000	2006
8.60	755,000	2007
8.60	810,000	2008
8.60	880,000	2009

; and

WHEREAS, the 1991 Converted Bonds are subject to redemption prior to their maturities, at the option of the City, in whole or in part on May 1, 1996, at a price equal to the principal amount of each bond so redeemed, accrued interest thereon to the redemption date, and a premium equal to two and one-half percent (2.5%) of the principal amount of each bond or portion thereof so redeemed; and

WHEREAS, on August 5, 1993, the City converted \$7,000,000 of the Bonds to Fixed Rate Bonds (the "1993 Converted Bonds"); and

WHEREAS, the 1993 Converted Bonds mature on November 1, 2009, but are subject to mandatory redemption on November 1 of each of the following years and in the following amounts and bear interest at the following rates:

<u>Interest Rate</u> <u>(Per Annum)</u>	<u>Principal</u> <u>Maturing</u>	<u>Years</u> <u>Maturing</u>
5.25%	\$275,000	1996
5.75	295,000	1997
6.00	310,000	1998
6.20	330,000	1999
6.40	350,000	2000
6.55	380,000	2001
6.70	400,000	2002
6.85	425,000	2003
7.00	450,000	2004
7.10	485,000	2005
7.20	520,000	2006
7.30	555,000	2007
7.35	600,000	2008
7.40	650,000	2009

; and

WHEREAS, the 1993 Converted Bonds are subject to redemption prior to their maturities, at the option of the City, in whole or in part on May 1, 1996, at a price equal to the principal amount of each bond so redeemed, accrued interest thereon to the redemption date, and a premium equal to two and one-half percent (2.5%) of the principal amount of each bond or portion thereof so redeemed; and

WHEREAS, pursuant to Chapter 16, Statutes of Nevada 1995, the City is authorized to issue bonds in order to refund, pay and discharge certain outstanding bonds of the City for the purpose of reducing interest rates and effecting other economies and to evidence such borrowing by the issuance of bonds in accordance with the provisions of NRS § 350.500 through §§ 350.720, cited in § 350.500 thereof by the short title "Local Government Securities Law"; and

WHEREAS, the City hereby determines that it is in the best interests of the City and the owners of certain property in the District to issue the City's Local Improvement Refunding Bonds, Series 1996 (the "1996 Bonds") to refund, pay and discharge all or any portion (as determined by the City Finance Director) of the 1990 Converted Bonds, the 1991 Converted Bonds and the 1993 Converted Bonds (the "Prior Bonds") and to reduce the interest payable on the Assessments; and

WHEREAS, the 1996 Bonds are to be payable from the sources permitted by the Consolidated Local Improvements Law, Chapter 271, NRS, and all laws amendatory thereof and supplemental thereto (the "Act"), as more fully described in the hereinafter referred to Original Indenture; and

WHEREAS, the 1996 Bonds are to be sold by the City to Stone & Youngberg LLC and Merrill Lynch, Pierce, Fenner & Smith Incorporated, as underwriters and purchasers of the Bonds (collectively, the "Purchaser"); and

WHEREAS, the 1996 Bonds are to be issued pursuant to a Fifth Supplemental Indenture dated as of April 1, 1996 (the "Fifth Supplement") between the City and the Trustee; and

WHEREAS, the Bonds are to bear interest at the rates per annum provided in the bond purchase proposal submitted by the Purchaser and accepted by the City Finance Director, which rates must not exceed by more than 3% the Index of Twenty Bonds most recently published in The Bond Buyer prior to the time bids were received for the Bonds, and are to be sold at a price equal to the principal amount thereof, plus accrued interest to the date of delivery of the Bonds, less a discount not exceeding 9% of the principal amount thereof, all as specified by the City Finance Director in a certificate dated on or before the date of delivery of the Bonds (the "Certificate of the City Finance Director"); and

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

WHEREAS, the Council has found and determined and hereby declares:

A. It is necessary and for the best interests of the City to effect the Refunding Project and to issue the 1996 Bonds;

B. Each of the limitations and other conditions to the issuance of the 1996 Bonds in the Charter, 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; and

C. This ordinance pertains to the sale, issuance and payment of the Bonds; this declaration shall be conclusive in the absence of fraud or gross abuse of discretion in accordance with the provisions of NRS § 350.579(2).

WHEREAS, there have been presented to the Council at this meeting (i) the proposed form of the Fifth Supplement, (ii) the proposed form of the Escrow Agreement dated as of April 1, 1996, between the City and the Trustee; (iii) the proposed form of the Letter of Representations between the City and The Depository Trust Company, (iv) the proposed form of Purchase Contract (the "Purchase Contract") between the City and the Purchaser and (v) the proposed form of the Preliminary Official Statement (the "Preliminary Official Statement") to be used by the Purchaser in connection with the offering of the Bonds;

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

Section 1. This Ordinance shall be known as, and may be cited by, the short title "Special Improvement District No. 404 (Summerlin Area) 1996 Refunding Bond Ordinance" (the "Ordinance").

Section 2. All actions, proceedings, matters and things heretofore taken, had and done by the City and the officers thereof (not inconsistent with the provisions of this Ordinance) concerning the District, including, but not limited to, the Refunding Project, and the issuance of the 1996 Bonds to provide funds to pay the costs of the Refunding Project be, and the same hereby are, ratified, approved and confirmed.

Section 3. To provide the funds for the Refunding Project, the City hereby authorizes the issuance of its local improvement bonds under the Act, the Bond Act and the Supplemental Bond Act, to be designated the "City of Las Vegas, Nevada Special Improvement District No. 404 (Summerlin Area) Local Improvement Refunding Bonds, Series 1996". The Bonds shall be in an aggregate principal amount, mature in the years and amounts, bear interest (including

interest evidenced by supplemental interest coupons (the "Registered Coupons")) and be subject to redemption and shall refund such portion of the Prior Bonds as provided in a Certificate of the City Finance Director prior to the delivery of the Bonds. The Bonds and Registered Coupons shall be dated, shall be substantially in the forms and in the denominations and shall have the terms and provisions (including, without limitation, provisions relating to their registration, authentication and redemption) provided for in the Fifth Supplement. The Bonds are payable solely from the proceeds of the assessments against a portion of the specially benefited lots, tracts and parcels of land in the District and from the other sources set forth in the Original Indenture. The provisions of Sections 271.495 and 271.500, Nevada Revised Statutes do not apply to the Bonds.

Section 4. The forms, terms and provisions of the Fifth Supplement, the Escrow Agreement, the Letter of Representations and the Purchase Contract be and they hereby are approved and the City shall enter into the Fifth Supplement, the Escrow Agreement, the Letter of Representations and the Purchase Contract in the forms of such documents presented to the Council at this meeting, with only such changes therein, if any, as are approved by the City Treasurer. The Mayor is hereby authorized and directed to execute and deliver the Fifth Supplement, the Escrow Agreement, and the Purchase Contract, the City Treasurer is hereby authorized and directed to countersign such documents and the City Clerk is hereby authorized and directed to affix the City seal to and to attest such documents. The City Treasurer is hereby authorized and directed to execute and deliver the Letter of Representations.

Section 5. The forms, terms and provisions of the Bonds and Registered Coupons, in the forms contained in the Fifth Supplement, be and they hereby are approved, with only such changes therein, if any, as are not inconsistent herewith; the Mayor is hereby authorized and directed to execute the Bonds, the City Treasurer is hereby authorized and directed to countersign the Bonds and the City Clerk is hereby authorized and directed to affix the City seal to and to attest the Bonds; and the Treasurer is hereby authorized and directed to execute the Registered Coupons. Such signatures of the Mayor, the City Treasurer and the City Clerk and the seal of the City shall be by facsimile or manually affixed. In case any official whose signature should appear on any Bond or Registered Coupon shall cease to be such official before the delivery of such Bond or Registered Coupon, such signature shall nevertheless be valid and sufficient for all purposes, the same as if he or she had remained in office until delivery.

Section 6. The City hereby authorizes, ratifies and confirms the use of the Preliminary Official Statement by the Purchaser in connection with the offering of the Bonds and hereby approves the distribution by the Purchaser of a final Official Statement in connection with the offering of the Bonds, which final Official Statement shall be substantially in the form of the Preliminary Official Statement with only such changes as shall be approved in writing by the City Manager or any Deputy City Manager of the City.

Section 7. The officers of the City shall take all action in conformity with the Act necessary or reasonably required to effectuate the issuance of the Bonds and shall take all action necessary or desirable in conformity with the Act to acquire and improve the Refunding Project and to carry out, give effect to and consummate the transactions contemplated by this Ordinance, the Fifth Supplement, the Escrow Agreement, the Letter of Representations and the Purchase Contract, including without limitation the execution and delivery of any closing documents to be delivered in connection with the sale and delivery of the Bonds.

Section 8. This Ordinance is adopted by virtue of the Act, the Supplemental Bond Act and the Bond Act and pursuant to their provisions; and the City has ascertained and hereby determines that each and every matter and thing as to which provision is made herein is necessary in order to carry out and to effectuate the purposes of the City in accordance with the Act, the Supplemental Bond Act and the Bond Act, and as provided in NRS 350.708 all limitations in the Bond Act imposed upon the issuance of bonds or other securities thereunder have been met.

Section 9. The City has determined and does hereby declare:

(a) The estimated life or estimated period of usefulness of the facilities to be refinanced with the proceeds of the Bonds is not less than 14 years; and

(b) The Bonds shall mature at times not exceeding such estimated life or estimated period of usefulness.

Section 10. Section 5 of Ordinance No. 3467 is hereby amended as follows:

"Section 5. (a) Variable Interest Rate Assessments shall be payable at the times and in the amounts as follows: On the fifth day of each calendar month, or if such day is not a Business Day (as defined in the Indenture), on the next preceding Business Day, commencing on the fifth day of the month next succeeding the issuance and delivery of the Bonds, an assessment installment with respect to Variable Interest Rate Assessments shall be due and payable in an

amount equal to the sum of (i) the amount drawn on the Letter of Credit (as defined in the Indenture) on such date for deposit in the Interest Disbursement Fund established by the Indenture, (ii) the amount equal to the interest accrued on Bank Bonds (as defined in the Indenture) since the last assessment payment date, (iii) an amount equal to the interest accrued on the Fixed Interest Rate Bonds which are not secured by Fixed Interest Rate Assessments since the last assessment payment date or, with respect to the first assessment payment date for any group of Fixed Interest Rate Bonds, from the date of conversion of Bonds in the Unit Pricing Mode (as defined in the Indenture) to Fixed Interest Rate Bonds, in each case through and including such assessment payment date, (iv) one-twelfth of the amount of principal of the Fixed Interest Rate Bonds, which are not secured by Fixed Interest Rate Assessments, due on the next succeeding Principal Payment Date (as defined in the Indenture) for such Fixed Interest Rate Bonds; provided that with respect to Variable Interest Rate Assessments during the year in which a group of Bonds is converted to Fixed Interest Rate Bonds, there shall be due on the effective date of such conversion an amount equal to the product of (A) one-twelfth of the amount of the principal of such Fixed Interest Rate Bonds due on the next succeeding Principal Payment Date for such Fixed Interest Rate Bonds times (B) the number of months elapsed from the immediately preceding October 5 to and including the effective date of such conversion, and thereafter Variable Interest Rate Assessments shall be payable with respect to such group of Fixed Interest Rate Bonds in the amount of one-twelfth of the principal of such Fixed Interest Rate Bonds due on the next succeeding Principal Payment Date for such Fixed Interest Rate Bonds, and provided further that in the event of an optional redemption of Fixed Interest Rate Bonds which are not secured by Fixed Interest Rate Assessments or the purchase of such Bonds from moneys derived from prepaid assessments or the proceeds of sale or foreclosure, there shall be due on each assessment payment date an amount such that (taking into account any moneys theretofore paid and then on deposit in the Fixed Interest Rate Bond Principal subaccount for such Bonds established by the Indenture) if the same amount is paid on each succeeding assessment payment date through and including the next succeeding October 5, there shall have been paid an amount sufficient to pay the principal due on such Fixed Interest Rate Bonds on the next succeeding November 1, and (v) one-twelfth of the amount estimated by the City to be due until and including the next succeeding Principal Payment Date for the continuing costs of the Bonds and the Reimbursement Agreement (as defined in the Indenture) which are not paid from the

Construction Fund established by the Indenture, including, but not limited to, the fees, costs and indemnifications due to the Trustee (as defined in the Indenture), the Bank (as defined in the Indenture), the City, the Indexing Agent (as defined in the Indenture) and the Remarketing Agent (as defined in the Indenture).

(b) In addition to the payments required by subsection (a) of this Section, Variable Interest Rate Assessments shall also be due and payable (i) on the date upon which reimbursement is required to be made to the Bank with respect to the payment of the principal of the Bonds (other than Fixed Interest Rate Bonds) in the amount of such reimbursement and (ii) on any date (other than as specified in subsection (a) and clause (i) of this subsection (b) of this Section) upon which reimbursement is required to be made to the Bank in the amount of such reimbursement.

(c) The amounts payable pursuant to clauses (i), (ii) and (iii) of subsection (a) of this Section constitute interest on the Variable Interest Rate Assessments and the amounts payable pursuant to clause (iv) of subsection (a) and clause (i) of subsection (b) of this Section constitute principal of the Variable Interest Rate Assessments. The amounts due under subsection (a) and (b) of this Section shall be allocated to each parcel having a Variable Interest Rate Assessment in the proportion that the amount of the assessment levied against such parcel bears to the aggregate assessments levied against all parcels having a Variable Interest Rate Assessment. There shall be credited against the amount due on each assessment payment date the amounts specified in the Indenture.

(d) Fixed Interest Rate Assessments shall be payable at the times and in the amounts as follows: On April 1 and October 1 of each year, commencing with the April 1 or October 1 next succeeding the date on which the assessments become Fixed Interest Rate Assessments, there shall be due and payable an amount equal to the sum of (i) interest due on the next succeeding May 1 or November 1 on the group of Fixed Interest Rate Bonds to which such Fixed Interest Rate Assessment corresponds, (ii) one-half of the principal amount payable on the next succeeding Principal Payment Date on the group of Fixed Interest Rate Bonds to which such Fixed Interest Rate Assessment corresponds, provided that in the event of an optional redemption of such Bonds or the purchase of such Bonds from moneys derived from prepaid assessments or the proceeds of sale or foreclosure, there shall be due on each assessment payment date an amount such

that (taking into account any moneys theretofore paid and then on deposit in the Fixed Interest Rate Bond Principal subaccount for such Bonds established by the Indenture) if the same amount is paid on each April 1 and October 1 through and including the next succeeding October 1, there shall have been paid an amount sufficient to pay the principal due on such Fixed Interest Rate Bonds on the next succeeding November 1, and provided further that with respect to the City's Local Improvement Refunding Bonds, Series 1996 (the "1996 Bonds") the payment due in connection with the November 1, 1996, Bond Payment Date shall be the entire principal amount, if any, payable on the 1996 Bonds on November 1, 1996, so long as no Assessment Installment exceeds the amount which would have been paid on November 1, 1996, if the 1996 Bonds had not been issued (iii) one-half of the amount due until and including the next succeeding Principal Payment Date for the continuing costs of the Bonds which are not paid from the Construction Fund including, but not limited to, the fees, costs and indemnifications due to the Trustee and the City. The amounts payable pursuant to clause (i) above shall constitute interest on the Fixed Interest Rate Assessments and the amounts payable pursuant to clause (ii) above shall constitute principal of the Fixed Interest Rate Assessments. The amounts due under clauses (i) through (iii) above shall be allocated to each parcel having a Fixed Interest Rate Assessment in the proportion that the amount of the assessment levied against such parcel bears to the aggregate assessments levied against all parcels having a Fixed Interest Rate Assessment represented by the same group of Fixed Interest Rate Bonds but taking into account any prepaid assessments with respect to such parcel and any assessments paid from proceeds derived from the sale or foreclosure of such parcel. There shall be credited against the amount due on each April 1 and October 1 the amounts specified in the Indenture.

(e) Notwithstanding the foregoing provisions of this Section, the interest rate on the unpaid installments of principal of the assessments shall be zero percent (0%) from the effective date of this Ordinance until the date of issuance of the Bonds.

(f) The fee of the City referred to in subsections (a) and (d) of this Section for the period from the effective date of this ordinance to and including November 1, 1990 shall be \$350,000. Thereafter the City shall determine the amount of its fee on or about November 1 of each year, commencing in 1990. The City shall furnish to the Trustee on or before the second Business Day preceding November 5 of each year (or if November 5 is not a Business

Day, on the second Business Day preceding the Business Day next preceding November 5) a written certificate of the City setting forth the amount of such fee for the period from November 2 to the next succeeding November 1 (a "Fee Period"). In no event shall such fee for any Fee Period be in an amount that would cause the rate of interest on the installments of the assessments to exceed the rate of interest on the Bonds by more than the sum of 1% per annum plus an amount sufficient to reimburse the City for any fees paid to the Bank, the Remarketing Agent for the Bonds and the Indexing Agent for the Bonds. The City shall use such fee to pay all out-of-pocket expenses incurred by it in connection with the Bonds and the District other than amounts paid from the Construction Fund established for the Bonds and other than fees, costs and indemnifications due to the Bank, the Indexing Agent for the Bonds and the Remarketing Agent for the Bonds. The fees, costs and indemnifications due to the Bank, the Indexing Agent for the Bonds and the Remarketing Agent for the Bonds are payable as part of the Variable Interest Rate Assessments pursuant to clause (v) of subsection (a) of this Section. Any amounts remaining after the payment of such out-of-pocket expenses shall be used by the City for its administrative costs with respect to the Bonds and the District. If the fee collected in any Fee Period is not fully expended by the City, the City shall credit the unexpended amount toward its fee for the next succeeding Fee Period. If the fee collected in any Fee Period is not sufficient to pay the City's out-of-pocket expenses and its administrative costs as described above, the City shall include the amount of the deficiency in its fee for the next succeeding Fee Period.

(g) The interest rate on the unpaid assessments set forth in subsection (a) above does not exceed the rate or rates of interest on the Bonds payable from such assessments by more than the sum of 1% per annum plus an amount sufficient to reimburse the City for any fees paid to an agent for redetermining the rate of interest on the Bonds and for remarketing the Bonds and for any fees or reimbursements of advances paid to a third party who has provided an assurance of payment of the principal of and interest on and the premiums, if any, due in connection with the Bonds. The interest rate on the unpaid assessments set forth in subsection (d) above does not exceed by more than 1% the highest rate or rates of interest on the corresponding group of Bonds whose rate of interest has been fixed payable from such assessments, plus an amount sufficient to reimburse the City for any fees paid to fix the rate of interest on such group of Bonds and remarket such group of Bonds at a fixed rate. The interest rate on the Fixed Interest Rate Bonds hereinabove

referred to will not exceed by more than 3% the "Index of Twenty Bonds" most recently published in The Bond Buyer (or any successor thereto) prior to conversion of any such Bonds to Fixed Interest Rate Bonds. Such interest rate shall be computed by taking into account a pro rata amount of the discount paid in connection with the original sale of the Bonds by the City to the original purchaser thereof, and the fees and expenses of the remarketing agent for establishing the interest rate on such group of Bonds and for the remarketing of such group of Bonds.

(h) The installments of the Variable Interest Rate Assessments as set forth above shall be payable at the office of the City Treasurer or to an account established by the Indenture designated in writing by the City to the owner of the property. The City shall notify the owners of real property within the District whose assessments are Variable Interest Rate Assessments of the amounts becoming due not later than the Business Day prior to such due date. The installments of the Fixed Interest Rate Assessments shall be payable at the office of the City Treasurer. The City shall notify the owners of real property within the District whose assessments are Fixed Interest Rate Assessments of the amounts becoming due promptly after each March 1 and September 1. Failure to pay any installment, whether of principal or interest, when due shall cause the whole amount of the unpaid principal to become due and payable immediately, at the option of the City, the exercise of said option to be indicated by the commencement of foreclosure or sale proceedings by the City; and the whole amount of the unpaid principal and accrued interest shall, after such delinquency, whether said option is or is not exercised, bear a penalty at the rate of 2% per month (or at any higher rate authorized by statute) until the day of sale, or until paid, but at any time prior to the date of the sale the owner may pay the amount of all delinquent installments originally becoming due on or before the date of said payment, with accrued interest thereon and all penalties and costs of collection accrued, and shall thereupon be restored to the right thereafter to pay in installments in the same manner as if default had not been suffered. The City Treasurer may provide a grace period of up to fifteen days from the date of commencement of foreclosure or sale proceedings by the City before imposing the 2% per month penalty. The monthly penalty shall not be prorated for any portion of a month, and shall accumulate until the aggregate amount of all delinquent installments of principal and interest, plus monthly penalties and costs of collection are paid. The owner of any property assessed and not in default as to any installment or payment may, at any time (at the option of such owner), pay the whole or any installment of the unpaid principal

with interest accruing thereon to the next redemption date for the Bonds, together with a payment equal to the amount of the redemption premium, if any, payable on the Bonds to be redeemed as a result of such prepayment and, at the option of the City, the estimated amount of interest to be paid to the redemption date of the Bonds representing the portion of such prepaid assessment which cannot be utilized for redemption on the next available redemption date of the Bonds (but not to exceed one year's interest on such portion of the prepaid assessment at the "Maximum Interest Rate," as defined in the Indenture with respect to Bonds in the Unit Pricing Mode to be redeemed and at the rate of interest borne by the Fixed Interest Rate Bonds to be redeemed)."

Section 1. It is necessary and for the best interests of the City and the inhabitants thereof that the City effect the Refunding Project and defray the cost thereof by issuing the Bonds therefor; and it is hereby so determined and declared.

Section 2. All actions, proceedings, matters and things heretofore taken, had and done by the Council and the officers of the City (not inconsistent with the provisions of this Ordinance), concerning the District, including but not limited to the performing of all prerequisites to the creation of the District, the acquisition and improvement of the Refunding Project, the determination of the specially benefited property therein, the levy of assessments and the issuance and sale of the Bonds for that purpose, be, and the same hereby are, ratified, approved and confirmed.

Section 3. The City hereby elects to redeem the Prior Bonds on May 1, 1996 at a price equal to the principal amount thereof, accrued interest to the redemption date and the premium designated therefor in the Original Indenture. Notice of redemption shall be given in the name of and on behalf of the City by the Trustee, by mailing a copy of a notice of defeasance and prior redemption at least once not less than 10 days nor more than 60 days before the Redemption Date, by first class, postage prepaid mail, to at least the following:

- (1) any other registered owners of any Prior Bond at his or her address as it last appears on the registration records kept by the Trustee.
- (2) Stone & Youngberg LLC
Merrill Lynch

The Notice of Prior Redemption and Defeasance shall be in substantially the following form:

(FORM OF NOTICE OF PRIOR REDEMPTION AND DEFEASANCE)

NOTICE OF PRIOR REDEMPTION AND DEFEASANCE

OF

**CITY OF LAS VEGAS, NEVADA
SPECIAL IMPROVEMENT DISTRICT NO. 404 (SUMMERLIN AREA)
UPDATES™ LOCAL IMPROVEMENT BONDS, SERIES 1989**

CUSIP NUMBERS

NOTICE IS HEREBY GIVEN that the City of Las Vegas, Nevada (the "City") has caused to be deposited in escrow with State Street Bank and Trust Company, N.A., refunding bond proceeds and other moneys which have been invested (except for an initial cash balance remaining uninvested) in bills, notes, bonds, and similar securities which are direct obligations of, or the principal and interest of which securities are unconditionally guaranteed by, the United States of America, to refund, pay, and discharge the principal, interest and prior redemption premiums on that portion of the outstanding "City of Las Vegas, Nevada Special Improvement District No. 404 (Summerlin Area) UPDATES™ Local Improvement Bonds, Series 1989" which were converted to fixed interest rate on March 5, 1990, August 5, 1991, and August 5, 1993, which mature on or after November 1, 1996 (the "Refunded Bonds").

Refunded Bonds in the aggregate principal amount of \$ _____ are called for redemption on May 1, 1996. On such date the principal amount thereof, accrued interest thereon to the redemption date, and a premium equal to two and one-half percent (2.5%) of the principal amount of each Refunded Bond so redeemed will become due and payable at the office of the trustee, State Street Bank and Trust Company, N.A., and thereafter interest will cease to accrue.

According to a report pertaining to such escrow of Ernst & Young LLP, certified public accountants, the escrow, including the known minimum yield from such investments and the initial cash balance remaining uninvested, is fully sufficient at the time of the deposit and at all times subsequently, to pay the principal, interest and prior redemption premiums on the Refunded Bonds as the same become due, and upon the redemption of the Refunded Bonds on May 1, 1996.

In compliance with the Comprehensive National Energy Policy Act of 1992 (H.R. 776) and Dividend Compliance Act of 1983, the Paying Agent is required to withhold 31% from payments of principal to individuals who fail to furnish valid Taxpayer Identification Numbers. A completed form W-9 should be presented with your Refunded Bond.

The CUSIP numbers have been assigned to this issue by Standard & Poor's Corporation and are included solely for the convenience of the bondholders. Neither the County nor the Paying Agent shall be responsible for the selection or use of the CUSIP numbers, nor is any representation made as to their correctness on the Refunded Bonds or as indicated in any redemption notice.

DATED on this _____, _____.

**STATE STREET BANK AND TRUST
COMPANY, N.A., as Trustee**

/s/ _____

Authorized Officer

(End of Form of Notice of Prior Redemption and Defeasance)

Section 1. All ordinances, resolutions, bylaws and orders, or parts thereof, in conflict with the provisions of this Ordinance are hereby repealed to the extent only of such inconsistency. This repealer shall not be construed to revive any ordinance, resolution, bylaw or order, or part thereof, heretofore repealed.

Section 2. When first proposed, this Ordinance must be read to the Council by title, after which an adequate number of copies of this Ordinance must be deposited with the City Clerk for public examination and distribution. Notice of the deposit must be published once in a newspaper published and having general circulation in the City at least 10 days before the adoption of the Ordinance, such publication to be in substantially the following form:

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

BILL NO. _____
ORDINANCE NO. _____

AN ORDINANCE CONCERNING THE CITY OF LAS VEGAS, NEVADA SPECIAL IMPROVEMENT DISTRICT NO. 404 (SUMMERLIN AREA); AUTHORIZING THE ISSUANCE AND SALE BY THE CITY OF ITS SPECIAL IMPROVEMENT DISTRICT NO. 404 (SUMMERLIN AREA) LOCAL IMPROVEMENT REFUNDING BONDS, SERIES 1996, FOR THE REFUNDING OF A PORTION OF THE CITY'S OUTSTANDING SPECIAL IMPROVEMENT DISTRICT NO. 404 (SUMMERLIN AREA) UPDATES LOCAL IMPROVEMENT BONDS, SERIES 1989; AUTHORIZING THE EXECUTION AND DELIVERY OF A FIFTH SUPPLEMENTAL INDENTURE, ESCROW AGREEMENT, LETTER OF REPRESENTATIONS AND PURCHASE CONTRACT WITH RESPECT TO SUCH BONDS; AUTHORIZING THE USE OF AN OFFICIAL STATEMENT IN CONNECTION WITH THE OFFERING OF SUCH BONDS; AMENDING ORDINANCE NO. 3467 ADOPTED BY THE CITY COUNCIL ON NOVEMBER 15, 1989; MAKING CERTAIN DETERMINATIONS AND FINDINGS; RATIFYING, APPROVING AND CONFIRMING ALL ACTION PREVIOUSLY TAKEN DIRECTED TOWARD THE REFUNDING AND THE ISSUANCE OF BONDS THEREFOR; AND PROVIDING THE EFFECTIVE DATE HEREOF.

PUBLIC NOTICE IS HEREBY GIVEN, and that an adequate number of typewritten copies of the above-numbered and entitled proposed Ordinance are available for public inspection and distribution at the office of the City Clerk of the City of Las Vegas, at her office in City Hall, 400 East Stewart Avenue, Las Vegas, Nevada, and that such Ordinance was proposed on the _____ day of _____, 1996, and will be considered for adoption at the a regular meeting of the City Council of the City of Las Vegas held on the _____ day of _____, 1996.

/s/ Kathleen Tighe
City Clerk

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

Section 16. After this Ordinance is signed by the Mayor and attested and sealed by the Clerk, this Ordinance shall be published once by its title only, together with the names of the Councilmembers voting for or against its passage, such publication to be made in the Las Vegas Review-Journal, a newspaper published and having a general circulation in the City, such publication to be in substantially the following form:

(FORM OF PUBLICATION OF ADOPTION OF ORDINANCE)

ORDINANCE NO. _____
(of Las Vegas, Nevada)

AN ORDINANCE CONCERNING THE CITY OF LAS VEGAS, NEVADA SPECIAL IMPROVEMENT DISTRICT NO. 404 (SUMMERLIN AREA); AUTHORIZING THE ISSUANCE AND SALE BY THE CITY OF ITS SPECIAL IMPROVEMENT DISTRICT NO. 404 (SUMMERLIN AREA) LOCAL IMPROVEMENT REFUNDING BONDS, SERIES 1996, FOR THE REFUNDING OF A PORTION OF THE CITY'S OUTSTANDING SPECIAL IMPROVEMENT DISTRICT NO. 404 (SUMMERLIN AREA) UPDATES LOCAL IMPROVEMENT BONDS, SERIES 1989; AUTHORIZING THE EXECUTION AND DELIVERY OF A FIFTH SUPPLEMENTAL INDENTURE, ESCROW AGREEMENT, LETTER OF REPRESENTATIONS AND PURCHASE CONTRACT WITH RESPECT TO SUCH BONDS; AUTHORIZING THE USE OF AN OFFICIAL STATEMENT IN CONNECTION WITH THE OFFERING OF SUCH BONDS; AMENDING ORDINANCE NO. 3467 ADOPTED BY THE CITY COUNCIL ON NOVEMBER 15, 1989; MAKING CERTAIN DETERMINATIONS AND FINDINGS; RATIFYING, APPROVING AND CONFIRMING ALL ACTION PREVIOUSLY TAKEN DIRECTED TOWARD THE REFUNDING AND THE ISSUANCE OF BONDS THEREFOR; AND PROVIDING THE EFFECTIVE DATE HEREOF.

PUBLIC NOTICE IS HEREBY GIVEN, and that such Ordinance was proposed on the _____ day of _____, 1996, and was passed at the meeting held on the _____ day of _____, 1996, by the following vote of the City Council:

Those Voting Aye:	Jan Lavery Jones Arnie Adamsen Matthew Q. Callister Michael J. McDonald Gary Reese
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Those Voting Nay:	NONE
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Those Absent:	NONE
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This Ordinance shall be in full force and effect from and after the _____ day of _____, 1996, 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 _____ day of _____, 1996.

/s/ Jan Lavery Jones
Mayor

Attest:

/s/ Kathleen Tighe
City Clerk

(End of Form of Publication)

Section 17. If any section, paragraph, clause or other provision of this Ordinance shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or other provision shall not affect any of the remaining provisions of this Ordinance.

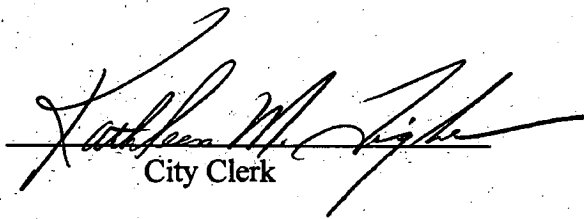
Proposed on the 20th day of March, 1996.

Proposed by Council member Adamsen

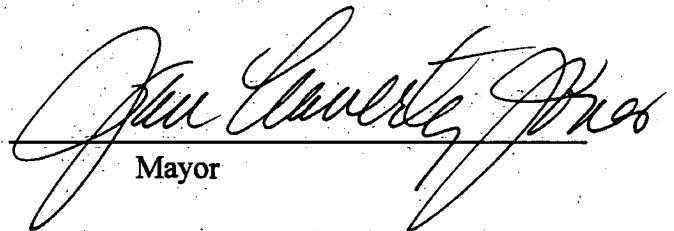
Vote:

Those Voting Aye:	Jan Laverty Jones
	Arnie Adamsen
	Michael J. McDonald
	Gary Reese
Those Voting Nay:	NONE
Those Absent:	Matthew Q. Callister

Attest:




City Clerk



Mayor

This Ordinance shall be in force and effect from and after the 7th day of April, 1996, i.e., the date after the publication of such Ordinance by its title only.

Approved as to form:

 4/9/96

Date

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

I, Kathleen Tighe, the duly chosen, qualified and acting City Clerk of Las Vegas (the "City"), in the State of Nevada, do hereby certify:

1. The foregoing pages numbered -1- through -23-, constitute a true, correct, complete and compared copy of an ordinance which was introduced at the meeting of the Council on March 20, 1996 and finally adopted as amended and approved on April 3, 1996.

2. The following members of the Council were present at the March 20, 1996 Council meeting:

Mayor: Jan Laverty Jones

Councilmembers: Arnie Adamsen
Matthew Q. Callister
Michael J. McDonald
Gary Reese

3. The foregoing Ordinance was first proposed and read by title to the City Council on the 20th day of March, 1996, and referred to a committee composed of the Councilmen Adamsen and Reese for recommendation; thereafter the said committee reported favorably on said Ordinance on the 3rd day of April, 1996, 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 as amended. The members of the City Council were present at the April 3, 1996 meeting and voted upon the adoption of the Ordinance as follows:

Those Voting Aye: Jan Laverty Jones
Arnie Adamsen
Matthew Q. Callister
Michael J. McDonald
Gary Reese

Those Voting Nay: NONE

Those Absent: NONE

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 March 20, and April 3, 1996. 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) City Hall
Las Vegas, Nevada
- (ii) Senior Citizens Center
Las Vegas, Nevada
- (iii) Clark County Government Center
Las Vegas, Nevada
- (iv) Downtown Transportation Center
Las Vegas, Nevada

; and

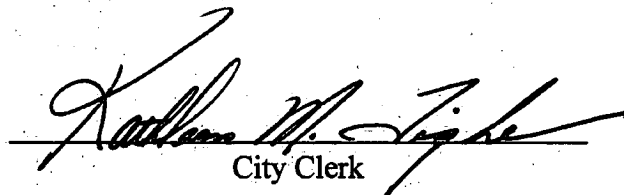
(b) By mailing a copy of the notice by 9:00 a.m. no later than three working days before the meetings to each person, if any, who has requested notice of the meetings of the Council in the same manner in which notice is required to be mailed to a member of the Council.

6. A copy of such notice so given of the meeting of the Council on March 20, 1996 is attached to this certificate as Exhibit A and a copy of the notice so given of the meeting of the Council on April 3, 1996 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 April 3, 1996.


City Clerk

(SEAL)

EXHIBIT A

(Attach Copy of Notice of March 20, 1996 Meeting)

AGENDA

City of Las Vegas

CITY COUNCIL

COUNCIL CHAMBERS • 400 EAST STEWART AVENUE • PHONE 229-6011

JAN LAVERTY JONES, MAYOR • COUNCILMEN: ARNIE ADAMSEN, MATT CALLISTER, MICHAEL J. McDONALD, GARY REESE

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.

MARCH 20, 1996

**Morning Session begins at 9:00 a.m.
Afternoon Session begins at 2:00 p.m.**

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

THESE PROCEEDINGS ARE BEING VIDEOTAPED BY THE U.N.L.V. GREENSPUN SCHOOL OF COMMUNICATION AND WILL BE REBROADCAST THE DAY FOLLOWING EACH MEETING ON PRIME CABLE, CHANNEL 4, AT 7:00 P.M.

DUPLICATE AUDIO TAPES ARE AVAILABLE AT A COST OF \$5.00 PER TAPE AND DUPLICATE VIDEO TAPES ARE AVAILABLE AT A COST OF \$15.00 PER TAPE THROUGH THE CITY CLERK'S OFFICE.

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

I. CEREMONIAL MATTERS

- 9:00 A.M. - CALL TO ORDER
- ANNOUNCEMENT RE: COMPLIANCE WITH OPEN MEETING LAW
- INVOCATION - Deacon Bonnie Polley, Christ Church Episcopal
- PLEDGE OF ALLEGIANCE
- PRESENTATION TO FRANK TRUPIANO FOR BEING SELECTED EMPLOYEE OF THE MONTH FOR THE MONTH OF MARCH.

II. 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 1/3/96 and the Special City Council Meeting of 2/21/96
3. Discussion And Possible Action Regarding Possible Realignment Of The Four City Council Ward Boundaries.

III. CONSENT AGENDA

ALL MATTERS LISTED UNDER THE CONSENT AGENDA ARE CONSIDERED TO BE ROUTINE AND ARE RECOMMENDED FOR APPROVAL BY THE DEPARTMENTS. THEY MAY BE ENACTED IN ONE MOTION; HOWEVER, ANY ITEM MAY BE DISCUSSED IF A COUNCIL MEMBER SO REQUESTS.

BUSINESS DEVELOPMENT

4. Discussion And Possible Action To Approve Payment Of Fees For City Of Las Vegas Membership In The Nevada Development Authority.
5. Action to approve \$18,000.00 to EDAW for Design Services for Business Development in the Downtown Area.

DEPARTMENT OF FINANCE & BUSINESS SERVICES

6. Service and Material Checks/Payroll Checks/Wire Transfers/Other Checks and Investments
7. Confirmation Of The Appointment Of The Firm Of Robert Ashworth And Company To Perform An Independent Audit Of The City Of Las Vegas Financial Statements For Fiscal Year 1995-96

LIQUOR & GAMING - Change of Business Name

8. TAVERN LICENSE/NONRESTRICTED GAMING: 31 slots, From: Paul Russo dba P.J. Russo's; TO: PAUL RUSSO dba P.J.'S PARKWAY CASINO, 2300 Maryland Parkway, Paul J. Russo, 100%

LIQUOR - Approval of Franchise Manager

9. BEER/WINE/COOLER OFF-SALE LICENSE, SOUTHLAND CORPORATION, dba 7-ELEVEN FOOD STORE #26841-B, 900 N. Martin L. King Blvd., Sarjit Singh Heyer, Franchise Manager

LIQUOR - Change of Ownership/Change of Business Name

10. BEER/WINE/COOLER ON-SALE LICENSE, From: Tropical Ventures, Ltd., dba The Calypso Cafe, TO: ARES, INC., dba SPAGHETTERIA BUON APPETITO, 8615 West Sahara, Valter Anton Farina, Dir, Pres, 90%, Shelley E. Galloway, Dir, Secy, Treas, 10%

BURGLAR ALARM LICENSE - Change of Ownership/Change of Location

11. From: Alarms Plus Enterprise, Inc., dba Alarms Plus, 3111 South Valley View Blvd. #H-101, TO: A PLUS ASSOCIATES, LLC, dba ALARMS PLUS, 4290 Cameron Street, Anthony J. DiVento, Manager, Pres, 42.5%, Howard E. Wulforst, Manager, V.P., 42.5%, Charles T. Chairsell, Manager, Secy, 15%

LOCKSMITH - New

12. RICHARD CARRERO, dba LOCKS AROUND THE CLOCK, 322 Wind River Drive (Henderson), Richard Carrero, 100%

SECONDHAND DEALER LICENSE - New

13. Class III-B, NANCY HOLLAND, dba THE STEAMER TRUNK TRADING COMPANY, 6718 West Cheyenne, Nancy E. Holland, 100%

DEPARTMENT OF GENERAL SERVICES

AWARD OF BIDS/REJECTIONS

14. REQUEST FOR WITHDRAWAL AND AWARD OF BID NUMBER 96.OCT.04, ANNUAL CONTRACT FOR TRASH RECEPTACLE LINERS - Department Of General Services - Award Recommended To: DEBARRY PACKAGING, INC. (\$35,021.55)

PURCHASE ORDER APPROVALS

15. PURCHASE ORDER APPROVAL FOR AN AERIAL LADDER APPARATUS - Department Of Fire Services - Award Recommended To: NORTHEAST FIRE APPARATUS, INC. (\$175,000)

DEPARTMENT OF HUMAN RESOURCES

16. Approval To Upgrade A Human Resources Management Intern Position To A Personnel Analyst I Position

REPORT OF NEW HIRES - FEBRUARY 21 - MARCH 6, 1996

17. Corrections Officer I (X), Detention & Enforcement; Internal Auditor, Finance & Business Services; Senior Theater Technician, Parks & Leisure Activities; Irrigation Systems Repairer I (X), Parks & Leisure Activities; Administrative Intern I, Parks & Leisure Activities, Lifeguard/WSI, Parks & Leisure Activities.

DEPARTMENT OF PLANNING AND DEVELOPMENT

18. Action to approve the transfer of \$300,000 of HOME FY 95 (Fiscal Year 1995-96) funds allocated to single-family housing rehab to multi-family unit rehab.
19. Action to approve assumption of a Community Development Block Grant (CDBG) Residential Rehab Deferred loan by Ellen Jones, Andrew Lee Parker and John Lee Parker, heirs of Margaret Bishop in RE: 1109 North "H" Street, Las Vegas, NV.

DEPARTMENT OF PUBLIC WORKS

ACCEPTANCE OF RIGHT OF WAY ITEMS

GRANT DEEDS

20. From: GERALD WENDEL, CO-TRUSTEE OF THE MBJR TRUST, AS TO AN UNDIVIDED ONE-HALF INTEREST AND THE SCHWARTZ 1991 FAMILY PARTNERSHIP, A NEVADA GENERAL PARTNERSHIP, AS TO AN UNDIVIDED ONE-HALF INTEREST, To: City of Las Vegas, For: Portion of the Southwest Quarter (SW 1/4) of Section 2, T21S, R60E, M.D.M., for dedication of right-of-way to create the O'Bannon Drive cul-de-sac, located east of Rainbow Boulevard (previously recorded in the Office of the Recorder, Clark County, Nevada in Book 960301 as Instrument Number 00944) (3-1-96) 163-02-313-001
21. From: ALBERT D. MASSI, A MARRIED MAN AS SOLE AND SEPARATE PROPERTY, To: City of Las Vegas, For: Portions of the Northwest Quarter (NW 1/4) of Section 23, T20S, R60E, M.D.M., for dedication of right-of-way on Balzar Avenue and Rainbow Boulevard (2-27-96) 138-23-110-005
22. From: ALBERT D. MASSI AND EILEEN F. MASSI, HUSBAND AND WIFE AS JOINT TENANTS To: City of Las Vegas For: Portion of the Northwest Quarter (NW 1/4) of Section 23, T20S, R60E, M.D.M., for dedication of right-of-way on Rainbow Boulevard, located north of Balzar Avenue (2-27-96) 138-23-110-004
23. From: DURABLE HOMES, INC., A NEVADA CORPORATION, To: City of Las Vegas, For: Portions of the Southwest Quarter (SW 1/4) of Section 9, T20S, R60E, M.D.M., for dedication of right-of-way on Cheyenne Avenue and Soaring Gulls Drive (2-21-96) 138-09-404-001

DECLARATION OF UTILIZATION

24. From: BUREAU OF LAND MANAGEMENT, To: City of Las Vegas, For: Portion of the Southeast Quarter (SE 1/4) of Section 8, T20S, R60E, M.D.M., for roadway, sewer and drainage purposes located on Cheyenne Avenue and Durango Drive, located south of Bucksinn Avenue 138-08-801-006, 007, 008, 009, 010 & 011
25. Request Permission To Amend Right Of Way Grant #N-52803 With The Bureau Of Land Management For Street, Sewer And Drainage Purposes For Cheyenne Avenue (50'), Realigned Hualapai Way (100') And Corner Radii West Of Grand Canyon Drive Lying Within Section 7 Of T20S, R60E, M.D.M.

ENCROACHMENT REQUESTS

26. **MARTIN & MARTIN CONSULTING CIVIL ENGINEERS ON BEHALF OF STRATOSPHERE CORPORATION STRATOSPHERE HOTEL AND CASINO**, Proposal From Applicant To Encroach Into The Public Right Of Way Consisting Of Evenly Spaced Trees, Tree Wells, Decorative Concrete Pavers And A Sprinkler System In The 5'-6' City Right Of Way "Strip" Located Behind The Sidewalk Area On The West Side Of South Main Street From Las Vegas Boulevard North 700', Along The West Side Of Las Vegas Boulevard From Baltimore Avenue To Main Street, And At The Northwest Corner Of Las Vegas Boulevard And Baltimore Avenue.
27. **DESIGN ENGINEERING ASSOCIATES ON BEHALF OF GOOD EARTH ENTERPRISES, INC.**, 233 South Sixth Street (El Cid Hotel), Proposal From Applicant To Encroach Into The Public Right Of Way In The Alley North Of Bridger Avenue Between Sixth Street And Seventh Street Consisting Of A Four Inch (4") Water Main Connecting To 233 South Sixth Street And 232 South Seventh Street To Provide Water To The Fire Protection Sprinklers.
28. **BAUGHMAN & TURNER, INC. ON BEHALF OF S & A REAL ESTATE CORPORATION**, Sahara Avenue/Lakes Pacific Street, Proposal From Applicant To Encroach Into The Public Right Of Way Approximately 8.5' On Sahara Avenue At Its Northeast Corner With Lakes Pacific Street Consisting Of Landscaping (Trees, Shrubs, And Ground Cover) And An Underground Sprinkler System As Required By Z-128-89.

Sewer Connection And Approval Of Interlocal Contract With Clark County Sanitation District

29. **LILLIAN L. JENNINGS** (5285 O'Bannon Drive), Request To Connect A Single Family Residence To The City Sewer From Property Located In Clark County At 5285 O'Bannon Drive (South Side Of O'Bannon Drive Between Mohawk Street And Edmond Street.)
30. **J. A. BLACK CONSTRUCTION COMPANY ON BEHALF OF R.S. AND M.S. BHATHAL**, (8473 West Sahara Avenue), Request To Connect A Temporary Sales Trailer To The City Sewer From Property Located In Clark County At 8473 W. Sahara Avenue (Southeast Corner Of Sahara Avenue And Lisa Lane).

REPORTS/ACTION ITEMS

31. Request To Cut Pavement - Thomas J. Ahey, Northeast Corner Of Gowan Road And Tomsik Street
32. Discussion And Possible Approval Of An Interlocal Agreement With The Regional Transportation Commission For Funding To Design And Construct Traffic Signals Within The City Limits

33. Discussion And Possible Approval Of An Interlocal Agreement With Clark County To Determine Sewer Oversizing Cost Sharing To Serve Summerlin South

IV. RESOLUTIONS

34. R-13-96 - Approval Of Resolution Determining Costs To Be Assessed And Directing City Engineer To Prepare Assessment Role Re: Special Improvement District #1445 (Industrial Road/Meadows Addition Area).
35. R-14-96 - Approval Of Resolution Tentatively Approving Assessment Role And Directing That Notice Of Hearing Thereon Be Given Re: Special Improvement District #1445 (Industrial Road/Meadows Addition Area).
36. R-15-96 - Approval Of Resolution Determining Costs To Be Assessed And Directing City Engineer To Prepare Assessment Role Re: Special Improvement District #1446 (Sawtooth Streets, Phase IV).
37. R-16-96 - Approval Of Resolution Tentatively Approving Assessment Role And Directing That Notice Of Hearing Thereon Be Given Re: Special Improvement District #1446 (Sawtooth Streets, Phase IV).

***** END OF CONSENT AGENDA *****

DISCUSSION / ACTION ITEMS

ADMINISTRATIVE

38. Discussion And Possible Action On Ratification Of The Classified Employees Association (CEA) Contract. (NOTE: ITEM CANNOT BE ACTED UPON UNTIL AFTER THE 1:30 P.M. CLOSED SESSION.)

DEPARTMENT OF FINANCE & BUSINESS SERVICES

39. Discussion And Possible Action To Approve A Franchise Agreement With Mercy Ambulance, Inc. And The City Of Las Vegas (Note: No Action to be taken on this item until after Bill No. 96-27 is heard.)

LIQUOR - Change of Ownership/Change of Business Name/GAMING - New

40. TAVERN LICENSE; NONRESTRICTED GAMING, From: Bob Stupak, dba Vegas World Hotel & Casino, TO: STRATOSPHERE GAMING CORPORATION, dba STRATOSPHERE TOWER, CASINO & HOTEL, 2000 Las Vegas Blvd. South, (Stratosphere Gaming Corporation, the operating subsidiary of Stratosphere Corporation, a publicly traded corporation.) David R. Wirshing, Dir, Pres, Lyle A. Berman, Dir, CEO, Andrew S. Blumen, Exec V.P., Secy, Thomas A. Lettero, Treas; Stratosphere Corporation – Robert E. Stupak, COB, David R. Wirshing, Pres, Lyle A. Berman, Dir, CEO, Andrew S. Blumen, Dir, Exec V.P., General Counsel, Secy, Thomas A. Lettero, V.P., CFO, Treas. Subject to the provisions of the fire codes and Health Department regulations. Also, subject to approval by the Nevada Gaming Commission on March 21, 1996.

LIQUOR -- New

41. ABEYANCE ITEM - BEER/WINE/COOLER OFF-SALE LICENSE, SONG CHA STAFFORD, dba K S J MINI MART, 2417 Las Vegas Blvd. South, Song C. Stafford, 100%, Subject to the provisions of the planning codes

DEPARTMENT OF PLANNING & DEVELOPMENT

42. Status Report - Las Vegas Boulevard Planting Scheme; Funding

DEPARTMENT OF PUBLIC WORKS

REPORTS/ACTION ITEM

43. Consideration And Possible Action To Review And Approve The Early Action Items List For The Us 95 Corridor Major Investment Study

TRAFFIC & PARKING ITEMS

44. Discussion And Possible Approval Of A Request For Stop Control On Tenaya Way And Dalegrove Drive

45. Discussion And Possible Approval Of The Installation Of A 4-Way Stop At The Intersection Of Tenaya Way And Gowan Road
46. Discussion And Possible Approval Of A Request For A Change In The Speed Limit From 35 MPH To 25 MPH On Tenaya Way Between Cheyenne Avenue And Gowan Road

IV. RESOLUTIONS

47. R-17-96 - Approval of Resolution to amend Schedules 14-II and 25-II in accord with Traffic & Parking Item

V. REPORTS FROM RECOMMENDING COMMITTEES

BILLS ELIGIBLE FOR ADOPTION AT THIS MEETING

48. Bill No. 95-69 – Amends Title 2, Chapter 51 of the Las Vegas Municipal Code, 1983 Edition, relating to the Ethics Review Board and financial disclosure.
49. Bill No. 96-5 – Amends Title 2, Chapter 9 of the Las Vegas Municipal Code, 1983 Edition to create a new department of Neighborhood Services separate from the Department of Community Planning, removing the Department of Economic and Urban Development from the list of City departments, and other matters relating thereto. Sponsored by: Councilman Michael J. McDonald
50. Bill No. 96-24 – Annexation No. A-26-95(A), Property Located: On the southwest corner of Elkhorn Road and Cimarron Way, and on the northeast corner of Cimarron Road and Deer Springs Way; Petitioned by: Elkhorn Road/Cimarron Limited Partnership, et al.; Acreage: Approximately 77.48 acres; Zoned: R-E (County Zoning) N-U (City Equivalent). Sponsored by: Councilman Matthew Q. Callister
51. Bill No. 96-25 – Annexation No. A-27-95(A), Property Located: North of Cheyenne Avenue, east and west of Hualapai Way; Petitioned by: Summit Acquisitions, et al.; Acreage: Approximately 55.34 acres; Zoned: R-U (County Zoning) N-U (City Equivalent). Sponsored by: Councilman Matthew Q. Callister
52. Bill No. 96-26 – Annexation No. A-28-95(A), Property Located: On the northwest corner of Jones Boulevard and Madre Mesa Drive; Petitioned by: Robert M. and Patricia J. Schnider; Acreage: Approximately 2.34 acres; Zoned: R-E (County Zoning) N-U (City Equivalent). Sponsored by: Councilman Matthew Q. Callister
53. Bill No. 96-27 – Repeals and replaces LVMC Chapter 6.08, providing for the licensing, franchising and regulation of ambulance services. Sponsored by: Mayor Jan Laverty Jones
54. Bill No. 96-34 - An ordinance relating to the City of Las Vegas, Nevada Special Improvement District No. 404 (Summerlin Area) UPDATES™ Local Improvement Bonds, Series 1989, approving the form of a Fourth Supplemental Indenture, authorizing the execution and delivery thereof by City officers, and providing other matters related thereto.

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. PUBLIC TESTIMONY TAKES PLACE AT THE RECOMMENDING COMMITTEE MEETING HELD FOR THAT PURPOSE.

55. Bill No. 96-20 – Imposes temporary restrictions upon apartment development within Ward 4 pending the adoption of a new master plan and development regulations for the northwest area. Sponsored by: Councilman Matthew Q. Callister
56. Bill No. 96-29 – Defines the term "assayer" for semiannual business license fee purposes. Sponsored by: Mayor Jan Laverty Jones
57. Bill No. 96-30 – Repeals LVMC 6.04.430 which provides for a separate business licensing category for podiatrist. Sponsored by: Councilman Arnie Adamsen
58. Bill No. 96-31 – Defines the term "advertising business" for semiannual license fee purposes. Sponsored by: Mayor Jan Laverty Jones
59. Bill No. 96-32 – Expands the definition of the word "accountant" for semiannual license fee purposes. Sponsored by: Councilman Arnie Adamsen
60. Bill No. 96-33 – Defines the term "bookkeeping business" for semiannual fee purposes. Sponsored by: Councilman Arnie Adamsen

VII. BOARDS & COMMISSIONS

61. ABEYANCE ITEM - ANIMAL ADVISORY COMMITTEE - Matthew Aten - Term Expires 1/22/96
62. ABEYANCE ITEM - CITIZENS ADVISORY COMMITTEE ON DOWNTOWN DEVELOPMENT - Karen Bennett - Term Expired 8/21/95 (Not eligible for reappointment - Must be a resident in the redevelopment area)

- 63. ABEYANCE ITEM - SENIOR CITIZENS ADVISORY COMMITTEE - Gay Goldstein - Term Expires 1/17/96 (RESIGNED)
- 64. HISTORIC PRESERVATION COMMITTEE - Eric Christensen - Term Expires 3/6/99, (RESIGNED)

VIII. 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.

- 65. **Bill No. 96-28** – Requires motor vehicle body shops to pay a semiannual license fee based on gross sales. Sponsored by: Councilman Amie Adarnsen
- 66. **Bill No. 96-35** – Annexation No. A-30-95(A); Property Located: On the northeast corner of Vegas Drive and Leonard Lane; Petitioned By: A.D. and Mildred Black; Acreage: Approximately 2.54 acres; Zoned: R-E (County Zoning) N-U (City Equivalent), Sponsored by: Councilman Matthew Q. Callister
- 67. **Bill No. 96-36** – Annexation No. A-31-95(A) Property Located: On the southeast corner of Craig Road and Buffalo Drive; Petitioned By: Cypress Limited Partnership; Acreage: Approximately 2.58 acres; Zoned: R-E (County Zoning) N-U (City Equivalent), Sponsored by: Councilman Matthew Q. Callister
- 68. **Bill No. 96-37** - An ordinance authorizing the issuance of the City of Las Vegas, Nevada Special Improvement District No. 404 (Summerlin Area) Local Improvement Refunding Bonds, Series 1996.
- 69. **Bill No. 96-38** – Amends Title 19, Chapter 91 of the Las Vegas Municipal Code to eliminate the requirement that applicants submit documentation granting permission from property owner prior to issuance of a signed certificate for political signs, Sponsor: Councilman Amie Adarnsen.

1:30 P.M. TIME CERTAIN

Closed Session To Discuss Negotiations For New CEA Contract (Exempt From Open Meeting Law Requirements Pursuant To NRS 288.220).

2:00 P.M. – AFTERNOON SESSION

- 70. 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.

IX. PUBLIC HEARING

- 71. Public Hearing To Consider The Report Of Expenses To Recover Costs For Abatement Of Dangerous Building Located At 706 Jackson Avenue PROPERTY OWNER - CECILE S. MASON
- 72. Public Hearing To Consider The Report Of Expenses To Recover Costs For Abatement Of Dangerous Building Located At 3105 N. Michael Way PROPERTY OWNER - BARCLAYS AMERICAN MORTGAGE COMPANY

COMMUNITY PLANNING AND 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. In addition, items may be required to conform to one or more of the following standard conditions:

ZONING APPLICATIONS: (1) Resolution of Intent with a twelve month time limit. (2) All development shall be in conformance with the plot plan and building elevations. (3) Landscaping and a permanent underground sprinkler system shall be provided as required by the Planning Commission and shall be permanently maintained in a satisfactory manner. Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license. (4) A landscaping plan must be submitted prior to or at the same time application is made for a building permit or license, or prior to occupancy, whichever occurs first. (5) All mechanical equipment, air conditioners and trash areas shall be screened from view from the abutting streets (excluding single family development). (6) All City Code requirements and design standards of all City departments must be satisfied. (7) Parking and driveway plans must be approved by the Traffic Engineer. (8) Any damage to the existing street improvements resulting from this development must be repaired as required by the Department of Public Works. (9) All unused driveway cuts must be removed and replaced with "L" curb and new sidewalk meeting current City Standards as required by the Department of Public Works. (10) A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of a building or grading permit, whichever occurs first. (11) A fully

operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures. (12) Fence heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.

VARIANCE AND SPECIAL USE PERMIT APPLICATIONS: (1) All development must be in conformance with the plot plan and elevations. (2) Landscaping and a permanent underground sprinkler system shall be provided as required by the Board of Zoning Adjustment and shall be permanently maintained in a satisfactory manner. Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license. (3) A landscaping plan must be submitted prior to or at the same time application is made for a building permit, license, or prior to occupancy, whichever occurs first. (4) All mechanical equipment, air conditioners and trash areas shall be screened from view from the abutting streets. (5) City Code requirements and design standards of all City departments must be satisfied. (6) The Traffic Engineer must approve parking and driveway plans. (7) Any damage to the existing street improvements resulting from this development must be repaired as required by the Department of Public Works. (8) A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and functioning prior to construction of any combustible structures, as required by the Department of Fire Services.

SUBDIVISION APPLICATIONS: Tentative Maps: (1) Approval of the Tentative Map shall be for no more than twelve (12) months. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within twelve (12) months of the approval of the Tentative Map, a new Tentative Map must be filed. (2) Street names must be provided in accord with the City's Street Naming Regulations. (3) All development is subject to the conditions of City departments and State Subdivision Statutes. (4) A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the recordation of a Final Map. (5) A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures. **Final Maps:** (1) Final Maps shall be in conformance with the approved Tentative Map. **Vacation Applications:** (1) Reservation of easements for the facilities of the various utility companies together with reasonable ingress thereto and egress therefrom shall be provided if required. (2) All development shall be in conformance with code requirements and design standards of all City departments. (3) The Reconveyance shall not be recorded until all of the above conditions have been satisfied. (4) If the Reconveyance is not recorded within one (1) year after approval by the City Council or an Extension of Time is not granted by the Planning Commission, then approval will terminate and a new petition must be submitted.

CONSENT AGENDA

P.M. SESSION - ALL ITEMS LISTED UNDER THE CONSENT AGENDA ARE CONSIDERED TO BE ROUTINE AND ARE RECOMMENDED FOR APPROVAL THEY MAY BE ENACTED BY ONE MOTION; HOWEVER, ANY ITEM MAY BE DISCUSSED IF A COUNCIL MEMBER SO REQUESTS.

EXTENSION OF TIME

73. **U-323-94(2) - Albert and Eileen Massl** - Request for an Extension of Time on an approved Special Use Permit which allowed a tavern in conjunction with a proposed restaurant on property located on the northeast corner of Rainbow Boulevard and Balzar Avenue, C-1 Zone, Ward 4.
74. **V-163-91(4) - Martin and Phyllis Schwartz Reversible Family Trust** - Request for an Extension of Time on an approved Variance which allowed a proposed office building with a 47% lot coverage where 30% is the maximum lot coverage allowed; and a temporary modular trailer office on property located at 2324 West Charleston Boulevard, C-D Zone, Ward 1.
75. **Z-81-89(10) - H I K F Enterprises, Inc.** - Request for an Extension of Time for 45 proposed single family dwellings on property located on the northwest corner of Decatur Boulevard and Gilmore Avenue, R-E Zone (under Resolution of Intent to R-PD4), Ward 4.
76. **Z-6-94(2) - LCAM, Inc.** - Request for an Extension of Time for 16 proposed single family dwellings on property located on the east side of Durango Drive, between Gowan Road and Gilmore Avenue, N-U Zone (under Resolution of Intent to R-PD7), Ward 4.
77. **Z-7-94(4) - Cheyenne Investment Limited Liability Company** - Request for an Extension of Time for proposed single family dwellings and commercial on property located on the northeast corner of Durango Drive and Cheyenne Avenue, N-U Zone (under Resolution of Intent to R-PD8 and C-1), Ward 4.
78. **Z-159-94(1) - American West Homes, Inc.** - Request for an Extension of Time for 38 proposed single family dwellings on property located on the southeast corner of Fort Apache Road and Gilmore Avenue, N-U Zone (under Resolution of Intent to R-CL), Ward 4.
79. **Z-1-95(1) - American West Homes, Inc.** - Request for an Extension of Time for 75 proposed single family dwellings on property located on the northeast corner of Gilmore Avenue and Fort Apache Road, N-U Zone (under Resolution of Intent to R-CL), Ward 4.

REINSTATEMENT AND EXTENSION OF TIME

80. **U-236-94(1) - Mier Kattan** - Request for a Reinstatement and Extension of Time on an approved Special Use Permit which allowed the on and off premise sale and consumption of beer and wine within a restaurant-deli on property located at 110 North Jones Boulevard, C-2 Zone, Ward 1.
81. **Z-137-94(1) - Charles J. Abronson, Et Al** - Request for a Reinstatement and Extension of Time for a proposed retail center on property located at 4339 North Rancho Drive, C-2 Zone and R-E Zone (under Resolution of Intent to C-2), Ward 4.

TWO YEAR REQUIRED REVIEW

82. U-268-91(3) - The Junior Corporation - Two Year Required Review on an approved Special Use Permit which allowed a Class III secondhand dealership for the buying and selling of used gold and silver on property located at 806-1/2 Las Vegas Boulevard South, C-2 Zone, Ward 1.

***** END OF CONSENT AGENDA *****

DISCUSSION/ACTION ITEMS

TEMPORARY COMMERCIAL PERMIT

83. TCP-101-95 - American West Homes - Appeal of the denial of a Temporary Commercial Permit to allow a two year, off-premise informational center for the El Capitan Ranch subdivision, on property located on the northeast corner of Cheyenne Avenue and Fort Apache Road, N-U Zone, Ward 4.

WAIVER OF THE ADDRESSING ORDINANCE

84. AO-1-96 - A. G. Spanos Companies - Request for a Waiver of the Addressing Ordinance to allow portions of buildings separated by breezeways to be addressed independent of other portions of the same building, where an address scheme of assigning unit numbers beginning at one entrance and continuing in a counterclockwise manner around each building back to the entrance is required, Ward 4.

VACATION - PUBLIC HEARING

85. VAC-4-96 - Village Builders, Limited Partnership - Request for a Petition of Vacation to vacate U. S. Government Patent Reservations generally located south of Charleston Boulevard and west of Torrey Pines Drive, Ward 2.
86. VAC-5-96 - Pulte Homes Corporation - Request for a Petition of Vacation to vacate U. S. Government Patent Reservations generally located at the northwest corner of Buffalo Drive and Buckskin Avenue, Ward 4.
87. VAC-6-96 - Durable Homes, Inc. - Request for a Petition of Vacation to vacate U. S. Government Patent Reservations generally located at the northeast corner of Cheyenne Avenue and Soaring Gulls Drive, Ward 4.
88. VAC-7-96 - Horizon Investments, Inc. - Request for a Petition of Vacation to vacate U. S. Government Patent Reservations generally located west of Tenaya Way, between Sahara Avenue and Via Olivero Avenue, Ward 2.

REVIEW OF CONDITION - PUBLIC HEARING

89. Z-85-95(1) - Vertigo Group Limited Liability Company - Request for a Review of Condition to allow the driveway on Buckskin Avenue to be open at all times where it was restricted to emergency ingress/egress only, on property located on the southeast corner of Buckskin Avenue and Buffalo Drive, N-U Zone (under Resolution of Intent to P-R), Ward 4.

PLOT PLAN AND BUILDING ELEVATION REVIEW - PUBLIC HEARING

90. Z-96-95(1) - Clark County School District - Request for a Plot Plan and Building Elevation Review for a proposed middle school on property located on the east side of Tonopah Drive, approximately 300 feet south of Lake Mead Boulevard, R-CL Zone (under Resolution of Intent to C-V), Ward 1.

FIVE YEAR REQUIRED REVIEW - PUBLIC HEARING

91. U-216-90(1) - Las Vegas Elks Lodge #1468 - Five Year Required Review on an approved Special Use Permit which allowed a 14 foot x 48 foot off-premise advertising (billboard) sign on property located at 4100 West Charleston Boulevard, C-1 Zone, Ward 1.
92. U-223-90(1) - Whittlesea Blue Cab Company - Five Year Required Review on an approved Special Use Permit which allowed a 12 foot x 24 foot double-faced off-premise advertising (billboard) sign on property located at 1719 Industrial Road, C-M Zone, Ward 1.

VARIANCE - PUBLIC HEARING

93. V-5-96 - Brett L. Marshall on behalf of Howard William Ickes - Appeal filed by Brett L. Marshall on behalf of Howard William Ickes for a Variance to allow an 18,002 square foot lot where 20,000 square feet is the minimum footage allowed on property located at 5260 Maverick Street, R-E Zone, Ward 4.
94. V-7-96 - Donald and Julie Hooker - Request for a Variance to allow an existing non-conforming patio cover 8 feet from the rear property line where 15 feet is the minimum setback required on property located at 6121 Desert Haven Road, R-1 Zone, Ward 4.

SPECIAL USE PERMIT - PUBLIC HEARING

95. **U-1-96 - Carmine and Ann Vento Revocable Family Trust** - Request for a Special Use Permit for the off-premise sale of beer and wine in conjunction with a proposed convenience store on property located on the southeast corner of Rancho Drive and Gowan Road, C-2 Zone, Ward 4.
96. **U-6-96 - Cheyenne Plaza Limited** - Request for a Special Use Permit for the sale of beer and wine in conjunction with an existing restaurant (Mam Lai Chinese Cuisine) on property located at 6010 West Cheyenne Avenue #16, C-1 Zone, Ward 4.
97. **U-7-96 - Union Oil Company of California** - Request for a Special Use Permit for the sale of beer and wine in conjunction with a proposed Unocal gas station and convenience store on property located at 2308 Las Vegas Boulevard South, C-2 Zone, Ward 1.
98. **U-8-96 - Seller, Inc., on behalf of Aquarius Properties Partnership I** - Appeal filed by Seller, Inc., on behalf of Aquarius Properties Partnership I, for a Special Use Permit for a 14 foot x 48 foot off-premise advertising (billboard) sign on property located at 330 East Charleston Boulevard, R-1 Zone (under Resolution of Intent to C-1), Ward 1.
99. **U-10-96 - Tori Anderson** - Appeal filed by Tori Anderson to the action of the Board of Zoning Adjustment in APPROVING an application of Serob Hocharian for a Special Use Permit for a long term convalescent care facility for the elderly on property located on the northwest corner of Buffalo Drive and Gilmore Avenue, N-U Zone, Ward 4.

ZONING RECLASSIFICATION - PUBLIC HEARING

100. **Z-4-96 - Walter and Oscar Drefke** - Request for reclassification of property located at 570 North 30th Street, Ward 3. From: R-E (Residence Estates), To: R-3 (Apartment Residence), Proposed Use: 70 UNIT, TWO-STORY SENIOR CITIZEN HOUSING COMPLEX
101. **Z-6-96 Charleston Heights Shopping Center** - Request for reclassification of property located on the north side of Alta Drive, approximately 800 feet west of Decatur Boulevard, Ward 1. From: R-3 (Apartment Residence), To: P-R (Professional Offices and Parking), Proposed Use: 49 SPACE, SURFACE LEVEL EMPLOYEE PARKING LOT
102. **Z-7-96 - Larry Denny** - Request for reclassification of property located at 2003 South Maryland Parkway, Ward 1. From: P-R (Professional Offices and Parking), To: C-1 (Limited Commercial), Proposed Use: 1,600 SQUARE FOOT RETAIL STORE
103. **Z-10-96 - Clark County School District** - Request for reclassification of property located at 6510 Buckskin Avenue, Ward 4. From: R-E (Residence Estates), To: C-V (Civic), Proposed Use: 40 FOOT ANTENNA ON EXISTING ELEMENTARY SCHOOL

GENERAL PLAN AMENDMENT - PUBLIC HEARING

104. **GPA-3-96 - Lied Foundation Trust** - Request to amend a portion of the Northwest Sector of the General Plan on property located on the north east corner of Tropical Parkway and Bradley Road, Ward 4. From: L (Low Density Residential), To: S (School)

ZONING RECLASSIFICATION RELATED TO GPA-3-96 - PUBLIC HEARING

105. **Z-8-96 - Lied Foundation Trust** - Request for reclassification of property located on the northeast corner of Tropical Parkway and Bradley Road, Ward 4. From: R-E (Residence Estates), To: C-V (Civic), Proposed Use: MIDDLE SCHOOL

TIME CERTAIN - 4:00 P.M.

ZONING RECLASSIFICATION - PUBLIC HEARING

106. **Z-95-95 - Sahara Rancho Medical Center** - Request for reclassification of property located on the northeast corner of Sahara Avenue and Rancho Drive, Ward 1. From: R-3 (Limited Multiple Residence), P-R (Professional Offices and Parking) and C-1 (Limited Commercial), To: C-1 (Limited Commercial), Proposed Use: ONE 180,000 SQUARE FOOT TWELVE-STORY OFFICE TOWER, 132,000 SQUARE FEET OF OFFICE SPACE, AND A ONE-STORY PARKING GARAGE 25 FEET FROM THE NORTH PROPERTY LINE

TO BE HEARD DIRECTLY FOLLOWING 4:00 P.M. TIME CERTAIN ITEM

ZONING RECLASSIFICATION - PUBLIC HEARING

107. **Z-11-96 - City of Las Vegas** - Request for reclassification of property located at 2801 West Oakey Boulevard (Bob Baskin Park), Ward 1. From: R-1 (Single Family Residence), To: C-V (Civic), Proposed Use: EXISTING PARK SITE AND PROPOSED 70 FOOT HIGH CELLULAR ANTENNA INSIDE A CLOCK TOWER

TIME CERTAIN 5:00 P.M.

GENERAL PLAN AMENDMENT - PUBLIC HEARING

108. GPA-1-96 - Joseph Weiss on behalf of Arthur Kitay - Request to amend a portion of the Northwest Sector of the General Plan on property located on the southeast corner of Alexander Road and Cimarron Road, Ward 4. From: L (Low Density Residential) and ML (Medium-Low Density Residential), To: SC (Service Commercial)

TIME CERTAIN 5:00 P.M.

ZONING RECLASSIFICATION RELATED TO GPA-1-96 - PUBLIC HEARING

109. Z-5-96 - Joseph Weiss on behalf of Arthur Kitay - Request for reclassification of property located on the southeast corner of Alexander Road and Cimarron Road, Ward 4. From: N-U (Non-Urban), To: C-1 (Limited Commercial), Proposed Use: CONVENIENCE STORE WITH GASOLINE SALES AND SINGLE STORY RETAIL SHOPS

GENERAL PLAN AMENDMENT - PUBLIC HEARING

110. ABEYANCE ITEM - GPA-52-95 - W. M. Land Development - Request to amend a portion of the Southwest Sector of the General Plan on property located on the southeast corner of Del Rey Avenue and Buffalo Drive, Ward 4. From: R (Rural Density Residential), To: O (Office)

ZONING RECLASSIFICATION RELATED TO GPA-52-95 - PUBLIC HEARING

111. ABEYANCE ITEM - Z-91-95 - W. M. Land Development - Request for reclassification of property located on the southeast corner of Del Rey Avenue and Buffalo Drive, Ward 4. From: R-E (Residence Estates), To: P-R (Professional Offices and Parking), Proposed Use 45,032 SQUARE FEET OF ONE-STORY PROFESSIONAL OFFICES

112. SET DATE FOR PUBLIC HEARING ON ANY ITEM REQUIRING A PUBLIC HEARING THAT WAS ACTED UPON BY THE CITY PLANNING COMMISSION.

113. SET DATE ON ANY APPEALS FILED OR REQUIRED PUBLIC HEARINGS FROM THE BOARD OF ZONING ADJUSTMENT MEETING.

114. SET DATE ON ANY APPEALS FILED OR REQUIRED PUBLIC HEARINGS ON ANY DANGEROUS BUILDINGS OR NUISANCE/LITTER ABATEMENTS.

X. ADDENDUM

XI. 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:

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

EXHIBIT B

(Attach Copy of Notice of April 3, 1996 Meeting)

AGENDA

City of Las Vegas

CITY COUNCIL

COUNCIL CHAMBERS • 400 EAST STEWART AVENUE • PHONE 229-6011

JAN LAVERTY JONES, MAYOR • COUNCILMEN: ARNIE ADAMSEN, MATT CALLISTER, MICHAEL J. McDONALD, GARY REESE

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.

APRIL 3, 1996

**Morning Session begins at 9:00 a.m.
Afternoon Session begins at 2:00 p.m.**

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

THESE PROCEEDINGS ARE BEING VIDEOTAPED BY THE U.N.L.V. GREENSPUN SCHOOL OF COMMUNICATION AND WILL BE REBROADCAST THE DAY FOLLOWING EACH MEETING ON PRIME CABLE, CHANNEL 4, AT 7:00 P.M.

DUPLICATE AUDIO TAPES ARE AVAILABLE AT A COST OF \$5.00 PER TAPE AND DUPLICATE VIDEO TAPES ARE AVAILABLE AT A COST OF \$15.00 PER TAPE THROUGH THE CITY CLERK'S OFFICE.

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

I. CEREMONIAL MATTERS

- 9:00 A.M. - CALL TO ORDER
- ANNOUNCEMENT RE: COMPLIANCE WITH OPEN MEETING LAW
- INVOCATION - Elder Zell Lowman, First Presbyterian Church
- PLEDGE OF ALLEGIANCE
- PROCLAMATION PROCLAIMING THE MONTH OF APRIL, 1996, AS "FAIR HOUSING MONTH" IN RECOGNITION OF THE 28TH ANNIVERSARY OF THE FEDERAL FAIR HOUSING ACT.
- PROCLAMATION PROCLAIMING THE WEEK OF APRIL 1 THRU 7, 1996, AS "NATIONAL COMMUNITY DEVELOPMENT WEEK."
- EMPLOYEE SERVICE AWARDS

II. 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 3/6/96.
3. Discussion and possible action to support the Las Vegas Convention and Visitors Authority's request for assistance in bringing the Oakland Athletics to Cashman Field.

III. CONSENT AGENDA

ALL MATTERS LISTED UNDER THE CONSENT AGENDA ARE CONSIDERED TO BE ROUTINE AND ARE RECOMMENDED FOR APPROVAL BY THE DEPARTMENTS. THEY MAY BE ENACTED IN ONE MOTION; HOWEVER, ANY ITEM MAY BE DISCUSSED IF A COUNCIL MEMBER SO REQUESTS.

DEPARTMENT OF FINANCE & BUSINESS SERVICES

4. Service and Material Checks/Payroll Checks/Wire Transfers/Other Checks and Investments
5. Request for approval to hire the firm of Randall G. Bartlett and Associates to perform consulting services regarding the evaluation, design, and implementation of a Citywide telecommunications system.

CHILD CARE FACILITY APPLICATIONS (Approved by the Child Care Licensing Board on March 21, 1996)

CHILD CARE CENTER

6. CLARK COUNTY PARENT COOPERATIVE, INC., dba KIDS CO-OP, 8100 Westcliff, 34 children days, Preschool, Marilyn E. Benedict, Pres, Julie Ann Haley, V.P., Docia Nielson, Treas, Trudy Rogers, Preschool Director

SPECIAL EVENT LIQUOR LICENSES

7. NEVADA OUTDOOR VOLLEYBALL ASSOCIATION, Location: Cragin Park, Date: April 6, 1996, Type: Special Event Beer/Wine/Cooler, Responsible Person in Charge: Robert Gleason
8. SOUTHERN NEVADA OVER-THE-LINE PLAYERS ASSOCIATION, Location: Freedom Park, Dates: April 27 & 28, 1996, Type: Special Event General, Responsible Person in Charge: Mark Eisinger

LIQUOR -- New

9. BEER/WINE/COOLER ON-SALE LICENSE, TAMMY VUU, dba XINH XINH RESTAURANT, 220 West Sahara, Tammy T. Vuu, 100%

LIQUOR -- Change of Ownership

10. BEER/WINE/COOLER OFF-SALE LICENSE, From: Jack L. & Mary A. Olson, TO: OLSON & OLSON, dba LAS VEGAS GROCERY OUTLET, 1110 East Charleston, Steven M. Olson and Camille C. Olson, 100% jointly as husband and wife
11. BEER/WINE/COOLER ON-SALE LICENSE, From: Duran & Duran, TO: ANNETTE SERRANO, dba EL BURRITO WEST, 633 North Decatur, #H, Annette Louisa Serrano, 100%, Jose Louis Serrano, Lender, Subject to the provisions of the Health Department regulations

LIQUOR -- Approval of Manager

12. TAVERN LICENSE, GENERAL MILLS RESTAURANTS, INC., dba RED LOBSTER RESTAURANT #339, 200 South Decatur, Jaime Munoz, General Manager

GAMING -- Change of Location

13. SLOT OPERATOR LICENSE, From: Casino Coin Company, 30 West Imperial Avenue, TO: CASINO COIN COMPANY, INC., dba CASINO COIN COMPANY, 5087 Arville Street, #D, Donald W. Pettit, Pres, 100%

GAMING - Change of Ownership/Approval of Officers

14. SLOT OPERATOR LICENSE, From: C.D.F. (A Nevada General Partnership), TO: C.D.F., INC. dba C.D.F., INC., 1111 Grier Drive, #A, Fred L. Shuman, III, Dir, Pres, 51%, Cheryl L. Shuman, Dir, Secy, Treas, 49%, Approved by the Nevada Gaming Commission on March 21, 1996

GAMING -- New

15. Slot Operator License, UNITED COIN MACHINE COMPANY, Space lease Location at: Lee's Discount Liquor, 4421 North Rancho, Restricted Gaming: 5 slots, Approved by the Nevada Gaming Commission on March 21, 1996
16. Slot Operator License, UNITED COIN MACHINE COMPANY, Space Lease Location at: Fast Eddie's Mini Mart, 1080 South Rainbow, Restricted Gaming: 7 slots, Approved by the Nevada Gaming Commission on March 21, 1996

AUCTIONEER LICENSE – New

17. AUCTION WORLD, INC., dba AUCTION WORLD, INC., 4535 West Sahara #114, David J. Balsom, Dir, Pres, 50%, Irene Balsom, Dir, Secy, Treas, 50%

LOCKSMITH LICENSE – Change of Ownership

18. From: Stephanie Kay Johnson, 100%, TO: JOHN AGUAYO, dba ABCO LOCKSMITH, 2027 H Street, #H, John J. Aguayo, 100%

DEPARTMENT OF GENERAL SERVICES

AWARD OF BIDS/REJECTIONS

19. Award of Bid Number 96.1730.26, Parking Meter Housings - Department of Public Works - Award Recommended to: DUNCAN INDUSTRIES, INC. (\$26,478)
20. Rejection of Bidders and Award of Bid Number 96.APR.01, Annual Requirements Contract for Plumbing Supplies - Department of Public Works - Award Recommended to: KELLY'S PIPE AND SUPPLY INC. (\$80,350), IMPERIAL PRODUCTS, INC. (\$34,000), CONSUMERS PIPE AND SUPPLY (\$78,500), CENTURY MAINTENANCE SUPPLY (\$17,300)

PURCHASE ORDER APPROVALS

21. Purchase Order Approval for Living Area Furniture for the Las Vegas Village Homeless Shelter Department of Planning and Development - Award Recommended to: THIS END UP (\$76,753.17)

CONTRACT MODIFICATIONS

22. Contract Modification Number Two, Bid Number 96.1730.13, Bid Group II, Street Rehabilitation Annual Concrete Replacement and Small Asphalt Patching - Department of Public Works - MIKON CONSTRUCTION, INC. (\$36,304)
23. Contract Modification Number One, Bid Number 96.1730.13, Bid Group I, Street Rehabilitation Annual Concrete Replacement and Small Asphalt Patching - Department of Public Works - MC COMB CONTRACTING CO., INC. (\$24,672)
24. Contract Modification Numbers One and Two, Bid Number 95.2600.09, Woodlawn Cemetery Phase III - Department of Parks and Leisure Activities - MIKON CONSTRUCTION COMPANY (\$23,695.28)

AGREEMENT

25. Interim Extension for Traffic School Facility Lease, K-Las Vegas c/o Wallace Associates Management, Inc. (\$8,149)

DEPARTMENT OF HUMAN RESOURCES

26. Approval To Upgrade The Position Of Legislative Affairs Coordinator (A43) To Director Of Legislative And Intergovernmental Affairs And Place This Position On The Executive Compensation Plan (E03), City Manager's Office.
27. Approval To Upgrade The Position Of Deputy Director, Planning & Development (A52) To Director Of Neighborhood Services And Place This Position On The Executive Compensation Plan (E03), Neighborhood Services.
28. Approval To Upgrade An Office Specialist I Position To A Graphic Artist I Position, Parks & Leisure Activities.
29. Approval To Create A Senior Publicity Specialist Classification And Reclassify Two Publicity Specialist II Positions, Parks & Leisure Activities.
30. Approval To Upgrade The Publicity Supervisor Position, Parks & Leisure Activities.
31. Approval To Upgrade An Aquatic Coordinator Position To A Leisure Activities Field Supervisor, Parks & Leisure Activities.
32. Approval To Upgrade Two Executive Assistant Classifications (A30) To The Senior Executive Assistant Classification (A35), City Council Office.
33. **REPORT OF NEW HIRES - MARCH 6 - 20, 1996** - Office Specialist II, City Attorney; Control Room Operator, Detention & Enforcement; Mail Courier (Temporary), General Services; Office Specialist I, Municipal Court; Director, Office of Business Development, Office of Business Development; Carpenter I (X) (Temporary), Parks & Leisure Activities; Maintenance Worker I (X) (Temporary) (3), Planning & Development; Construction Inspector I (X), Public Works; Junior Clerk III, City Attorney; Senior Clerical Assistant I (R), Human Resources; Utility Worker II, Parks & Leisure Activities.

DEPARTMENT OF PARKS & LEISURE ACTIVITIES

34. Discussion and possible permission to negotiate an agreement with 360° Communications for a cellular transmission site at the Municipal Golf Course.

DEPARTMENT OF PLANNING AND DEVELOPMENT

35. Action to approve restructuring of a Community Development Block Grant (CDBG) Rental Rehab Direct Loan to Betty O. Henderson in RE: 218 Madison Street, Las Vegas, NV.
36. Action to reallocate the City of Las Vegas' 1996-97 HOME allocation from the Clark County Consortium.
37. Approval to amend the location of Recreation and Public Purpose Lease #N-37127 from the 20-acre parcel located at the southwest corner of Vegas Drive and Gleason Way to the 15-acre site at the northwest corner of O'Bannon Drive and Monte Cristo Way

DEPARTMENT OF PUBLIC WORKS

ACCEPTANCE OF RIGHT OF WAY ITEMS

GRANT DEEDS

38. From: TECH CENTER ASSOCIATES, To: City of Las Vegas, For: Portion of the Northeast Quarter (NE 1/4) of Section 15, T20S, R60E, M.D.M., being that portion of Lot 1, Block 1 of the Las Vegas Technology Center Unit 2 for dedication of right-of-way to create the Cascade Valley Court cul-de-sac, located in the Brookhollow Business Park - Phase IV (3-1-96) 138-15-612-002
39. From: HOWARD HUGHES PROPERTIES, LIMITED PARTNERSHIP, A DELAWARE LIMITED PARTNERSHIP, To: City of Las Vegas, For: Portion of the Northwest Quarter (NW 1/4) of Section 19, T20S, R60E, M.D.M., for dedication of right of way across Common Lot "A" to provide access into Sunset Crest Subdivision (Sunset Crest Avenue/Snow Trails Drive) (3-13-96) 138-19-197-009
40. From: HOWARD HUGHES PROPERTIES, LIMITED PARTNERSHIP, A DELAWARE LIMITED PARTNERSHIP, To: City of Las Vegas, For: Portion of the Southwest Quarter (SW 1/4) of Section 19, T20S, R60E, M.D.M., for dedication of right of way across Common Lot "I" to provide access into Sierra Ridge Unit 2 (Sherbrooke Place/Crestdale Lane) (3-13-96) 138-19-397-006
41. From: NELLIS INVESTMENTS, A NEVADA CORPORATION, To: City of Las Vegas, For: Portion of the Southeast Quarter (SE 1/4) of Section 29, T20S, R61E, M.D.M., for dedication of right-of-way on Bonanza Road, west of Tonopah Drive (3-5-96) 139-29-704-029
42. From: AUBREY GOLDBERG & JOANNE A. GOLDBERG, HUSBAND AND WIFE AS JOINT TENANTS AS TO A 37.5% INTEREST, JOHN A. GREENMAN & JOAN C. GREENMAN, HUSBAND AND WIFE AS JOINT TENANTS AS TO A 37.5% INTEREST, PAUL E. RABY & JANET RABY, HUSBAND AND WIFE AS JOINT TENANTS AS TO A 25% INTEREST, ALL AS TENANTS IN COMMON, To: City of Las Vegas, For: Portion of the Southeast Quarter (SE 1/4) of Section 34, T20S, R61E, M.D.M., being that portion of Lot 1 in Block 20 of Wardie Addition for dedication of a 15' radius located at the southeast corner of Ninth Street and Bonneville Avenue (3-7-96) 139-34-810-117
43. From: S & A REAL ESTATE CORP., A NEVADA CORPORATION, To: City of Las Vegas, For: Portion of Government Lot 88 in the Southwest Quarter (SW 1/4) of Section 4, T21S, R60E, M.D.M., for dedication of 14.5' additional right of way located on Sahara Avenue, located west of Durango Drive (3-12-96) 163-04-406-005
44. From: MARK WELLER CORRIGAN AND WILMA ESTELLE CORRIGAN, AS TRUSTEES OF THE CORRIGAN FAMILY TRUST, DATED OCTOBER 2, 1989, To: City of Las Vegas, For: Portion of the Northwest Quarter (NW 1/4) of Section 4, T21S, R61E, M.D.M., for dedication of additional right of way to create the Pine Street cul-de-sac located within the Scotch Eighty Subdivision (1-22-96) 162-04-210-096, 098 & 099
45. From: STEPHEN S. THOMPSON AND DEBRA LEE THOMPSON, HUSBAND AND WIFE AS JOINT TENANTS, To: City of Las Vegas, For: Portion of the Northwest Quarter (NW 1/4) of Section 4, T21S, R61E, M.D.M., for dedication of additional right of way to create the Pine Street cul-de-sac located within the Scotch Eighty Subdivision (3-12-96) 162-04-210-097

RIGHT OF WAY GRANT FOR INGRESS AND EGRESS PURPOSES

46. From: HOWARD HUGHES PROPERTIES, LIMITED PARTNERSHIP, A DELAWARE LIMITED PARTNERSHIP, To: City of Las Vegas, For: Portion of the Southeast Quarter (SE 1/4) of Section 25, T20S, R59E, M.D.M., being a portion of Common Lot A of the Crossing at Summerlin Village 8 Unit 3 for an Ingress & Egress easement into Sunset Mesa Unit 1 (Crestdale Lane & Sun Dusk Lane) (3-6-96) 137-25-797-008
47. From: HOWARD HUGHES PROPERTIES, LIMITED PARTNERSHIP, A DELAWARE LIMITED PARTNERSHIP, To: City of Las Vegas, For: Portion of the Northwest Quarter (NW 1/4) of Section 19, T20S, R60E, M.D.M., being a portion of Common Lot "H" for an Ingress & Egress easement into Canyon Oaks (Crestdale Lane & Aspen Ridge Avenue) (3-13-96) 138-19-297-003

RIGHT OF WAY GRANT FOR SEWER PURPOSES

48. From: AQUARIUS LIMITED LIABILITY COMPANY, To: City of Las Vegas, For: Portion of Government Lot 3 in the Northwest Quarter (NW 1/4) of Section 3, T21S, R61E, M.D.M., for a sewer easement located on Lot 9 of Beckley Subdivision to complete a sewer easement located in Third Place, located south of Charleston Boulevard (3-5-96) 162-03-111-003
49. From: PAUL L. KELLOGG III TRUSTEE OF THE PLK TRUST, DATED APRIL 30, 1993, To: City of Las Vegas, For: Portion of Government Lot 3 in the Northwest Quarter (NW 1/4) of Section 3, T21S, R61E, M.D.M., for a sewer easement located on Lot 8 of Beckley Subdivision to complete a sewer easement located in Third Place, located south of Charleston Boulevard (3-5-96) 162-03-111-004
50. From: LEWIS PROPERTIES INC., A CALIFORNIA CORPORATION, To: City of Las Vegas, For: Portions of the Southeast Quarter (SE 1/4) of Section 36, T20S, R61E, M.D.M., for a sewer easement located in Block 3 of the Las Vegas Spectrum Phase VIII (2-28-96) 139-36-811-010 & 011

RIGHT OF WAY GRANT FOR DRAINAGE PURPOSES

51. From: HOWARD HUGHES PROPERTIES, LIMITED PARTNERSHIP, A DELAWARE LIMITED PARTNERSHIP, To: City of Las Vegas, For: Portion of the Southeast Quarter (SE 1/4) of Section 25, T20S, R59E, M.D.M., being a portion of Common Lot A of the Crossing at Summerlin Village 8 Unit 3 for a drainage easement to service Sunset Mesa Unit 1 (3-6-96) 137-25-897-007
52. From: TECH CENTER ASSOCIATES, To: City of Las Vegas, For: Portion of the Northeast Quarter (NE 1/4) of Section 15, T20S, R60E, M.D.M., being that portion of Lot 1, Block 1 of the Las Vegas Technology Center Unit 2 for a drainage easement located in the Brookhollow Business Park - Phase IV (3-1-96) 138-15-612-002

RIGHT OF WAY GRANT FOR DRAINAGE AND SEWER PURPOSES

53. From: TECH CENTER ASSOCIATES, To: City of Las Vegas, For: Portion of the Northeast Quarter (NE 1/4) of Section 15, T20S, R60E, M.D.M., being that portion of Lot 1, Block 1 of the Las Vegas Technology Center Unit 2 for a drainage and sewer easement located in the Brookhollow Business Park - Phase IV (3-1-96) 138-15-612-002
54. From: HOWARD HUGHES PROPERTIES, LIMITED PARTNERSHIP, A DELAWARE LIMITED PARTNERSHIP, To: City of Las Vegas, For: Portion of the Southwest Quarter (SW 1/4) of Section 18, T20S, R60E, M.D.M., being that portion of Lot "A", for a drainage and sewer easement located in Sunset Crest (3-13-96) 138-18-497
55. From: HOWARD HUGHES PROPERTIES, LIMITED PARTNERSHIP, A DELAWARE LIMITED PARTNERSHIP, To: City of Las Vegas, For: Portion of the Northwest Quarter (NW 1/4) of Section 19, T20S, R60E, M.D.M., being that portion of Lot "H", for a drainage and sewer easement located in Canyon Oaks (3-13-96) 138-19-297-030

ENCROACHMENT REQUESTS

56. SENIOR BENEFIT GROUP LIMITED PARTNERSHIP ON BEHALF OF RUSSELL O. HOCKS (1801 Silver Avenue), Proposal from applicant to encroach into the public right of way in Silver Avenue and in Westwood Drive consisting of a 2' force sewer main located south of the centerline of Silver Avenue and extending from an existing sewer (east of the centerline) on Westwood Drive eastward to 1801 Silver Avenue (approximately 390').
57. LANDMARK ENGINEERING ON BEHALF OF BERNARD SHAPIRO (4400 East Charleston Boulevard), Proposal from applicant to encroach into the public right of way in Lamb Boulevard consisting of landscaping (shrubs and annual ground cover) and an irrigation system for a new McDonald's restaurant.
58. PROGRESSIVE DEVELOPMENT ON BEHALF OF H & GG PROPERTIES COMPANY (119 North Fourth Street), Proposal from applicant to encroach in the public right of way on the west side of Fourth Street between Fremont Street and Ogden Avenue consisting of replacing existing awnings which extend 6' over the sidewalk and a minimum of 9' above the sidewalk.
59. SCOT G. AND TAMI L. BUGBEE(711 South Ninth Street), Applicant is seeking authorization for an existing encroachment to remain in the public right of way on Ninth Street south of Garces Street consisting of landscaping (trees and grass) and an irrigation system in the seven foot (7') wide area between the back of curb and sidewalk.
60. LDL TRUST (19 East Bonneville Avenue), Applicant is seeking authorization for an existing encroachment to remain in the public right of way on the southwest corner of Bonneville Avenue and First Street consisting of landscaping (trees, shrubs, boulder and crushed rock) and an irrigation system located in the nine feet (9') of excess right of way behind the sidewalk on both Bonneville Avenue and First Street.

SEWER CONNECTION AND APPROVAL OF INTERLOCAL CONTRACT WITH CLARK COUNTY SANITATION DISTRICT

61. STORAGE PROPERTIES, INC. ON BEHALF OF LAACO LTD (8249 West Sahara Avenue), Request to connect a mini storage facility to the City sewer from property located in Clark County at 8249 West Sahara Avenue.

REPORTS/ACTION ITEMS

- 62. **ABEYANCE ITEM** - Discussion And Possible Approval Of An Interlocal Agreement With Clark County To Determine Sewer Oversizing Cost Sharing To Serve Summerlin South
- 63. **ABEYANCE ITEM** - Request To Cut Pavement - Thomas J. Ahey, Northwest Corner Of Gowan Road And Tomsik Street
- 64. Discussion And Possible Action To Reimburse Fremont Street Experience Llc For Storm Drain Replacement And Traffic Signage Installation
- 65. Discussion And Possible Approval Of A Consultant Agreement With Harris & Associates For Construction Management Services On The Monte Cristo/Cheyenne Sewer Interceptor Project
- 66. Discussion And Possible Approval Of A Cooperative Agreement For A Needs Assessment Study With Clark County Sanitation District And The City Of Henderson

IV. RESOLUTIONS

- 67. **R-18-96** - A Resolution Reducing The Interest Rate On Certain Assessments In The City Of Las Vegas, Nevada Special Improvement District No.404 (Summerlin Area); And Providing The Effective Date Hereof.
- 68. **R-19-96** - Resolution Regarding Priority Of Construction Of Southern Nevada Beltway

******* END OF CONSENT AGENDA *******

DISCUSSION / ACTION ITEMS

ADMINISTRATIVE

- 69. Discussion and possible action to award a \$25,000 grant to the Downtown Las Vegas Partners for ongoing community relations/improvements efforts.

DEPARTMENT OF FINANCE & BUSINESS SERVICES

LIQUOR – New

- 70. **BEER/WINE/COOLER OFF-SALE LICENSE, TEAM WEST, LTD., dba FAST EDDIE'S MINI MART, 1080 South Rainbow, Raymond J. Lucia, Member, 33.33%, Bradley K. Saunders, Member, 25%, Edward L. Saunders, Member, 25%, Carlos Saenz, Member 16.66%, Subject to the provisions of the fire codes and Health Department regulations**

LIQUOR & GAMING - Approval of Reorganization

- 71. **TAVERN LICENSE/NONRESTRICTED GAMING, From: LEROY'S HORSE & SPORTS PLACE, INC. (A privately held corporation), Victor Salerno, Jr., Dir, Pres, Treas, 74%, Michael Merillat, Dir, V.P., 4%, Michael Roxborough, Dir, 10%, Robert Barengo, Dir and Tamara Barengo, 10% jointly as husband and wife, Robert Ciunci, Dir, 2%; TO: LEROY'S HORSE & SPORTS PLACE, INC. dba LEROY'S HORSE & SPORTS PLACE, 114 South First Street, (Leroy's Horse & Sports Place, Inc., a wholly-owned subsidiary of American Wagering, Inc., a publicly traded holding company). Leroy's Horse & Sports Place, Inc. – Victor J. Salerno, Dir, Pres, Treas, Michael Merillat, Dir, V.P., Approved by the Nevada Gaming Commission on March 21, 1996**

LIQUOR - Change of Ownership/Change of Business Name/GAMING - New

- 72. **ABEYANCE ITEM** - TAVERN LICENSE, NONRESTRICTED GAMING, From: Bob Stupak, dba Vegas World Hotel & Casino, TO: STRATOSPHERE GAMING CORPORATION, dba STRATOSPHERE TOWER, CASINO & HOTEL, 2000 Las Vegas Blvd. South, (Stratosphere Gaming Corporation, the operating subsidiary of Stratosphere Corporation, a publicly traded corporation.) David R. Wirshing, Dir, Pres, Lyle A. Berman, Dir, CEO, Andrew S. Blumen, Exec V.P., Secy, Thomas A. Lettero, Treas. Stratosphere Corporation – Robert E. Stupak, COB, David R. Wirshing, Pres, Lyle A. Berman, Dir, CEO, Andrew S. Blumen, Dir, Exec V.P., General, Counsel, Secy, Thomas A. Lettero, V.P., CFO, Treas, Subject to the provisions of the fire codes and Health Department regulations. Approval by the Nevada Gaming Commission on March 21, 1996

DEPARTMENT OF PLANNING AND DEVELOPMENT

- 73. Discussion and possible action to accept recommendations presented by Community Housing Resources Advisory Committee (CHRAC) for allocations of City of Las Vegas and Clark County Emergency Shelter Grant (ESG) funds.
- 74. Discussion and action to approve the adoption of new policies and guidelines for the Single-Family/Owner Occupied and Multi-Family Rental Rehabilitation Program.

DEPARTMENT OF PUBLIC WORKS

TRAFFIC & PARKING ITEMS

- 75. **ABEYANCE ITEM** - Discussion And Possible Approval Of A Request For Stop Control On Tenaya Way And Dalegrove Drive
- 76. **ABEYANCE ITEM** - Discussion And Possible Approval Of The Installation Of A 4-Way Stop At The Intersection Of Tenaya Way And Gowan Road
- 77. **ABEYANCE ITEM** - Discussion And Possible Approval Of A Request For A Change In The Speed Limit From 35 MPH To 25 MPH On Tenaya Way Between Cheyenne Avenue And Gowan Road

IV. RESOLUTIONS

- 78. **ABEYANCE ITEM** - R-17-96 - Approval of Resolution to amend Schedules 14-II and 25-II in accord with Traffic & Parking Item 76.

V. REPORTS FROM RECOMMENDING COMMITTEES

BILLS ELIGIBLE FOR ADOPTION AT THIS MEETING

- 79. **TIME CERTAIN - 11:30 A.M.** - Bill No. 96-20 – Imposes temporary restrictions upon apartment development within Ward 4 pending the adoption of a new master plan and development regulations for the northwest area. Sponsored by: Councilman Matthew Q. Callister
- 80. Bill No. 96-29 – Defines the term "assayer" for semiannual business license fee purposes. Sponsored by: Mayor Jan Lavery Jones
- 81. Bill No. 96-30 – Repeals LVMC 6.04.430 which provides for a separate business licensing category for podiatrist. Sponsored by: Councilman Arnie Adamsen
- 82. Bill No. 96-31 – Defines the term "advertising business" for semiannual license fee purposes. Sponsored by: Mayor Jan Lavery Jones
- 83. Bill No. 96-32 – Expands the definition of the word "accountant" for semiannual license fee purposes. Sponsored by: Councilman Arnie Adamsen
- 84. Bill No. 96-33 – Defines the term "bookkeeping business" for semiannual fee purposes. Sponsored by: Councilman Arnie Adamsen
- 85. Bill No. 96-37 - An ordinance authorizing the issuance of the City of Las Vegas, Nevada Special Improvement District No. 404 (Summerlin Area) Local Improvement Refunding Bonds, Series 1996.

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. PUBLIC TESTIMONY TAKES PLACE AT THE RECOMMENDING COMMITTEE MEETING HELD FOR THAT PURPOSE.

- 86. Bill No. 96-28 – Requires motor vehicle body shops to pay a semiannual license fee based on gross sales. Sponsored by: Councilman Arnie Adamsen
- 87. Bill No. 96-35 – Annexation No. A-30-95(A); Property Located: On the northeast corner of Vegas Drive and Leonard Lane; Petitioned By: A.D. and Mildred Black; Acreage: Approximately 2.54 acres; Zoned: R-E (County Zoning) N-U (City Equivalent), Sponsored by: Councilman Matthew Q. Callister
- 88. Bill No. 96-36 – Annexation No. A-31-95(A) Property Located: On the southeast corner of Craig Road and Buffalo Drive; Petitioned By: Cypress Limited Partnership; Acreage: Approximately 2.58 acres; Zoned: R-E (County Zoning) N-U (City Equivalent), Sponsored by: Councilman Matthew Q. Callister
- 89. Bill No. 96-38 – Amends Title 19, Chapter 91 of the Las Vegas Municipal Code to eliminate the requirement that applicants submit documentation granting permission from property owner prior to issuance of a signed certificate for political signs, Sponsor: Councilman Arnie Adamsen.

VI. REPORTS FROM REAL ESTATE COMMITTEE

90. Discussion And Possible Action To Approve The Agreement For The Purchase And Sale Of Real Property Located At The Corner Of Las Vegas Boulevard And Bell Drive Between The City Of Las Vegas And Yhiel Shebah And Anita Shebah And To Authorize The Mayor To Execute All Related Documents.
91. Discussion And Possible Action To Approve Extension Of Escrow For Real Property Purchase And Sale Agreement At The Las Vegas Technology Center Between The City Of Las Vegas And H. Allen Rice And Alvin E. Rice.

VII. BOARDS & COMMISSIONS

92. ABEYANCE ITEM - CITIZENS ADVISORY COMMITTEE ON DOWNTOWN DEVELOPMENT - Karen Bennett - Term Expired 8/21/95 (Not eligible for reappointment - Must be a resident in the redevelopment area)
93. ABEYANCE ITEM - SENIOR CITIZENS ADVISORY COMMITTEE - Gay Goldstein - Term Expires 1/17/96 (RESIGNED)
94. ANIMAL ADVISORY COMMITTEE - Janie Greenspun-Gale - Term Expires 4/6/96

VIII. 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.

95. Bill No. 96-39 – Redesignates the wards of the City to reflect the new County-wide precinct numbering system and to adjust the boundaries to reflect population changes. Sponsored by: Councilman Michael McDonald
96. Bill No. 96-40 – Amends LVMC 6.20.100 to correctly refer to LVMC 6.04.005 for a determination of a cable communications company's business license fee. Sponsored by: Mayor Jan Laverty Jones
97. Bill No. 96-41 – Amends Title 2, Chapter 51 of the LVMC relating to ethics to extend the 1995 filing deadline for Financial Disclosure Forms to April 30, 1996. Sponsored by: Mayor Jan Laverty Jones
98. Bill No. 96-42 – Amends Title 6, Chapter 52 of the LVMC, relating to massage establishments and other matters relating thereto to conform with the similar provisions of the Clark County Code. Sponsored by: Councilman Matthew Q. Callister

2:00 P.M. – AFTERNOON SESSION

99. 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.

IX. PUBLIC HEARING

100. Public Hearing Regarding Petition Filed Pursuant To Las Vegas Municipal Code Section 6.40.160 (B) By Olympic Nevada, Inc. To Add 48 Acres, Bordered On The North By Centennial Parkway, On The East By A Frontage Road, On The Southeast By Cimmaron Road, And On The West And South By Other Undeveloped Land To The Gaming Enterprise District.

PLANNING AND 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.

In addition, items may be required to conform to one or more of the following standard conditions:

ZONING APPLICATIONS: (1) Resolution of Intent with a twelve month time limit. (2) All development shall be in conformance with the plot plan and building elevations. (3) Landscaping and a permanent underground sprinkler system shall be provided as required by the Planning Commission and shall be permanently maintained in a satisfactory manner. Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license. (4) A landscaping plan must be submitted prior to or at the same time application is made for a building permit or license, or prior to occupancy, whichever occurs first. (5) All mechanical equipment, air conditioners and trash areas shall be screened from view from the abutting streets (excluding single family development). (6) All City Code requirements and design standards of all City departments must be satisfied. (7) Parking and driveway plans must be approved by the Traffic Engineer. (8) Any damage to the existing street improvements resulting from this development must be repaired as required by the Department of Public Works. (9) All unused driveway cuts must be removed and replaced with "L" curb and new sidewalk meeting current

City Standards as required by the Department of Public Works. (10) A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of a building or grading permit, whichever occurs first. (11) A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures. (12) Fence heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.

VARIANCE AND SPECIAL USE PERMIT APPLICATIONS: (1) All development must be in conformance with the plot plan and elevations. (2) Landscaping and a permanent underground sprinkler system shall be provided as required by the Board of Zoning Adjustment and shall be permanently maintained in a satisfactory manner. Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license. (3) A landscaping plan must be submitted prior to or at the same time application is made for a building permit, license, or prior to occupancy, whichever occurs first. (4) All mechanical equipment, air conditioners and trash areas shall be screened from view from the abutting streets. (5) City Code requirements and design standards of all City departments must be satisfied. (6) The Traffic Engineer must approve parking and driveway plans. (7) Any damage to the existing street improvements resulting from this development must be repaired as required by the Department of Public Works. (8) A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and functioning prior to construction of any combustible structures, as required by the Department of Fire Services.

SUBDIVISION APPLICATIONS: Tentative Maps: (1) Approval of the Tentative Map shall be for no more than twelve (12) months. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within twelve (12) months of the approval of the Tentative Map, a new Tentative Map must be filed. (2) Street names must be provided in accord with the City's Street Naming Regulations. (3) All development is subject to the conditions of City departments and State Subdivision Statutes. (4) A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the recordation of a Final Map. (5) A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures. **Final Maps:** (1) Final Maps shall be in conformance with the approved Tentative Map. **Vacation Applications:** (1) Reservation of easements for the facilities of the various utility companies together with reasonable ingress thereto and egress therefrom shall be provided if required. (2) All development shall be in conformance with code requirements and design standards of all City departments. (3) The Reconveyance shall not be recorded until all of the above conditions have been satisfied. (4) If the Reconveyance is not recorded within one (1) year after approval by the City Council or an Extension of Time is not granted by the Planning Commission, then approval will terminate and a new petition must be submitted.

CONSENT AGENDA

P.M. SESSION - ALL ITEMS LISTED UNDER THE CONSENT AGENDA ARE CONSIDERED TO BE ROUTINE AND ARE RECOMMENDED FOR APPROVAL THEY MAY BE ENACTED BY ONE MOTION; HOWEVER, ANY ITEM MAY BE DISCUSSED IF A COUNCIL MEMBER SO REQUESTS.

REINSTATEMENT AND EXTENSION OF TIME

101. Z-112-94(1) - Benson Lee - Request for a Reinstatement and Extension of Time for an office building on property located at 700 South 7th Street, Ward 3, R-1 Zone (under Resolution of Intent to P-R).
102. Z-130-94(1) - Willowdale Park L.L.C. - Request for a Reinstatement and Extension of Time for 46 single family dwellings on property located on the northeast corner of Alexander Road and Bradley Road, Ward 4, R-E Zone (under Resolution of Intent to R-PD2).
103. Z-149-94(1) - Group Management, Inc. - Request for a Reinstatement and Extension of Time for a proposed shopping center, including a convenience store with gasoline sales, on property located on the west side of Nellis Boulevard, south of Washington Avenue, Ward 3, R-E Zone (under Resolution of Intent to C-1).

***** END OF CONSENT AGENDA *****

DISCUSSION/ACTION ITEMS

AESTHETIC REVIEW

104. AR-4-96 - Fremont Street Experience Parking Corporation - Request for an Aesthetic Review for 26,000 square feet of retail commercial space within the Fremont Street Experience parking garage on property located at 477 Fremont Street, Ward 1, C-2 Zone.

PLOT PLAN AND BUILDING ELEVATION REVIEW

105. Z-68-85(23) - Tech Center Associates on behalf of the Las Vegas Skin and Cancer Clinic - Request for a Plot Plan and Building Elevation Review for a proposed medical clinic on property located on the west side of Tenaya Way, approximately 360 feet north of Peak Drive, Ward 4, N-U Zone (under Resolution of Intent to C-PB).

WAIVER OF THE ADDRESSING ORDINANCE - PUBLIC HEARING

106. **TM-39-95(1) - Howard Hughes Corporation** - Request for a Waiver of the Addressing Ordinance, a portion of Section 13.28.000, to allow two segments of a street on the same alignment to have separate names, which is prohibited by the code, on property generally located east and west of Town Center Drive, north of Hualapai Way, Ward 2.

STREET NAME CHANGE - PUBLIC HEARING

107. **SNC-1-96 - Howard Hughes Corporation** - Request for a Street Name Change from Banbury Cross Drive to Canyon Run Drive, between Town Center Drive and Rampart Boulevard, Ward 2.

MASTER PLAN OF STREETS AND HIGHWAYS - PUBLIC HEARING

108. **MSH-2-96 - Howard Hughes Corporation** - Request for an Amendment to the Master Plan of Streets and Highways to revise the alignment of Banbury Cross Drive, between Town Center Drive and Rampart Boulevard and to add Banbury Cross Drive, between Anasazi Drive and Crestdale Lane, Ward 2.

REVIEW OF CONDITION - PUBLIC HEARING

109. **ABEYANCE ITEM - Z-85-95(1) - Vertigo Group Limited Liability Company** - Request for a Review of Condition to allow the driveway on Buckskin Avenue to be open at all times where it was restricted to emergency ingress/egress only, on property located on the southeast corner of Buckskin Avenue and Buffalo Drive, Ward 4, N-U Zone (under Resolution of Intent to P-R).

VACATION - PUBLIC HEARING

110. **VAC-8-96 - Anvil Financial Limited** - Request for a Petition of Vacation to vacate U. S. Government Patent Reservations on property generally located on the north side of Cheyenne Avenue, approximately 660 feet west of Durango Drive, Ward 4.
111. **VAC-10-96 - Rebel Oil Company, Inc.** - Request for a Petition of Vacation to vacate Ross Avenue, between Lamb Boulevard and Hubbard Street, Ward 3.
112. **VAC-11-96. Conger T. Barnett** - Request for a Petition of Vacation to vacate U. S. Government Patent Reservations generally located on the northwest corner of Cheyenne Avenue and Durango Drive, Ward 4.
113. **VAC-12-96 - Bailey and McGah** - Request for a Petition of Vacation to vacate an excess portion of the Merialdo Lane and Ampere Lane intersection, Ward 2.

VARIANCE - PUBLIC HEARING

114. **V-2-96 - Pacific Bell Mobile Services on behalf of Jack and Mary White** - Appeal filed by Pacific Bell Mobile Services on behalf of Jack and Mary White for a Variance to allow a cellular transmission facility where such use is not allowed on property located at 5016 Alta Drive, Ward 1, P-R Zone.

SPECIAL USE PERMIT - PUBLIC HEARING

115. **ABEYANCE ITEM - U-8-96 - Seiler, Inc. on behalf of Aquarius Properties Partnership I** - Appeal filed by Seiler, Inc. on behalf of Aquarius Properties Partnership I, for a Special Use Permit for a 14 foot x 48 foot off-premise advertising (billboard) sign on property located at 330 East Charleston Boulevard, Ward 1, R-1 Zone (under Resolution of Intent to C-1).
116. **ABEYANCE ITEM - U-10-96 - Tori Anderson** - Appeal filed by Tori Anderson to the action of the Board of Zoning Adjustment in APPROVING an application of Serob Hocharian for a Special Use Permit for a long term convalescent care facility for the elderly on property located on the northwest corner of Buffalo Drive and Gilmore Avenue, Ward 4, N-U Zone.

GENERAL PLAN AMENDMENT - PUBLIC HEARING

117. **GPA-6-96 - Rodney Hermanson, Et Al** - Request to amend a portion of the Northwest Sector of the General Plan on property generally located on the northeast corner of Verde Way and Jones Boulevard, Ward 4, From: R (Rural Density Residential) To: SC (Service Commercial)

ZONING RECLASSIFICATION - PUBLIC HEARING

118. **ABEYANCE ITEM - Z-2-96 - Bat Rentals, Inc.** - Request for reclassification of property located on the east side of Rancho Drive, approximately 210 feet north of the intersection of Torrey Pines Drive and Rancho Drive, Ward 4, From: R-E (Residence Estates) To: C-2 (General Commercial), Proposed Use: 51,500 SQUARE FOOT ONE - STORY RETAIL COMMERCIAL CENTER
119. **Z-12-96 - Marvin B. and Shirley A. Herrin** - Request for reclassification of property located at 609 South 7th Street, Ward 3, From: R-1 (Single Family Residence) To: P-R (Professional Offices and Parking), Proposed Use: OFFICES

120. **Z-15-96 - Michael T. Black, Et Al** - Request for reclassification of property located on the northwest corner of Balzar Avenue and James Bilbray Drive, Ward 4, From: N-U (Non-Urban) and N-U (Non-Urban - under Resolution of Intent to R-PD15) To: R-PD15 (Residential Planned Development - 15 Units Per Acre), Proposed Use: 60 UNIT CONDOMINIUM COMPLEX
121. **Z-16-96 - Gary Amick and Janice Barrow** - Request for reclassification of property located on the south side of Gowan Road, approximately 850 feet west of Grand Canyon Drive, Ward 4, From: N-U (Non-Urban - under Resolution of Intent to R-1) To: R-PD11 (Residential Planned Development - 11 Units Per Acre), Proposed Use: 56 TOWNHOUSES
122. **Z-17-96 - Elkhorn Road-Cimarron Road Limited Partnership, Et Al** - Request for reclassification of property located on the southwest corner of Elkhorn Road and Cimarron Road and the southeast corner of Dorrell Lane and Cimarron Road, Ward 4, From: N-U (Non-Urban) To: R-CL (Single Family Compact Lot), Proposed Use: 485 SINGLE FAMILY DWELLINGS
123. **Z-18-96 - Samuel and Denise D'Andrea, Et Al** - Request for reclassification of property located on the north side of Bonanza Road and west side of Lamb Boulevard, Ward 3. From: R-E (Residence Estates) To: C-1 (Limited Commercial), Proposed Use: RETAIL STORES, MINOR AUTO REPAIR AND A CUSTOMER OPERATED CAR WASH
124. SET DATE FOR PUBLIC HEARING ON ANY ITEM REQUIRING A PUBLIC HEARING THAT WAS ACTED UPON BY THE CITY PLANNING COMMISSION.
125. SET DATE ON ANY APPEALS FILED OR REQUIRED PUBLIC HEARINGS FROM THE BOARD OF ZONING ADJUSTMENT MEETING.
126. SET DATE ON ANY APPEALS FILED OR REQUIRED PUBLIC HEARINGS ON ANY DANGEROUS BUILDINGS OR NUISANCE/LITTER ABATEMENTS.

X. ADDENDUM

XI. 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:

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

EXHIBIT C

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

AFFIDAVIT OF PUBLICATION

Apr 1 11 06 AM '96

RECEIVED
CITY CLERK

PASTE CLIPPING HERE

BILL NO. 96-37
AN ORDINANCE CONCERNING THE CITY OF LAS VEGAS, NEVADA SPECIAL IMPROVEMENT DISTRICT NO. 404 (SUMERLIN AREA); AUTHORIZING THE ISSUANCE AND SALE BY THE CITY OF ITS SPECIAL IMPROVEMENT DISTRICT NO. 404 (SUMERLIN AREA) LOCAL IMPROVEMENT REFUNDING BONDS, SERIES 1996, FOR THE REFUNDING OF A PORTION OF THE CITY'S OUTSTANDING SPECIAL IMPROVEMENT DISTRICT NO. 404 (SUMERLIN AREA) UPDATES LOCAL IMPROVEMENT BONDS, SERIES 1989; AUTHORIZING THE EXECUTION AND DELIVERY OF A FIFTH SUPPLEMENTAL INDENTURE, ESCROW AGREEMENT, LETTER OF REPRESENTATIONS AND PURCHASE CONTRACT WITH RESPECT TO SUCH BONDS; AUTHORIZING THE USE OF AN OFFICIAL STATEMENT IN CONNECTION WITH THE OFFERING OF SUCH BONDS; AMENDING ORDINANCE NO. 3467 ADOPTED BY THE CITY COUNCIL ON NOVEMBER 15, 1989; MAKING CERTAIN DETERMINATIONS AND FINDINGS; RATIFYING, APPROVING AND CONFIRMING ALL ACTION PREVIOUSLY TAKEN DIRECTED TOWARD THE REFUNDING AND THE ISSUANCE OF BONDS THEREFOR; AND PROVIDING THE EFFECTIVE DATE HEREOF.

PUBLIC NOTICE IS HEREBY GIVEN, and that an adequate number of typewritten copies of the above-numbered and entitled proposed Ordinance are available for public inspection and distribution at the office of the City Clerk of the City of Las Vegas, at her office in City Hall, 400 East Stewart Avenue, Las Vegas, Nevada, and that such Ordinance was proposed on the 20th day of March, 1996, and will be considered for adoption at the a regular meeting of the City Council of the City of Las Vegas held on the 3rd day of April, 1996.

By KATHLEEN TIGHE, City Clerk
PUB: March 22, 1996
Las Vegas Review-Journal

STATE OF NEVADA)
COUNTY OF CLARK) SS:

JENNY WEIST

_____, being first duly sworn, deposes and says:

That she/he is a 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 of which is attached, was continuously published in the LAS VEGAS REVIEW-JOURNAL or THE LAS VEGAS SUN for a period of ONE insertions from the period of MARCH 22, 1996 to MARCH 22, 1996, on the following days:

MARCH 22, 1996

Signed: Jenny Weist

Subscribed and sworn to before me this 22nd day of March, 1996

Linda M. Gough
Notary Public



LINDA M. GOUGH
Notary Public - Nevada
Clark County
My appt. exp. May 14, 1996

EXHIBIT D

(Attach Affidavit of Publication of Adoption of Bond Ordinance)

AFFIDAVIT OF PUBLICATION

APR 15 10 47 AM '96

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CITY CLERK

P **HERE**

FIRST AMENDMENT
ORDINANCE NO. 3981
(of Las Vegas, Nevada)

AN ORDINANCE CONCERNING THE CITY OF LAS VEGAS, NEVADA SPECIAL IMPROVEMENT DISTRICT NO. 404 (SUMMERLIN AREA); AUTHORIZING THE ISSUANCE AND SALE BY THE CITY OF ITS SPECIAL IMPROVEMENT DISTRICT NO. 404 (SUMMERLIN AREA) LOCAL IMPROVEMENT REFUNDING BONDS, SERIES 1996, FOR THE REFUNDING OF A PORTION OF THE CITY'S OUTSTANDING SPECIAL IMPROVEMENT DISTRICT NO. 404 (SUMMERLIN AREA) UP DATES LOCAL IMPROVEMENT BONDS, SERIES 1989; AUTHORIZING THE EXECUTION AND DELIVERY OF A FIFTH SUPPLEMENTAL INDENTURE, ESCROW AGREEMENT, LETTER OF REPRESENTATIONS AND PURCHASE CONTRACT WITH RESPECT TO SUCH BONDS; AUTHORIZING THE USE OF AN OFFICIAL STATEMENT IN CONNECTION WITH THE OFFERING OF SUCH BONDS; AMENDING ORDINANCE NO. 3467 ADOPTED BY THE CITY COUNCIL ON NOVEMBER 15, 1989; MAKING CERTAIN DETERMINATIONS AND FINDINGS; RATIFYING, APPROVING AND CONFIRMING ALL ACTION PREVIOUSLY TAKEN DIRECTED TOWARD THE REFUNDING AND THE ISSUANCE OF BONDS THEREFOR; AND PROVIDING THE EFFECTIVE DATE HEREOF.

PUBLIC NOTICE IS HEREBY GIVEN, and that such Ordinance was proposed on the 20th day of March, 1996, and was passed at the meeting held on the 3rd day of April, 1996, by the following vote of the City Council,
Those Voting Aye:
Jan Laverly Jones
Arnie Adamsen
Matthew Q. Callister
Michael J. McDonald
Gary Reese
Those Voting Nay: NONE
Those Absent: NONE

This Ordinance shall be in full force and effect from and after the 7th day of April, 1996, 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 3rd day of April, 1996.
/s/ Jan Laverly Jones, Mayor
Attest:
/s/ Kathleen Tighe, City Clerk
PUB: April 6, 1996
Las Vegas Review-Journal

STATE OF NEVADA)
COUNTY OF CLARK) SS:

JENNY WEIST _____, being first duly sworn, deposes and says:

That she/he is a 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 of which is attached, was continuously published in the LAS VEGAS REVIEW-JOURNAL or THE LAS VEGAS SUN for a period of ONE insertions from the period of APRIL 6, 1996 to APRIL 6, 1996, on the following days:

APRIL 6, 1996

Signed: Jenny Weist

Subscribed and sworn to before me this 9 day of April, 1996
Peggy D. Barron
Notary Public



PEGGY D. BARRON
Notary Public - Nevada
Clark County
My appt. exp. Feb. 17, 1998

AFFIDAVIT OF PUBLICATION

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FIRST AMENDMENT
ORDINANCE NO. 3981
(of Las Vegas, Nevada)

IERE

AN ORDINANCE CONCERNING THE CITY OF LAS VEGAS, NEVADA SPECIAL IMPROVEMENT DISTRICT NO. 404 (SUMMERLIN AREA); AUTHORIZING THE ISSUANCE AND SALE BY THE CITY OF ITS SPECIAL IMPROVEMENT DISTRICT NO. 404 (SUMMERLIN AREA) LOCAL IMPROVEMENT REFUNDING BONDS, SERIES 1996, FOR THE REFUNDING OF A PORTION OF THE CITY'S OUTSTANDING SPECIAL IMPROVEMENT DISTRICT NO. 404 (SUMMERLIN AREA) UPDATES LOCAL IMPROVEMENT BONDS, SERIES 1989; AUTHORIZING THE EXECUTION AND DELIVERY OF A FIFTH SUPPLEMENTAL INDENTURE, ESCROW AGREEMENT, LETTER OF REPRESENTATIONS AND PURCHASE CONTRACT WITH RESPECT TO SUCH BONDS; AUTHORIZING THE USE OF AN OFFICIAL STATEMENT IN CONNECTION WITH THE OFFERING OF SUCH BONDS; AMENDING ORDINANCE NO. 3467 ADOPTED BY THE CITY COUNCIL ON NOVEMBER 15, 1989; MAKING CERTAIN DETERMINATIONS AND FINDINGS; RATIFYING, APPROVING AND CONFIRMING ALL ACTION PREVIOUSLY TAKEN DIRECTED TOWARD THE REFUNDING AND THE ISSUANCE OF BONDS THEREFOR; AND PROVIDING THE EFFECTIVE DATE HEREOF.

PUBLIC NOTICE IS HEREBY GIVEN, and that such Ordinance was proposed on the 20th day of March, 1996, and was passed at the meeting held on the 3rd day of April, 1996, by the following vote of the City Council.

Those Voting Aye:
Jan Loverty Jones
Arnie Adamsen
Matthew Q. Callister
Michael J. McDonald
Gary Reese
Those Voting Nay: NONE
Those Absent: NONE

This Ordinance shall be in full force and effect from and after the 7th day of April, 1996, 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 3rd day of April, 1996.
s/ Jan Loverty Jones, Mayor
Attest:
s/ Kathleen Tighe, City Clerk
PUB: April 6, 1996
Las Vegas Review-Journal

STATE OF NEVADA)
COUNTY OF CLARK) SS:

JENNY WEIST, being first duly sworn, deposes and says:

That she/he is a 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 of which is attached, was continuously published in the LAS VEGAS REVIEW-JOURNAL or THE LAS VEGAS SUN for a period of ONE insertions from the period of APRIL 6, 1996 to APRIL 6, 1996, on the following days:

APRIL 6, 1996

Signed: Jenny Weist

Subscribed and sworn to before me this

9 day of April, 19 96

Peggy D. Barron

Notary Public



PEGGY D. BARRON
Notary Public - Nevada
Clark County
My appt. exp. Feb. 17, 1998



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AFFIDAVIT OF PUBLICATION

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CITY CLERK

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BILL NO. 96-37

AN ORDINANCE CONCERNING THE CITY OF LAS VEGAS; NEVADA SPECIAL IMPROVEMENT DISTRICT NO. 404 (SUMMERLIN AREA); AUTHORIZING THE ISSUANCE AND SALE BY THE CITY OF ITS SPECIAL IMPROVEMENT DISTRICT NO. 404 (SUMMERLIN AREA) LOCAL IMPROVEMENT REFUNDING BONDS, SERIES 1996, FOR THE REFUNDING OF A PORTION OF THE CITY'S OUTSTANDING SPECIAL IMPROVEMENT DISTRICT NO. 404 (SUMMERLIN AREA) UPDATES LOCAL IMPROVEMENT BONDS, SERIES 1989; AUTHORIZING THE EXECUTION AND DELIVERY OF A FIFTH SUPPLEMENTAL INDENTURE, ESCROW AGREEMENT, LETTER OF REPRESENTATIONS AND PURCHASE CONTRACT WITH RESPECT TO SUCH BONDS; AUTHORIZING THE USE OF AN OFFICIAL STATEMENT IN CONNECTION WITH THE OFFERING OF SUCH BONDS; AMENDING ORDINANCE NO. 347 ADOPTED BY THE CITY COUNCIL ON NOVEMBER 15, 1989; MAKING CERTAIN DETERMINATIONS AND FINDINGS; RATIFYING, APPROVING AND CONFIRMING ALL ACTION PREVIOUSLY TAKEN DIRECTED TOWARD THE REFUNDING AND THE ISSUANCE OF BONDS THEREFOR; AND PROVIDING THE EFFECTIVE DATE, HEREOF.

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/s/ KATHLEEN TIGHE, City Clerk
PUB: March 22, 1996
Las Vegas Review-Journal

STATE OF NEVADA)
COUNTY OF CLARK) SS:

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MARCH 22, 1996

Signed: Jenny Weist

Subscribed and sworn to before me this

22nd day of March, 1996

Linda M. Gough
Notary Public



LINDA M. GOUGH
Notary Public - Nevada
Clark County
My appt. exp. May 14, 1996



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