

BILL NO. 2012-21

ORDINANCE NO. 6195

AN ORDINANCE CONCERNING THE CITY OF LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 1516 – FREMONT STREET MAINTENANCE DISTRICT (LAS VEGAS BOULEVARD TO 8TH STREET) PROVIDING FOR THE PAYMENT OF THE COSTS AND EXPENSES OF A COMMERCIAL AREA VITALIZATION PROJECT; ASSESSING THE COST OF THE PROJECT AGAINST THE ASSESSABLE LOTS, TRACTS, AND PARCELS OF LAND BENEFITED BY SAID IMPROVEMENTS; RATIFYING, APPROVING AND CONFIRMING ALL ACTION PREVIOUSLY TAKEN; PRESCRIBING DETAILS IN CONNECTION THEREWITH.

Summary: Levy Ordinance

WHEREAS, the City Council of the City of Las Vegas (the "City Council" and "City," respectively) in the County of Clark and State of Nevada (the "State"), has heretofore, pursuant to the requisite preliminary proceedings, created Las Vegas, Nevada, Special Improvement District No. 1516 - Fremont Street Maintenance District (Las Vegas Boulevard to 8th Street) (the "District"), for the purpose of acquiring, improving and maintaining a Commercial Area Vitalization Project (the "Project"), as defined in Nevada Revised Statutes ("NRS") 271.063, and has provided that the cost and expense of the Project shall be paid by special assessments, according to benefits, levied against the benefited lots, tracts and parcels of land in the District; and

WHEREAS, the District has been properly created by an ordinance heretofore adopted under the provisions of NRS Chapter 271; and

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

WHEREAS, in accordance with NRS 271.360 and 271.377, the City Council has heretofore determined, and does hereby declare, that the net cost of the Project (including all necessary incidentals which either have been or will be incurred in connection with the District) is \$252,402, of which \$-0- is available from other sources and \$252,402 is to be assessed upon the benefited lots, tracts and parcels of land in the District which the City Council has determined will receive special benefits (and corresponding market value increases) from the Project; and

WHEREAS, the City Council, by resolution heretofore adopted, directed the City's Director of Public Works, together with the City Engineer Division of the City and certain consulting engineers (collectively, the "City Engineer") to make out a final assessment roll for the District; and

WHEREAS, after a determination of the portion of the costs of such work to be paid by the property specially benefited, the City Council, together with the City Engineer made out a final assessment roll for the District containing, among other things, the names and addresses of the last

known owners of the property to be assessed, a description of each lot, tract, or parcel of land to be assessed, and the amount of the assessment thereon. The City Engineer has reported the final assessment roll to the City Council and the City Engineer has filed the final assessment roll with the City Clerk of the City (the "City Clerk"); and

WHEREAS, the City Council thereupon fixed a time and place, to wit: Wednesday, April 4, 2012, at 1:00 p.m., at the Las Vegas City Council Chambers, 495 South Main Street, in Las Vegas, Nevada, when all complaints, protests and objections to the final assessment roll, to the amount of the assessments, and to the regularity of the proceedings in making such assessments, by the owners of the property specially benefited by, and proposed to be assessed for, the Project, by any person interested, and by any parties aggrieved by such assessments, would be heard and considered by the City Council; and

WHEREAS, the City Engineer has, in accordance with the provisions of law relating thereto, given the requisite legal notice by both mail and publication that complaints, protests and objections to assessments for the Project should be filed with the City Clerk, and that the City Council would hear and consider any and all complaints, protests or objections on Wednesday, April 4, 2012 at 1:00 p.m., at the Las Vegas City Council Chambers, 495 South Main Street, in Las Vegas, Nevada; and

WHEREAS, the City Council caused the final assessment roll for the District to be filed in the records of the office of the City Clerk on March 7, 2012. The City Clerk, by publication and by mail, gave the requisite notice of the time and place of such hearing, of the filing of the final assessment roll in her office, of the date of filing the same, and of the right of any such person to object specifically in writing and of the waiver of any objection in the absence of such objection; and

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

WHEREAS, all complaints, protests and objections, both written and oral, were found to be without sufficient merit and overruled, except as provided in the District No. 1516 Assessment Protest Resolution; and

WHEREAS, by the District No. 1516 Assessment Protest Resolution, the City Council modified, corrected and revised the final assessment roll and modified, corrected, revised and confirmed the final assessment roll to be in final form; and

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

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

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

Section 1. This Ordinance shall be known as, and may be cited by, the short title "District No. 1516 Levy Ordinance" (the "Ordinance").

Section 2. The City Council has heretofore determined, and does hereby declare, that each and every complaint, protest and objection made in connection with the District and the Project is without sufficient merit and the same be, and hereby is, overruled, and finally passed on by the City Council, except as provided in the District No. 1516 Assessment Protest Resolution.

Section 3. All actions, proceedings, matters and things heretofore taken, had and done by the City and the officers thereof (not inconsistent with the provisions of this Ordinance) concerning the District, including, but not limited to, the creation of the District, the acquisition of the Project, the amount of the construction contract, the levy of assessments for those purposes, the determination that the tracts in the District will receive special benefits and market value increases, and the validation and confirmation of the final assessment roll and the assessments therein, be, and the same hereby is, ratified, approved and confirmed.

Section 4. For the purpose of paying a portion of the costs and expenses of the Project, the amounts and assessments shown in the final assessment roll (as so filed, modified and confirmed) are hereby levied and assessed against the lots, tracts and parcels of land in the District (being all those specially benefited by the Project) and described in the final assessment roll for the District, as filed in the office of the City Clerk on March 7, 2012, and as modified and confirmed by the District No. 1516 Assessment Protest Resolution duly adopted by the City Council on April 18, 2012.

Section 5. The assessments shall be due and payable at the office of the City Treasurer in four (4) substantially equal quarterly installments of principal until paid in full, without interest, principal on such assessments being payable quarterly on July 1, 2012, October 1, 2012, January 1, 2013 and April 1, 2013. Failure to pay any installment when due shall cause the whole amount of the unpaid principal to become due and payable immediately, at the option of the City, the exercise of said option to be indicated by the commencement of foreclosure proceedings by the City; and the whole amount of the unpaid principal shall, after such delinquency, whether said option is or is not exercised, bear penalty interest at the rate of two percent (2%) (or at any higher rate authorized by statute, or any lower rate, which may be zero percent, for such period as determined by the City Treasurer) per month (not prorated for any portion of the month) on the unpaid balance of the assessment and accrued interest until the day of sale or until paid, 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, and all penalty interest accrued, and shall thereupon be restored to the right thereafter to pay in installments in the same manner as if default had not been suffered. The owner of any property assessed and not in default as to any installment or payment may, at any time (at the option of such owner), pay the whole or any quarterly installment of the unpaid principal of such owner's assessment.

Pursuant to NRS 271.357 and NRS 271.360, any assessment against property for which an application for Hardship Determination has been approved by the City Council shall be postponed, but the owner shall make payments of interest on the unpaid balance of previous and current assessments at the same rate and terms as are established for other assessments in the manner provided. The

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

Section 6. The amounts assessed shall be a lien upon the owner's lots, tracts and parcels of land from the effective date of this Ordinance (i.e. May 20, 2012) until paid. The lien shall be co-equal with the latest lien thereon to secure the payment of general taxes and prior and superior to all other liens, claims, encumbrances and titles (other than the liens of assessments and general taxes). The sale of any such lot, tract or parcel of land for general or other taxes shall not relieve such lot, tract or parcel of land from such assessment or the lien therefor. Such amounts shall continue to be a lien upon the lots, tracts and parcels of land assessed until paid in full (including all principal and the interest thereon, and any penalties and collection costs).

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

Section 8. In case any lot, tract or parcel of land so assessed is delinquent in the payment of the assessment or any installment of principal or interest, the City Council shall forthwith cause the owner of such delinquent property, if known, to be immediately notified in writing of such delinquency, by first-class mail, postage prepaid, addressed to the addressee's last known address. If such delinquency is not paid within 10 days after such notice was given by deposit in the United States mail, then said assessment shall be enforced by the City Treasurer and other officers of the City, as provided in NRS 271.545 to NRS 271.630. Nothing herein shall be construed as preventing the City, at the direction of the City Council, from collecting any assessment by suit in the name of the City Council. The final assessment roll and the certified copy of this Ordinance shall be prima facie evidence of the regularity of the proceedings in making the assessment and of the right to recover judgment therefor.

Section 9. The City Clerk is hereby directed to deliver to the City Treasurer a copy of the final assessment roll for the District containing a description of the lots, tracts and parcels of land

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

Section 10. In accordance with NRS 271.405(7) the City Clerk shall give notice by publication in the Las Vegas Review-Journal, a newspaper of general circulation in the City, and such notice to be published at least once a week, for three consecutive publications, by three weekly insertions, the first such publication to be at least 15 days prior to the end of the 30-day period stating that said assessments have been levied and are due and payable. The notice shall further state that payment must be made in full prior to the end of the 30 day period to avoid paying interest on the assessment. It shall not be necessary that the notice be published on the same day of the week, but not less than 14 days shall intervene between the first publication and the last publication. Service by publication shall be verified by the affidavit of the publisher and filed with the City Clerk. In accordance with NRS 271.390(2), the City Clerk or Deputy City Clerk shall also give written notice of the levying of the assessments by mailing a copy of such notice, postage prepaid, at least 20 days prior to the end of said 30-day period, to the owner or owners of all property upon which the assessment was levied at his or her last known address or addresses. Proof of such mailing shall be made by the affidavit of the City Clerk or Deputy City Clerk and such proof shall be filed with the City Clerk. Failure to mail any such notice or notices shall not invalidate any assessment or any other proceedings concerning the District. Proof of the publication and proof of the mailing shall be maintained in the permanent records of the office of the City Clerk until all special assessments and special assessment bonds issued (if such special assessment bonds are hereafter issued) shall have been paid in full, both principal and interest, or until any claim is barred by an appropriate statute of limitations. The City Council hereby determines that the manner of giving notice herein provided by publication and by mail is reasonably calculated to inform the parties of the proceedings concerning the District and the levy of assessments which may directly and adversely affect their legally protected interests.

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

(Form of Notice)

NOTICE TO PROPERTY OWNERS OF THE LEVY OF ASSESSMENTS  
FOR IMPROVEMENTS IN CITY OF LAS VEGAS, NEVADA SPECIAL  
IMPROVEMENT DISTRICT NO. 1516 - FREMONT STREET  
MAINTENANCE DISTRICT (LAS VEGAS BOULEVARD TO 8TH  
STREET).

NOTICE IS HEREBY GIVEN to the owners of all property upon which an assessment has been levied, and other interested persons, that District No. 1516 Levy Ordinance (the "Levy Ordinance") was duly passed, adopted, signed and approved by the City Council of the City of Las Vegas on May 16, 2012. The Levy Ordinance levied and assessed a portion of the cost and expense of certain local improvements against the lots, tracts and parcels of land specially benefited by the local improvements in what is commonly designated as "City of Las Vegas, Nevada, Special Improvement District No. 1516 - Fremont Street Maintenance District (Las Vegas Boulevard to 8th Street)," (said lots, tracts and parcels of land being more specifically described in the final assessment roll designated in the Levy Ordinance).

Assessments are due and payable at the office of the City Treasurer, in Las Vegas, Nevada, in four (4) substantially equal quarterly installments of principal until paid in full, without interest, principal on such assessments being payable quarterly on July 1, 2012, October 1, 2012, January 1, 2013 and April 1, 2013. Failure to pay any installment when due shall cause the whole amount of the unpaid principal to become due and payable immediately, at the option of the City, the exercise of said option to be indicated by the commencement of foreclosure proceedings by the City; and the whole amount of the unpaid principal shall, after such delinquency, whether said option is or is not exercised, bear penalty interest at the rate of two percent (2%) (or at any higher rate authorized by statute, or any lower rate, which may be zero percent, for such period as determined by the City Treasurer) per month (not prorated for any portion of the month) on the unpaid balance of the assessment and accrued interest until the day of sale or until paid, 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, and all penalty interest accrued, and shall thereupon be restored to the right thereafter to pay in installments in the same manner as if default had not been suffered. The owner of any property assessed and not in default as to any installment or payment may, at any time (at the option of such owner), pay the whole or any quarterly installment of the unpaid principal of such owner's assessment.

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

is disapproved; (d) the property owner fails to pay interest on the unpaid balance of assessments in a timely manner; or (e) the property owner pays all previous and current assessments. The owner shall also be subject to the lien as provided in Section 6 of the Levy Ordinance.

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

The amounts assessed as aforesaid constitute a lien upon said lots, tracts and parcels of land from May 20, 2012 (i.e., the effective date of the Levy Ordinance), which lien shall be co-equal with the latest lien thereon to secure the payment of general taxes and prior and superior to all other liens, claims, encumbrances and titles (other than the liens of assessments and general taxes). The sale of any such lot, tract or parcel of land for general taxes shall not relieve such lot, tract or parcel of land from such assessment or the lien therefor.

Dated this May 16, 2012.

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Beverly K. Bridges, MMC, City Clerk

(End of Form of Notice)

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

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

Section 14. In accordance with Section 2.110 of the City Charter, this Ordinance when first proposed is to be read by title to the City Council, immediately after which an adequate number of copies of the proposed Ordinance are to be deposited with the office of the City Clerk for public examination and distribution upon request; thereafter, the City Clerk is authorized and directed to give notice of the deposit together with the title of the Ordinance by publication at least once in the Las Vegas Review-Journal, i.e., a newspaper published and having general circulation in the City, at least ten (10) days before the adoption of the Ordinance, i.e., at least ten (10) days before May 16, 2012, such publication to be in substantially the following form:



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

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

AN ORDINANCE CONCERNING THE CITY OF LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 1516 – FREMONT STREET MAINTENANCE DISTRICT (LAS VEGAS BOULEVARD TO 8TH STREET) PROVIDING FOR THE PAYMENT OF THE COSTS AND EXPENSES OF A COMMERCIAL AREA VITALIZATION PROJECT; ASSESSING THE COST OF THE PROJECT AGAINST THE ASSESSABLE LOTS, TRACTS, AND PARCELS OF LAND BENEFITED BY SAID IMPROVEMENTS; RATIFYING, APPROVING AND CONFIRMING ALL ACTION PREVIOUSLY TAKEN; PRESCRIBING DETAILS IN CONNECTION THEREWITH.

PUBLIC NOTICE IS HEREBY GIVEN that an adequate number of typewritten copies of the above-entitled proposed Ordinance were filed with and are available for public inspection and distribution at the office of the City Clerk of the City of Las Vegas, 495 South Main Street, Las Vegas, Nevada, and that such ordinance was proposed on the 18<sup>th</sup> day of April, 2012, and will be considered for adoption at the regular meeting of the City Council of the City of Las Vegas on the 16<sup>th</sup> day of May, 2012.

/s/ BEVERLY K. BRIDGES, MMC  
City Clerk

(End of Form)

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

(Form for Publication After Final Adoption of Ordinance)

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

AN ORDINANCE CONCERNING THE CITY OF LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 1516 – FREMONT STREET MAINTENANCE DISTRICT (LAS VEGAS BOULEVARD TO 8TH STREET) PROVIDING FOR THE PAYMENT OF THE COSTS AND EXPENSES OF A COMMERCIAL AREA VITALIZATION PROJECT; ASSESSING THE COST OF THE PROJECT AGAINST THE ASSESSABLE LOTS, TRACTS, AND PARCELS OF LAND BENEFITED BY SAID IMPROVEMENTS; RATIFYING, APPROVING AND CONFIRMING ALL ACTION PREVIOUSLY TAKEN; PRESCRIBING DETAILS IN CONNECTION THEREWITH.

PUBLIC NOTICE IS HEREBY GIVEN that the above Ordinance was proposed on April 18, 2012, and was passed at a regular meeting held on May 16, 2012, by the following vote of the City Council of the City of Las Vegas, Nevada:

Those Voting Aye:

Carolyn G. Goodman  
Stavros S. Anthony  
Lois Tarkanian  
Steven D. Ross  
Ricki Y. Barlow  
Bob Coffin  
Bob Beers

Those Voting Nay:

\_\_\_\_\_  
\_\_\_\_\_

Those Absent:

\_\_\_\_\_  
\_\_\_\_\_

This Ordinance shall be in full force and effect from and after May 20, 2012, i.e., the day after its publication by title only.

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

This 16<sup>th</sup> day of May, 2012.

/s/ CAROLYN G. GOODMAN

Mayor

City of Las Vegas, Nevada

(SEAL)

Attest:

/s/ BEVERLY K. BRIDGES, MMC

City Clerk

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

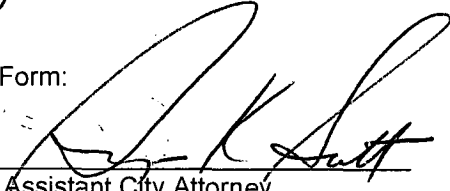
INTRODUCED April 18, 2012, PASSED, ADOPTED AND APPROVED MAY 16, 2012.

  
CAROLYN G. GOODMAN, Mayor

Attest:

  
BEVERLY K. BRIDGES, MMC, City Clerk

Approved as to Form:

4/3/12   
Date Assistant City Attorney

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

I, Beverly K. Bridges, MMC, the duly chosen, qualified City Clerk of the City of Las Vegas (hereinafter the "City"), in the State of Nevada, do hereby certify:

1. The foregoing pages constitute a true, correct, complete and compared copy of an ordinance which was introduced at the meeting of the City Council on April 18, 2012, and finally adopted and approved on May 16, 2012.

2. The following members of the City Council were present at the April 18, 2012, Council meeting:

|                 |                    |
|-----------------|--------------------|
| Mayor:          | Carolyn G. Goodman |
| Councilmembers: | Stavros S. Anthony |
|                 | Steven D. Ross     |
|                 | Ricki Y. Barlow    |
|                 | Bob Coffin         |
|                 | Bob Beers          |

|          |                |
|----------|----------------|
| Excused: | Lois Tarkanian |
|----------|----------------|

3. The foregoing Ordinance was first proposed and read by title to the City Council on April 18, 2012, and referred to a committee for recommendation; thereafter the said committee reported favorably on said Ordinance on May 16, 2012, which was a regular meeting of said City Council; that at said regular meeting, the proposed Ordinance was again read by title to the City Council and adopted. The following members of the City Council were present at the May 16, 2012, meeting and voted upon the adoption of the Ordinance as follows:

|                   |                    |
|-------------------|--------------------|
| Those Voting Aye: | Carolyn G. Goodman |
|                   | Stavros S. Anthony |
|                   | Lois Tarkanian     |
|                   | Steven D. Ross     |
|                   | Ricki Y. Barlow    |
|                   | Bob Coffin         |
|                   | Bob Beers          |

|                   |      |
|-------------------|------|
| 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 City Council kept for that purpose in my office, which record has been duly signed by such officers and properly sealed.

5. All members of the City Council were given due and proper notice of the meetings held on April 18, 2012 and May 16, 2012. Pursuant to § 241.020, Nevada Revised Statutes, written notice of the meetings was given no later than 9:00 a.m. on the third working day before the meetings, including in the notice the time, place, location, and agenda of the meeting:

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

- (i) City Hall  
495 South Main Street  
Las Vegas, Nevada
- (ii) City of Las Vegas Development Services Center  
333 N. Rancho Drive  
Las Vegas, Nevada
- (iii) Clark County Government Center  
500 South Grand Central Parkway  
Las Vegas, Nevada
- (iv) Grant Sawyer Building  
555 E. Washington Avenue  
Las Vegas, Nevada
- (v) The City of Las Vegas website

and

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

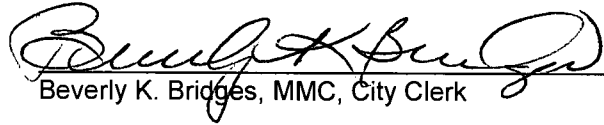
6. A copy of such notice so given of the meeting of the City Council on April 18, 2012, is attached to this certificate as Exhibit A and a copy of the notice so given of the meeting of the City Council on May 16, 2012, is attached to this certificate as Exhibit B.

7. A copy of the affidavit of publication of notice of deposit of the Ordinance is attached to this certificate as Exhibit C. A copy of the affidavit of publication of adoption of the Ordinance is attached to this certificate as Exhibit D.

8. Upon request, the City Council 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 City Council for an item on the agenda, except for certain confidential materials and materials pertaining to the closed meetings, as provided by law.

**IN WITNESS WHEREOF**, I have hereunto set my hand on this May 16, 2012.

  
Beverly K. Bridges, MMC, City Clerk

(SEAL)



**EXHIBIT A**

**(Attach Copy of Notice of April 18, 2012 Meeting)**



## **CITY COUNCIL AGENDA**

**COUNCIL CHAMBERS · 495 SOUTH MAIN STREET · PHONE 229-6011**

**CITY OF LAS VEGAS INTERNET ADDRESS: [www.lasvegasnevada.gov](http://www.lasvegasnevada.gov)**

**COUNCIL MEMBERS: CAROLYN G. GOODMAN, MAYOR (At-Large)**

**COUNCILMAN STAVROS S. ANTHONY, MAYOR PRO TEM (Ward 4)**

**LOIS TARKANIAN (Ward 1), STEVEN D. ROSS (Ward 6), RICKI Y. BARLOW (Ward 5)**

**BOB COFFIN (Ward 3), BOB BEERS, (Ward 2)**

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Facilities are provided throughout City Hall for 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 18, 2012**

**Morning Session begins at 9:00 a.m.**

**Afternoon Session begins at 1:00 p.m.**

ITEMS LISTED ON THE AGENDA MAY BE TAKEN OUT OF THE ORDER PRESENTED; TWO OR MORE AGENDA ITEMS FOR CONSIDERATION MAY BE COMBINED; AND ANY ITEM ON THE AGENDA MAY BE REMOVED OR RELATED DISCUSSION MAY BE DELAYED AT ANY TIME.

**THE MAYOR AND CITY COUNCIL WELCOME YOUR ATTENDANCE, PUBLIC COMMENT RELATED TO THE ITEMS ON THE AGENDA AND CITIZEN PARTICIPATION ON ITEMS UNDER THE JURISDICTION OF THE CITY COUNCIL AT THIS MEETING. IF YOU WISH TO SPEAK, WE RESPECTFULLY ASK YOU TO COMPLETE AND SUBMIT A SPEAKER CARD TO THE CITY CLERK. CARDS ARE AVAILABLE ONLINE, IN THE CLERK'S OFFICE OR AT THE FRONT OF THE CHAMBERS AS YOU ENTER.**

THESE PROCEEDINGS ARE BEING VIDEO RECORDED AS WELL AS PRESENTED LIVE ON KCLV, CABLE CHANNEL 2, AND ARE CLOSED CAPTIONED FOR OUR HEARING IMPAIRED VIEWERS. PLEASE NOTE SOME CUSTOMERS OF COX COMMUNICATIONS WHO DO NOT HAVE A CABLE BOX CAN VIEW THIS MEETING ON DIGITAL CHANNEL 89.5. THE COUNCIL MEETING, AS WELL AS ALL OTHER KCLV PROGRAMMING, CAN BE VIEWED ON THE INTERNET AT [www.kclv.tv](http://www.kclv.tv). THE PROCEEDINGS WILL BE REBROADCAST ON KCLV CHANNEL 2 AND THE WEB THE WEDNESDAY OF THE MEETING AT 8:00 PM, AND ALSO ON FRIDAY AT 4:00 AM, SATURDAY AT 7:00 PM, SUNDAY AT 7:00 AM AND THE FOLLOWING MONDAY AT 1:00 PM.

DUPLICATE AUDIO CDS AND DUPLICATE AUDIO/VIDEO DVDS MAY BE AVAILABLE AT A COST OF \$5.00 EACH THROUGH THE CITY CLERK'S OFFICE.

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

### **CEREMONIAL MATTERS**

1. CALL TO ORDER
2. ANNOUNCEMENT RE: COMPLIANCE WITH OPEN MEETING LAW
3. INVOCATION – PASTOR JAMES ROGERS, GREATER NEW JERUSALEM BAPTIST CHURCH
4. PLEDGE OF ALLEGIANCE
5. RECOGNITION OF THE EMPLOYEE OF THE MONTH
6. RECOGNITION OF THE CITIZEN'S PLANNING ACADEMY GRADUATES

7. RECOGNITION OF THE MAYOR'S CUP SOCCER TOURNAMENT WINNERS
8. RECOGNITION OF MRS. NEVADA-AMERICA KRISTIE GULIA-JELINSKY
9. RECOGNITION OF THE ALPHA OMEGA FRATERNITY FOR ADOPTING A DONATION STATION METER
10. RECOGNITION OF NEVADA CHILDREN'S OUTDOOR BILL OF RIGHTS MONTH

### **BUSINESS ITEMS - MORNING**

#### **PUBLIC COMMENT**

11. PUBLIC COMMENT DURING THIS PORTION OF THE AGENDA MUST BE LIMITED TO MATTERS ON THE AGENDA FOR ACTION. IF YOU WISH TO BE HEARD, COME TO THE PODIUM AND GIVE YOUR NAME FOR THE RECORD. THE AMOUNT OF DISCUSSION, AS WELL AS THE AMOUNT OF TIME ANY SINGLE SPEAKER IS ALLOWED, MAY BE LIMITED

#### **BUSINESS ITEMS**

12. For Possible Action - Any items from the morning session that the Council, staff and/or the applicant wish to be stricken, tabled, withdrawn or held in abeyance to a future meeting may be brought forward and acted upon at this time
13. For possible action to approve the Final Minutes by reference of the Special City Council meeting of March 28, 2012 and the regular City Council meeting of April 4, 2012

### **CONSENT AGENDA**

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

#### **ADMINISTRATIVE SERVICES - CONSENT**

14. For possible action to approve a grant award from the State of Nevada Division of Emergency Management for the receipt of funds from the Department of Homeland Security (DHS) Grant, Federal Fiscal Year 2011 (FFY2011) Urban Area Security Initiative (UASI) in the amount of \$58,344.89 for the Department of Administrative Services to manage and administer projects related to Homeland Security through August 31, 2013 - All Wards
15. For possible action to approve Interlocal Subaward Agreements defining allocations, roles and responsibilities between the City of Las Vegas and sub-grantees of the Edward Byrne Memorial Justice Assistance Grant (JAG) Program: FY2011 Grant Award (Accounting Classification Code: FY2011 DJ BX 3025) distributing total eligible funding in the amount of \$1,273,801 - All Wards
16. For possible action to approve the ratification of John Bear in a Council support position as the Special Assistant to Mayor/City Council to Ward 2 (\$44,682 annual salary/\$25,916 benefits - General Fund) - Ward 2 (Beers)

#### **BUILDING AND SAFETY - CONSENT**

17. For possible action to approve an encroachment request from Chelo, LLC, owner (3615 W Charleston Boulevard) - Ward 1 (Tarkanian)
18. For possible action to approve an encroachment request from Umbrella Investments, LLC, owner (2120 Silver Avenue) - Ward 1 (Tarkanian)
19. For possible action to approve a Sewer Connection agreement with Taney Engineering on behalf of Branch Banking Trust Company, owner and Interlocal Contract with Clark County Water Reclamation District (southwest corner of Regena Avenue and Fort Apache Road, APN's 125-29-101-060, -061, 125-29-201-061 and -062) - County (near Ward 6 - Ross)

20. For possible action to approve a Sewer Connection agreement with Pikequin J. Reitz, owner and Interlocal Contract with Clark County Water Reclamation District (northeast corner of Rome Boulevard and Pioneer Way, APN 125-22-304-008) - County (near Ward 6 - Ross)

#### **DETENTION & ENFORCEMENT - CONSENT**

21. For possible action to approve Amendment One to the Interlocal Contract for Inmate Housing between the City of Las Vegas and the County of Clark providing alternative housing at the Las Vegas jail facility for pretrial detainees and sentenced misdemeanants in the custody of the Clark County Sheriff at the Clark County Detention Center - Ward 3 (Coffin)

#### **ECONOMIC AND URBAN DEVELOPMENT - CONSENT**

22. For possible action to approve an allocation of \$800,000 in Home Investment Partnership Program Funds (HOME) to replace Redevelopment Agency 18% Set Aside funds (RDA) that were previously allocated to Community Development Programs Center of Nevada (CDPCN) to assist with the development of H Street Senior Apartments at 1327 H Street - Ward 5 (Barlow)
23. For possible action to approve an allocation of \$1,551,000 of Home Investment Partnership Program Funds (HOME) and Low Income Housing Trust Funds (LIHTF) to Habitat for Humanity, Las Vegas, and Nevada H.A.N.D., Inc., for the development of affordable housing for families with low income - All Wards

#### **FINANCE - CONSENT**

24. For possible action to approve Service and Material Checks/Payroll Checks/Wire Transfers/Other Checks and Investments

#### **FINANCE - PURCHASING & CONTRACTS CONSENT**

25. For possible action to approve award of Agreement No. 120074-EV, Prime Design Services Agreement for Freeway Channel - Washington, MLK Boulevard to Rancho Drive - Department of Public Works - Award recommended to: ATKINS NORTH AMERICA, INC. (\$865,000 - Road and Flood Capital Projects Fund) - Ward 5 (Barlow)
26. For possible action to approve award of First Amendment to Agreement No. 110055-TF, Prime Design Services Agreement for Main-Commerce One Way Couplet, located on Main Street from Las Vegas Boulevard to US 95 and Commerce Street from Oakey Boulevard to Gass Street - Department of Public Works - Award recommended to: C A GROUP, INC. (\$806,467.99 - Road and Flood Capital Projects Fund) - Wards 3 and 5 (Coffin and Barlow)
27. For possible action to approve award of Modification No. 2 to Task Order Agreement No. 100047-LD. Supervisory Control and Data Acquisition Integration Services (SCADA) for the Water Pollution Control Facility (WPCF) located at 6005 East Vegas Valley Drive - Department of Public Works - Award recommended to: WUNDERLICH-MALEC ENGINEERING, INC. (Not-to-Exceed \$2,500,000 - Sanitation Enterprise Fund) - County

#### **OPERATIONS AND MAINTENANCE - CONSENT**

28. For possible action to approve a Declaration of Intent to Retain Sewer Easements located in the vicinity of McWilliams Avenue between Las Vegas Boulevard and Encanto Drive, also known as Neon Boneyard Park, APN's 139-27-805-004, 139-27-805-005 and 139-27-812-045 - Ward 5 (Barlow)
29. For possible action to approve a Grant of Easement from the City of Las Vegas to Nevada Power Company, a Nevada corporation, d/b/a NV Energy for existing NV Energy facilities located in the vicinity of McWilliams Avenue, between Las Vegas Boulevard and Encanto Drive, also known as Neon Boneyard Park, APN's 139-27-812-045 and 139-27-805-005 - Ward 5 (Barlow)
30. For possible action to approve a First Amendment to Parking Agreement between the City of Las Vegas and the Andre Agassi Charitable Foundation to utilize the parking lot located at the Doolittle Community Center, 1950 North J Street, for the Foundation's overflow parking use - Ward 5 (Barlow)

31. For possible action to approve a Ground Estoppel for License Agreement between the City of Las Vegas and Pegasus Tower Company, LTD for the consent of assignment of the License Agreement from Pegasus Tower Company, LTD to SBA Towers IV LLC for the wireless communications equipment at the premises located at 4217 Vegas Drive, commonly known as the City's Satellite Yard - Ward 5 (Barlow)

**PLANNING - BUSINESS SERVICES CONSENT**

32. For possible action to approve an Extension of a Temporary Beer/Wine/Cooler Off-Sale License for a Change of Ownership, FROM: Citystop VIII LLC, TO: S&S Fuels Management, LLC (Franchisee) dba 7 Eleven Store #39598, 3970 North Tenaya Way, Suite 120, Amar Preet S. Puri, Mgr, Mmbr, 100% - Ward 4 (Anthony)
33. For possible action to approve an Extension of a Temporary Beer/Wine/Cooler Off-Sale License for a Change of Ownership, FROM: Citystop VII LLC, TO: S&S Fuels Management, LLC (Franchisee) dba 7 Eleven Store #39599, 7591 North Cimarron Road, Amar Preet S. Puri, Mgr, Mmbr, 100% - Ward 6 (Ross)
34. For possible action to approve an Extension of a Temporary Beer/Wine/Cooler Off-Sale License for a Change of Ownership, FROM: Citystop V LLC, TO: S&S Fuels Management, LLC (Franchisee) dba 7 Eleven Store #39600, 1200 North Town Center Drive, Amar Preet S. Puri, Mgr, Mmbr, 100% - Ward 2 (Beers)
35. For possible action to approve an Extension of a Temporary Beer/Wine/Cooler Off-Sale License for a Change of Ownership, FROM: Citystop VI LLC, TO: S&S Fuels Management, LLC (Franchisee) dba 7 Eleven Store #39605, 3250 North Durango Drive, Suite 110, Amar Preet S. Puri, Mgr, Mmbr, 100% - Ward 4 (Anthony)
36. For possible action to approve a Change of Ownership for a Beer/Wine/Cooler On/Off-Sale License (Non-Operational) and a Package License (Non-Operational), FROM: Nora's Wine Bar & Osteria LLC, TO: KH, Inc dba Mr. Liquor & Market, (Non-Operational), Rafid Younis, Pres, 100%
37. For possible action to approve a Restricted Gaming License subject to confirmation of approval by the Nevada Gaming Commission, Golden Route Operations, LLC db at The Lady Silvia, 900 South Las Vegas Boulevard, Suite 140, Golden Gaming Inc., Owner, 100%, Matthew Flandermeyer, VP, CFO - Ward 3 (Coffin)
38. For possible action to approve a Restricted Gaming License subject to confirmation of approval by the Nevada Gaming Commission, Golden Route Operations, LLC db at Wahoo's Fish Taco, 1000 South Rampart Boulevard, Suite 21, Golden Gaming Inc., Owner, 100%, Matthew Flandermeyer, VP, CFO - Ward 2 (Beers)
39. For possible action to approve a New Locksmith License, Southern Nevada Locksmith, LLC dba Southern Nevada Locksmith, LLC, 1632 Buffalo Trail Drive, Michael Christopher Lindsay, Managing Mmbr, 100% - Henderson
40. For possible action to approve an Extension of a Temporary Massage Establishment Ancillary License, CMM Salon Co Inc dba A Wild Hair, 4343 North Rancho Drive, Suite 108, Dale John Lasceski, Pres, Treas, Secy, Dir, 100% - Ward 6 (Ross)
41. For possible action to approve an Extension of a Temporary Massage Establishment Ancillary License, R and P Enterprises, LLC, dba Namaste Yoga Studio, 7240 West Azure Drive, Suite 115, Richard Patrick Ryan, Mgr, 50%, Peggy Sue Ryan, Managing Mmbr 50% - Ward 6 (Ross)
42. For possible action to approve an Extension of a Temporary Massage Establishment License, Siriat Krabuanrat, dba Dreamz Thai Massage & Spa, 430 East Sahara Avenue, Siriat Krabuanrat, Owner, 100% - Ward 3 (Coffin)
43. For possible action to approve an Extension of Temporary Pistol Permit and a Secondhand Dealer Class II License, Big Gun Enterprises LLC dba Sin City Paintball, 6250 Mountain Vista Street, Suite D, William Ray Allen, Managing Mmbr, 50%, Gina M. Allen, Managing Mmbr, 50% - Henderson
44. For possible action to approve a Wholesale General License, D'Aquino Importing Company, Inc dba D'Aquino Importing Company Inc, 2700-2770 Highland Drive, Gaetano & Sylvia D'Aquino Family Trust, 76% Gaetano D'Aquino, Pres, Dir jointly with wife Sylvia Marina D'Aquino, Secy, Dir, Patricia Victoria D'Aquino-Renna, Treas, Dir, 15% - Ward 1 (Tarkanian)

## **PUBLIC WORKS - CONSENT**

45. For possible action to approve First Supplemental Interlocal Contract LAS05J10 between the City of Las Vegas and the Clark County Regional Flood Control District (CCRFCDD) to decrease project funding in the amount of \$192,240 and extend the project completion date to June 30, 2013 for construction and construction management for the Oakey Meadows Storm Drain - Phase II project (located along Charleston Boulevard from Hinson Street to Decatur Boulevard) – Ward 1 (Tarkanian)
46. For possible action to approve Third Supplemental Interlocal Contract LAS29A10 between the City of Las Vegas and the Clark County Regional Flood Control District (CCRFCDD) to increase project funding in the amount of \$100,000 for engineering design of the Flamingo Wash, Boulder Highway North – Main Street Project (Main Street from Wyoming Avenue to Charleston Boulevard portion) – (\$100,000 – Road and Flood Capital Project Fund [CPF]) – Ward 3 (Coffin)
47. For possible action to approve Highway Agreement, a Cooperative (Local Public Agency) Agreement, between the City of Las Vegas and the State of Nevada Department of Transportation (NDOT) to provide funding for design and construction of the Nellis and Eastern Bus Turnouts-twelve bus turnouts located along Nellis Boulevard and Eastern Avenue from Charleston Boulevard to Owens Avenue (\$1,414,272 – Road and Flood Capital Project Fund [CPF]) – Ward 3 (Coffin)

## **RESOLUTIONS - CONSENT**

48. R-23-2012 - For possible action to approve a Resolution supporting a regional reorganization plan for the establishment of a new regional economic development authority for the southern Nevada region - All Wards
49. R-24-2012 - For possible action to approve a Resolution overruling complaints, protests, and objections and confirming the Final Assessment Roll for Special Improvement District No. 1516 - Fremont Street Maintenance District (Las Vegas Boulevard to 8th Street) - Ward 5 (Barlow)
50. R-25-2012 - For possible action to approve a Resolution Determining the Cost and Directing the City Engineer to prepare the Final Assessment Roll for Special Improvement District No. 1514 - Ann Road and Cimarron Road (West of Leggett Road) - Ward 6 (Ross)
51. R-26-2012 - For possible action to approve a Resolution fixing the time and place when complaints, protests, and objections to the Final Assessment Roll will be heard for Special Improvement District No. 1514 - Ann Road and Cimarron Road (West of Leggett Road) - Ward 6 (Ross)
52. R-27-2012 - For possible action to approve a Resolution Determining the Cost and Directing the City Engineer to prepare the Final Assessment Roll for Special Improvement District No. 1519 - Sidewalk Infill - Oakey Boulevard (west of Rancho Drive) and 11th Street (north of Charleston Boulevard) - Wards 1 and 3 (Tarkanian and Coffin)
53. R-28-2012 - For possible action to approve a Resolution fixing the time and place when complaints, protests, and objections to the Final Assessment Roll will be heard for Special Improvement District No. 1519 - Sidewalk Infill - Oakey Boulevard (west of Rancho Drive) and 11th Street (north of Charleston Boulevard) - Wards 1 and 3 (Tarkanian and Coffin)
54. R-29-2012 - For possible action to approve a Resolution overruling complaints, protests, and objections and confirming the final assessment roll for Special Improvement District No. 1485 - Alta Drive (Rancho Drive to approximately 275 feet west of Lacy Lane) (Landscape Maintenance FY2013) - Ward 1 (Tarkanian)
55. R-30-2012 - For possible action to approve a Resolution directing the City Treasurer to give notice of the sale of properties subject to the lien of a delinquent assessment in Special Improvement District 505 and in certain other districts and providing other matter properly relating thereto - All Wards
56. R-31-2012 - For possible action to approve a Resolution directing the City Treasurer to give notice of the sale of properties subject to the lien of a delinquent assessment in the Summerlin Special Improvement Districts and in certain other districts and providing other matters properly relating thereto - All Wards

57. R-32-2012 - For possible action to approve a Resolution authorizing defeasance of a portion of the outstanding City of Las Vegas, Nevada General Obligation (Limited Tax) Various Purpose Refunding Bonds (Additionally Secured by Pledged Revenues), Series 2005B associated with the Stewart Street Garage located at 213 North Las Vegas Blvd. and providing for the execution of related documents - Ward 5 (Barlow)

## **DISCUSSION/ACTION ITEMS**

### **ADMINISTRATIVE - DISCUSSION**

58. Report for possible action regarding federal funding dependencies - All Wards

### **ECONOMIC AND URBAN DEVELOPMENT - DISCUSSION**

59. Discussion for possible action regarding an allocation of \$3,500,000 in 18% Redevelopment Agency (RDA) Set-Aside Housing Funds and \$1,119,000 in HOME Investment Partnership Act (HOME ) Funds to Vegas 1-Decatur LLC for construction of 60 units of mixed-income housing, 40 units of which will be rented as affordable housing for low income families earning 60% or less of the area median income (AMI) near Laurelhurst and Westmoreland Drives and 1501 Decatur Boulevard - Ward 5 (Barlow) [NOTE: This item is related to Council Items 60 and 64 (R-35-2012) and RDA Items 6 and 7 (RA-5-2012)]
60. Discussion for possible action regarding a joint Disposition and Development Agreement between the City of Las Vegas, City of Las Vegas Redevelopment Agency and Vegas 1-Decatur, LLC, regarding vacant land consisting of approximately 3.39 acres located along Laurelhurst and Westmoreland Drives and 1501 Decatur Boulevard - Ward 5 (Barlow) [NOTE: This item is related to Council Items 59 and 64 (R-35-2012) and RDA Items 6 and 7 (RA-5-2012)]

### **PLANNING - BUSINESS SERVICES DISCUSSION**

61. Discussion for possible action to approve a Change of Ownership for a Package License subject to the provisions of the planning and fire codes, FROM: The Vons Companies Inc, TO: AK Incorporated dba 7 Eleven Store #25586D, 1705 South Las Vegas Boulevard, Aman Singh, Dir, Pres, Secy, Treas, 100% - Ward 3 (Coffin) [NOTE: Item to be heard in the afternoon session in conjunction with Item 99 SUP-44448]

### **RESOLUTIONS - DISCUSSION**

62. R-33-2012 - Discussion for possible action regarding a Resolution adopting the Meadows Walkable Community Plan, which focuses on the neighborhood generally located within a half-mile radius of the intersection of Essex East Drive and Kay Place – Ward 1 (Tarkanian)
63. R-34-2012 - Discussion for possible action regarding a Resolution consenting to the undertakings of the City of Las Vegas Redevelopment Agency (RDA) in connection with the Commercial Visual Improvement Program (CVIP) Agreement between the RDA and Mesquitewood 2, LLC, (Owner) and Velvetten Rabbit, LLC, (Tenant and CVIP Participant) located at 1218-1226 South Main Street to be in compliance with and in furtherance of the goals and objectives of the RDA - Ward 3 (Coffin) [NOTE: This item is related to RDA Item 5 (RA-4-2012)]
64. R-35-2012 - Discussion for possible action regarding a Resolution consenting to the lease of real property located along Laurelhurst and Westmoreland Drives and 1501 North Decatur Boulevard to Vegas 1-Decatur, LLC, for the construction of mixed-income and aged-restricted housing - Ward 5 (Barlow) [NOTE: This item is related to Council Items 59 and 60 and RDA Items 6 and 7 (RA-5-2012)]

### **BOARDS & COMMISSIONS - DISCUSSION**

65. ABEYANCE ITEM - For Possible Action - TRAFFIC AND PARKING COMMISSION - Martin Esbin, Term Expiration 2-21-2012
66. For Possible Action - PLANNING COMMISSION - Glenn Trowbridge, Term Expiration 6-2013

## **RECOMMENDING COMMITTEE REPORT - DISCUSSION**

### **BILLS ELIGIBLE FOR ADOPTION AT THIS MEETING**

67. Bill No. 2012-16 - For Possible Action - Amends the Downtown Centennial Plan to update the approval process for outdoor dining and entertainment; conform provisions regarding temporary outdoor events in the district known as "18b The Las Vegas Arts District" to other applicable Code provisions; and clarify that the Symphony Park area is a subdistrict of the Parkway Center District. (TXT-41610, TXT-43042, TXT-43393) Proposed by: Flinn Fagg, Director of Planning

### **BILLS ELIGIBLE FOR ADOPTION AT A LATER MEETING**

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

68. Bill No. 2012-2 - Establishes the means of allowing the use "community garden" in certain residential, commercial and industrial zoning districts. (TXT-43411) Sponsored by: Councilman Ricki Y. Barlow
69. Bill No. 2012-17 - Adopts by reference an updated version of the City's Unified Development Code, including corrections and clarifications identified as necessary or appropriate since the adoption of the initial version. (TXT-43007) Proposed by: Flinn Fagg, Director of Planning
70. Bill No. 2012-18 - Amends the Supplemental Document to the City's Administrative Code to repeal and replace the provisions pertaining to the Board of Appeals for purposes of establishing term limits for Board members. Sponsored by: Councilman Stavros S. Anthony
71. Bill No. 2012-19 - Amends the special use permit standards applicable to secondhand dealers in the Town Center District to allow the sale of all types of jewelry on a consignment basis, and to allow the sale of wearing apparel on both a consignment and non-consignment basis, as well as the purchase and exchange of wearing apparel. (TXT-44570) Sponsored by: Councilman Steven D. Ross

### **NEW BILLS**

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

72. Bill No. Z-2012-1 - Amends the City's Official Zoning Map by changing the zoning designations of certain parcels of land to reflect and formalize rezoning applications previously approved by the City Council. Proposed by: Flinn Fagg, Director of Planning
73. Bill No. 2012-20 - Levies Assessment for Special Improvement District No. 1485 - Alta Drive (Rancho Drive to approximately 275 feet west of Lacy Lane) (Landscape Maintenance FY2013) Proposed by: Jorge Cervantes, Director of Public Works
74. Bill No. 2012-21 - Levies Assessment for Special Improvement District No. 1516 - Fremont Street Maintenance District (Las Vegas Boulevard to 8th Street) Proposed by: Jorge Cervantes, Director of Public Works
75. Bill No. 2012-22 - Updates the licensing regulations and fees applicable to apartment houses, and clarifies zoning requirements pertaining to the conversion of multi-family/apartment developments to co-op status. (TXT-41987) Proposed by: Flinn Fagg, Director of Planning

### **CLOSED SESSION**

76. Closed Session - A closed meeting in accordance with NRS 288.220 to discuss labor issues



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

### **BUSINESS ITEMS - AFTERNOON**

77. For Possible Action - Any items from the afternoon session that the Council, staff and /or the applicant wish to be stricken, tabled, withdrawn or held in abeyance to a future meeting may be brought forward and acted upon at this time

### **HEARINGS - DISCUSSION**

78. Public Hearing regarding the Clark County Regional Flood Control District's (CCRFCD) approval of a Master Plan Amendment (MPA) which provides the most cost-effective structural and regulatory means of protecting structures from floodwaters of the district and for correcting the existing regional flooding problem within the area of the Las Vegas Wash Middle Branch - Grand Teton Storm Drain, located in Grand Teton between Mountain Spa and Durango Drive - Ward 6 (Ross)
79. Public Hearing for possible action to consider the report of expenses to recover costs for abatement of nuisance located at 2122 Stewart Avenue for fees in the amount of \$2,358.25 (General Fund) and assess a maximum of \$19,500 in daily and failed inspection civil penalties for a total of \$21,858.25. PROPERTY OWNER: GERALD L ECKERT - Ward 3 (Coffin)
80. Public Hearing for possible action to consider a request for a waiver and/or reduction of daily civil penalties in the amount of \$21,550 recorded against the property located at 1218 South 15th Street. PROPERTY OWNER: BANK NEW YORK MELLON TRS - Ward 3 (Coffin)

## **PLANNING**

THE ITEMS LISTED BELOW, WHERE APPROPRIATE, HAVE BEEN REVIEWED BY THE VARIOUS CITY DEPARTMENTS RELATIVE TO REQUIREMENTS FOR STORM DRAINAGE AND FLOOD CONTROL, CONNECTION TO SANITARY SEWER, TRAFFIC CIRCULATION, AND BUILDING AND FIRE REGULATIONS. THEIR COMMENTS AND/OR RECOMMENDATIONS AND REQUIREMENTS HAVE BEEN INCORPORATED INTO THE ACTION.

### **PLANNING - ONE MOTION/ONE VOTE**

THE FOLLOWING ARE ITEMS THAT MAY BE CONSIDERED IN ONE MOTION/ONE VOTE. THEY ARE CONSIDERED ROUTINE NON-PUBLIC AND PUBLIC HEARING ITEMS. ALL PUBLIC HEARINGS AND NON-PUBLIC HEARINGS WILL BE OPENED AT ONE TIME. ANY PERSON REPRESENTING AN APPLICATION OR A MEMBER OF THE PUBLIC OR A MEMBER OF THE CITY COUNCIL NOT IN AGREEMENT WITH THE CONDITIONS AND ALL STANDARD CONDITIONS FOR THE APPLICATION RECOMMENDED BY STAFF, SHOULD REQUEST TO HAVE THAT ITEM REMOVED FROM THIS PART OF THE AGENDA.

81. RQR-44098 - REQUIRED REVIEW - PUBLIC HEARING - APPLICANT: AMERICAN OUTDOOR - OWNER: AFTON MEADOWS, LLC - For possible action on a Required Review of a Special Use Permit (SUP-16947) FOR A 40-FOOT TALL, 14-FOOT BY 48-FOOT OFF-PREMISE SIGN at 4604 Meadows Lane (APN 139-31-110-002), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). The Planning Commission (5-0 vte) and Staff recommend APPROVAL.
82. RQR-44239 - REQUIRED REVIEW - PUBLIC HEARING - APPLICANT: CLEAR CHANNEL OUTDOOR - OWNER: HARRISON JAY S & DENISE A FAMILY TRUST - For possible action on a Required Review of an approved Variance (V-0023-89) TO ALLOW AN OFF-PREMISE SIGN TO BE LOCATED 265 FEET FROM ANOTHER OFF-PREMISE SIGN WHERE A 300-FOOT SEPARATION IS REQUIRED at 5301 West Charleston Boulevard (APN 163-01-501-011), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). The Planning Commission (5-0 vote) and Staff recommend APPROVAL.
83. SUP-44437 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: FRANK'S MERCEDES SERVICE - OWNER: RESTAURANT ROW, LLC - For possible action on a request for a Special Use Permit FOR A 12,173 SQUARE-FOOT AUTO REPAIR GARAGE, MINOR at 1931 North Rainbow Boulevard (APN 138-22-713-004), C-1 (Limited Commercial) Zone, Ward 5 (Barlow). The Planning Commission (5-0 vote) and Staff recommend APPROVAL.

84. VAC-44378 - VACATION - PUBLIC HEARING - APPLICANT/OWNER: SYMPHONY PARK MASTER ASSOCIATION - For possible action on a Petition to Vacate a 4.74 FOOT BY 143 FOOT SECTION OF RIGHT-OF-WAY located 280 feet east of Grand Central Parkway along Symphony Park Avenue, Ward 5 (Barlow). The Planning Commission (5-0 vote) and Staff recommend APPROVAL.
85. SDR-44449 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT: CIM/LL LAS VEGAS, LLC - OWNER: 220 NORTH 4TH STREET LV, LLC, ET AL - For possible action on a request for a Major Amendment to a previously approved Site Development Plan Review (SDR-37946) FOR PROPOSED FACADE IMPROVEMENTS, AN EXPANSION OF A PORTE COCHERE, AND A REDUCTION IN SURFACE PARKING on 3.94 acres at 206 North 3rd Street, 220 North 4th Street and 221 North 3rd Street (APNs 139-34-501-009; 139-34-510-019 and 139-34-514-007 through 009), C-2 (General Commercial) Zone, Ward 5 (Barlow). The Planning Commission (5-0 vote) and Staff recommend APPROVAL.

#### **PLANNING - DISCUSSION**

86. VAR-43359 - ABEYANCE ITEM - VARIANCE - PUBLIC HEARING - APPLICANT: BUSTN' SUDS CARWASH - OWNER: JGM HOLDINGS, LLC - For possible action on a request for a Variance TO ALLOW 21 PARKING SPACES WHERE 27 PARKING SPACES ARE REQUIRED on 0.88 acres at 1326 North Martin Luther King Boulevard (APN 139-28-501-005), C-1 (Limited Commercial) Zone, Ward 5 (Barlow). The Planning Commission (5-2 vote) recommends DENIAL. Staff recommends APPROVAL.
87. SUP-43358 - ABEYANCE ITEM - SPECIAL USE PERMIT RELATED TO VAR-43359 - PUBLIC HEARING - APPLICANT: BUSTN' SUDS CARWASH - OWNER: JGM HOLDINGS, LLC - For possible action on a request for a Special Use Permit FOR A CAR WASH, FULL SERVICE OR AUTO DETAILING at 1326 North Martin Luther King Boulevard (APN 139-28-501-005), C-1 (Limited Commercial) Zone, Ward 5 (Barlow). The Planning Commission (5-2 vote) recommends DENIAL. Staff recommends APPROVAL.
88. SDR-43360 - ABEYANCE ITEM - SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-43359 AND SUP-43358 - PUBLIC HEARING - APPLICANT: BUSTN' SUDS CARWASH - OWNER: JGM HOLDINGS, LLC - For possible action on a request for a Site Development Plan Review FOR A PROPOSED 3,985 SQUARE-FOOT CAR WASH, FULL SERVICE OR AUTO DETAILING on 0.88 acres at 1326 North Martin Luther King Boulevard (APN 139-28-501-005), C-1 (Limited Commercial) Zone, Ward 5 (Barlow). The Planning Commission (5-2 vote) recommends DENIAL. Staff recommends APPROVAL.
89. GPA-43977 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS - Request to adopt an updated Conservation Element and revise the 2020 Master Plan; All Wards. The Planning Commission (5-0 vote) and Staff recommend APPROVAL.
90. GPA-44183 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS - For possible action on a request to Amend the Multi-Use Transportation Trails Element of the 2020 Master Plan to REALIGN AN EXISTING MULTI-USE TRANSPORTATION TRAIL FROM 7TH STREET BETWEEN BONANZA ROAD AND STEWART AVENUE TO 8TH STREET BETWEEN BONANZA ROAD AND STEWART AVENUE, Ward 5 (Barlow). The Planning Commission (5-0 vote) and Staff recommend APPROVAL.
91. GPA-43991 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS REDEVELOPMENT AGENCY - For possible action on a request for a General Plan Amendment TO ESTABLISH REDEVELOPMENT AREA 2 AND CHANGE THE FUTURE LAND USE DESIGNATION ON VARIOUS PARCELS WITHIN THE REDEVELOPMENT AREA TO COMMERCIAL OR MIXED USE, Ward 1 (Tarkanian). The Planning Commission (5-0 vote) and Staff recommend APPROVAL.
92. DIR-44582 - DIRECTOR'S BUSINESS - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS REDEVELOPMENT AGENCY - For possible action on a request for a Review OF THE PRELIMINARY PLAN FOR THE REDEVELOPMENT OF AREA 2 AS A REDEVELOPMENT AREA, Ward 1 (Tarkanian). The Planning Commission (5-0 vote) and Staff recommend APPROVAL.
93. VAR-44446 - VARIANCE - PUBLIC HEARING - APPLICANT: XTREME MANUFACTURING - OWNER: DFA, LLC - For possible action on a request for a Variance TO ALLOW 64 PARKING SPACES WHERE 120 SPACES ARE REQUIRED on 3.53 acres at 1415 West Bonanza Road (APN 139-28-801-002), M (Industrial) Zone, Ward 5 (Barlow). The Planning Commission (5-0 vote) and Staff recommend APPROVAL.

94. SDR-44445 - SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-44446 - PUBLIC HEARING - APPLICANT: XTREME MANUFACTURING - OWNER: DFA, LLC - For possible action on a request for a Site Development Plan Review FOR THE ADDITION OF TWO 4,900 SQUARE-FOOT SHADE STRUCTURES, A PAINT BOOTH AND VEHICLE PREP BOOTH; AND EXISTING CHAIN LINK FENCING ALONG THE NORTH AND EAST PERIMETER AND BARBED WIRE FENCING ALONG THE EAST PERIMETER OF AN EXISTING HEAVY MANUFACTURING FACILITY on 3.53 acres at 1415 Bonanza Road (APN 139-28-801-002), M (Industrial) Zone, Ward 5 (Barlow). The Planning Commission (5-0 vote) and Staff recommend APPROVAL.
95. VAR-44447 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: JEFF AND GAILYN BASSLER - For possible action on a request for a Variance TO ALLOW A THREE-FOOT REAR YARD SETBACK FOR A SECOND FLOOR BALCONY ON AN EXISTING SINGLE FAMILY RESIDENCE WHERE 10 FEET IS REQUIRED on 0.08 acres at 3016 Yankee Clipper Drive (APN 163-08-612-010), R-PD9 (Residential Planned Development - 9 Units Per Acre) Zone, Ward 2 (Beers). Staff recommends DENIAL. The Planning Commission (5-0 vote) recommends APPROVAL.
96. VAR-44454 - VARIANCE - PUBLIC HEARING - APPLICANT: QUEST ACADEMY - OWNER: YOUNG MEN'S CHRISTIAN ASSOCIATION OF SOUTHERN NEVADA - For possible action on a request for a Variance TO ALLOW 129 PARKING SPACES WHERE 314 ARE REQUIRED on 6.02 acres at 4141 Meadows Lane (APN 139-31-601-001), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). Staff recommends DENIAL. The Planning Commission (4-0-1 vote) recommends APPROVAL.
97. SUP-44453 - SPECIAL USE PERMIT RELATED TO VAR-44454 - PUBLIC HEARING - APPLICANT: QUEST ACADEMY - OWNER: YOUNG MEN'S CHRISTIAN ASSOCIATION OF SOUTHERN NEVADA - For possible action on a request for a Special Use Permit FOR A PRIVATE SCHOOL, SECONDARY USE WITHIN AN EXISTING COMMUNITY RECREATION FACILITY WITH A WAIVER TO ALLOW A SECONDARY SCHOOL ON A NON-COLLECTOR STREET at 4141 Meadows Lane (APN 139-31-601-001), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). Staff recommends DENIAL. The Planning Commission (4-0-1 vote) recommends APPROVAL.
98. SUP-44443 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: LAS VEGAS BOULEVARD TATTOO - OWNER: GARCES VENTURE, LLC - For possible action on a request for a Special Use Permit FOR A TATTOO PARLOR/BODY PIERCING STUDIO at 630 South Las Vegas Boulevard (APN 139-34-311-140), C-2 (General Commercial) Zone, Ward 3 (Coffin). The Planning Commission (5-0 vote) and Staff recommend APPROVAL.
99. SUP-44448 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: AK, INC. - OWNER: 7-ELEVEN, INC. - For possible action on a request for a Special Use Permit FOR A NINE SQUARE-FOOT ACCESSORY PACKAGE LIQUOR OFF-SALE USE WITHIN AN EXISTING 2,640 SQUARE-FOOT CONVENIENCE STORE at 1705 South Las Vegas Boulevard (APN 162-03-310-001), C-2 (General Commercial) Zone, Ward 3 (Coffin). Staff recommends DENIAL. The Planning Commission (5-0 vote) recommends APPROVAL. NOTE: Item to be heard in conjunction with Morning Session Item 61.
100. SUP-44651 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: ANDRE AGASSI FOUNDATION FOR EDUCATION - OWNER: CITY OF LAS VEGAS - For possible action on a request for a Special Use Permit FOR AN ALTERNATIVE PARKING STANDARD FOR 192 PARKING SPACES WHERE 222 SPACES ARE REQUIRED FOR AN EXISTING SCHOOL at 1201 West Lake Mead Boulevard (APNs 139-21-701-003; 139-21-702-001 through 005), C-V (Civic) Zone, Ward 5 (Barlow). The Planning Commission (5-0 vote) and Staff recommend APPROVAL.
101. DIR-43733 - DIRECTOR'S BUSINESS - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS - For possible action on request regarding the adoption of the Meadows Walkable Community Plan. - Ward 1 (Tarkanian) The Planning Commission (5-0 vote) and Staff recommend APPROVAL.
102. DIR-42928 - DIRECTOR'S BUSINESS - NON-PUBLIC HEARING - APPLICANT/OWNER: MONTECITO COMPANIES - For possible action on a request for a required review of a development report as required by Subsection 5.1 of that certain Development Agreement between the City of Las Vegas and Montecito Town Center, LLC dated April 3, 2002, on 217.50 acres generally located southeast of Elkhorn Road and El Captain Way (APNs multiple), Ward 6 (Ross). Staff recommends APPROVAL.

#### **SET DATE**

103. SET DATE ON ANY APPEALS FILED OR REQUIRED PUBLIC HEARINGS FROM THE CITY PLANNING COMMISSION MEETINGS AND DANGEROUS BUILDING OR NUISANCE/LITTER ABATEMENTS

**CITIZENS PARTICIPATION**

104. CITIZENS PARTICIPATION: PUBLIC COMMENT DURING THIS PORTION OF THE AGENDA MUST BE LIMITED TO MATTERS WITHIN THE JURISDICTION OF THE CITY COUNCIL. NO SUBJECT MAY BE ACTED UPON BY THE CITY COUNCIL UNLESS THAT SUBJECT IS ON THE AGENDA AND IS SCHEDULED FOR ACTION. IF YOU WISH TO BE HEARD, COME TO THE PODIUM AND GIVE YOUR NAME FOR THE RECORD. THE AMOUNT OF DISCUSSION ON ANY SINGLE SUBJECT, AS WELL AS THE AMOUNT OF TIME ANY SINGLE SPEAKER IS ALLOWED, MAY BE LIMITED

**COUNCIL MEMBER RECOGNITION**

105. COUNCIL MEMBER RECOGNITION: COMMENTS MADE BY INDIVIDUAL CITY COUNCIL MEMBERS DURING THIS PORTION OF THE AGENDA WILL NOT BE ACTED UPON BY THE CITY COUNCIL UNLESS THAT SUBJECT IS ON THE AGENDA AND SCHEDULED FOR ACTION

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

City Hall, 495 South Main Street, 1<sup>st</sup> Floor  
Clark County Government Center, 500 South Grand Central Parkway  
Grant Sawyer Building, 555 East Washington Avenue  
City of Las Vegas Development Services Center, 333 North Rancho Drive

**EXHIBIT B**

**(Attach Copy of Notice of May 16, 2012 Meeting)**



## **CITY COUNCIL AGENDA**

**COUNCIL CHAMBERS • 495 SOUTH MAIN STREET • PHONE 229-6011**

**CITY OF LAS VEGAS INTERNET ADDRESS: [www.lasvegasnevada.gov](http://www.lasvegasnevada.gov)**

**COUNCIL MEMBERS: CAROLYN G. GOODMAN, MAYOR (At-Large)**

**COUNCILMAN STAVROS S. ANTHONY, MAYOR PRO TEM (Ward 4)**

**LOIS TARKANIAN (Ward 1), STEVEN D. ROSS (Ward 6), RICKI Y. BARLOW (Ward 5)**

**BOB COFFIN (Ward 3), BOB BEERS, (Ward 2)**

Facilities are provided throughout City Hall for 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.

**NOTE: The regularly scheduled Las Vegas City Council meeting of Wednesday, July 4, 2012 is being cancelled due to the Fourth of July holiday.**

**May 16, 2012**

**Morning Session begins at 9:00 a.m.**

**Afternoon Session begins at 1:00 p.m.**

ITEMS LISTED ON THE AGENDA MAY BE TAKEN OUT OF THE ORDER PRESENTED; TWO OR MORE AGENDA ITEMS FOR CONSIDERATION MAY BE COMBINED; AND ANY ITEM ON THE AGENDA MAY BE REMOVED OR RELATED DISCUSSION MAY BE DELAYED AT ANY TIME.

**THE MAYOR AND CITY COUNCIL WELCOME YOUR ATTENDANCE, PUBLIC COMMENT RELATED TO THE ITEMS ON THE AGENDA AND CITIZEN PARTICIPATION ON ITEMS UNDER THE JURISDICTION OF THE CITY COUNCIL AT THIS MEETING. IF YOU WISH TO SPEAK, WE RESPECTFULLY ASK YOU TO COMPLETE AND SUBMIT A SPEAKER CARD TO THE CITY CLERK. CARDS ARE AVAILABLE ONLINE, IN THE CLERK'S OFFICE OR AT THE FRONT OF THE CHAMBERS AS YOU ENTER.**

THESE PROCEEDINGS ARE BEING VIDEO RECORDED AS WELL AS PRESENTED LIVE ON KCLV, CABLE CHANNEL 2, AND ARE CLOSED CAPTIONED FOR OUR HEARING IMPAIRED VIEWERS. PLEASE NOTE SOME CUSTOMERS OF COX COMMUNICATIONS WHO DO NOT HAVE A CABLE BOX CAN VIEW THIS MEETING ON DIGITAL CHANNEL 89.5. THE COUNCIL MEETING, AS WELL AS ALL OTHER KCLV PROGRAMMING, CAN BE VIEWED ON THE INTERNET AT [www.kclv.tv](http://www.kclv.tv). THE PROCEEDINGS WILL BE REBROADCAST ON KCLV CHANNEL 2 AND THE WEB THE WEDNESDAY OF THE MEETING AT 8:00 PM, AND ALSO ON FRIDAY AT 4:00 AM, SATURDAY AT 7:00 PM, SUNDAY AT 7:00 AM AND THE FOLLOWING MONDAY AT 1:00 PM.

DUPLICATE AUDIO CDS AND DUPLICATE AUDIO/VIDEO DVDS MAY BE AVAILABLE AT A COST OF \$5.00 EACH THROUGH THE CITY CLERK'S OFFICE.

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

### **CEREMONIAL MATTERS**

1. CALL TO ORDER
2. ANNOUNCEMENT RE: COMPLIANCE WITH OPEN MEETING LAW
3. INVOCATION – REVEREND GEORGE BALGAN, METROPOLITAN COMMUNITY CHURCH
4. PLEDGE OF ALLEGIANCE

5. RECOGNITION OF THE EMPLOYEE OF THE MONTH
6. RECOGNITION OF HISTORIC PRESERVATION MONTH
7. RECOGNITION OF CUBAN-AMERICAN DAY
8. RECOGNITION OF THE GOLDEN TAPPERS
9. RECOGNITION OF THE MIRABELLI COMMUNITY CENTER GYMNASTICS TEAM
10. RECOGNITION OF THE GREAT AMERICAN PRIDE AWARD WINNERS
11. RECOGNITION OF THE RELAY FOR LIFE ORGANIZATION

### **BUSINESS ITEMS - MORNING**

#### **PUBLIC COMMENT**

12. PUBLIC COMMENT DURING THIS PORTION OF THE AGENDA MUST BE LIMITED TO MATTERS ON THE AGENDA FOR ACTION. IF YOU WISH TO BE HEARD, COME TO THE PODIUM AND GIVE YOUR NAME FOR THE RECORD. THE AMOUNT OF DISCUSSION, AS WELL AS THE AMOUNT OF TIME ANY SINGLE SPEAKER IS ALLOWED, MAY BE LIMITED

#### **BUSINESS ITEMS**

13. For Possible Action - Any items from the morning session that the Council, staff and/or the applicant wish to be stricken, tabled, withdrawn or held in abeyance to a future meeting may be brought forward and acted upon at this time
14. For possible action to approve the Final Minutes by reference of the regular City Council meeting of May 2, 2012

### **CONSENT AGENDA**

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

#### **ADMINISTRATIVE SERVICES - CONSENT**

15. For possible action to approve an amendment to the agreement between the City of Las Vegas and the Nevada State Office of Energy to modify project terms and increase the grant amount by \$91,440 for continuance of the marketing and incentive program for EnergyFit Nevada (formerly known as the Nevada Retrofit Initiative) of 2009 - All Wards

#### **BUILDING AND SAFETY - CONSENT**

16. For possible action to approve an encroachment request from Poggemeyer Design Group on behalf of First Good Shepherd Evangelical Church, owner (301 South Maryland Parkway) - Ward 3 (Coffin)
17. For possible action to approve an encroachment request from Taney Engineering on behalf of ESC Development, LLC, owner (1511 North Nellis Boulevard) - Ward 3 (Coffin)
18. For possible action to approve an encroachment request from Sal Sagev Hotel Co., Inc., owner (1 Fremont Street) - Ward 3 (Coffin)
19. For possible action to approve an encroachment request from Nevada By Design on behalf of Clark County School District, owner (315 South 7th Street) - Ward 3 (Coffin)

20. For possible action to approve a Sewer Connection agreement with Kenneth Martin, owner and Interlocal Contract with Clark County Water Reclamation District (2855 and 2867 North Jones Boulevard, APN 138-14-603-019 and -020) - County (near Ward 5-Barlow)

#### **ECONOMIC AND URBAN DEVELOPMENT - CONSENT**

21. For possible action to approve a Substantial Amendment to the FY 2011-2012 Annual Action Plan allowing an allocation of \$126,267 Phase II Emergency Solutions Grant (ESG) funding to the City of Las Vegas by the Department of Housing and Urban Development (HUD) - All Wards

#### **FINANCE - CONSENT**

22. For possible action to approve Service and Material Checks/Payroll Checks/Wire Transfers/Other Checks and Investments

#### **FINANCE - PURCHASING & CONTRACTS CONSENT**

23. For possible action to approve award of Agreement No. 120146-TF, Prime Design Services Agreement for EOC Logistical Support Facility located at 7551 Sauer Drive - Department of Public Works - Award recommended to: WESTAR ARCHITECTURAL GROUP NEVADA, INC. (\$208,165 - Fire Services Capital Projects Fund) - Ward 4 (Anthony)
24. For possible action to revise Purchase Order No. 300026 to increase the construction conflicts and contingency reserve amount for Bid No. 09.15341.26-TF, Las Vegas Museum of Organized Crime and Law Enforcement Fabrication located at 300 Stewart Avenue - Department of Public Works (\$257,128.11 - Parks and Leisure Activities Capital Projects Fund) - Ward 5 (Barlow)
25. For possible action to approve award of Modification No. 6 to Contract No. 060266-DK for State Legislative Consulting Services - Office of Administrative Services - Award recommended to: OSTROVSKY AND ASSOCIATES (\$139,000 - General Fund) - All Wards
26. For possible action to approve award of Agreement No. 120147-TF, Prime Design Services Agreement for Sewer Rehabilitation Group H for 88 manholes in Lake Mead Boulevard from Rancho Drive to Hills Center Drive and Hills Center Drive to Summerlin Parkway - Department of Public Works - Award Recommended to: BLACK & VEATCH CORPORATION (\$775,000 - Sanitation Enterprise Fund) - Wards 1, 2, 4 and 5 (Tarkanian, Beers, Anthony and Barlow)
27. For possible action to approve Modification No. 2 to Contract No. 110174-PH, Outreach Coordinator for Nevada Retrofit Initiative – Office of Administrative Services - Award recommended to: PURDUE MARION AND ASSOCIATES CORPORATION (\$31,000 - Multipurpose Special Revenue Fund)
28. For possible action to approve Modification No. 7 to Contract No. 070370-DK, Environmental Management Consulting Services in connection with the Symphony Park site construction activities, bounded by Grand Central Parkway, Bonneville Avenue and the Union Pacific Railroad Rail Line - City Parkway V, Inc. - Award recommended to: KLEINFELDER WEST, INC. (\$70,000 - General Capital Projects Fund) - Ward 5 (Barlow)
29. For possible action to approve award of Contract No. 120032-PH, Licensing and Maintenance of Inform Public Sector (Hansen) Software Products - Department of Information Technologies - Award recommended to: INFOR GLOBAL SOLUTIONS, INC. (\$310,000 - Computer Services Internal Service Fund)
30. For possible action to approve award of Modification No. 2 to Contract No. 070410-DK, Soil Transportation and Stockpile Management Services in connection with the Symphony Park Site construction activities, bounded by Grand Central Parkway, Bonneville Avenue and the Union Pacific Railroad Rail Line - City Parkway V, Inc. - Award recommended to: LAS VEGAS PAVING CORPORATION (\$276,360 - General Capital Projects Fund) - Ward 5 (Barlow)

#### **OPERATIONS AND MAINTENANCE - CONSENT**

31. For possible action to approve a Temporary Right-of-Entry between the City of Las Vegas and the Clark County School District for the City to complete a restoration project as a part of the Safe Routes to Schools Project located at 4000 El Parque Avenue, also known as Vegas Verdes Elementary School - Ward 1 (Tarkanian)



## **PLANNING - BUSINESS LICENSING CONSENT**

32. For possible action to approve an Extension of a Temporary Beer/Wine/Cooler On-Sale License for a Change of Ownership, FROM: United Sushi Corporation, TO: Bachi Burger, LLC dba Bachi Burger, 9410 West Sahara Avenue, Suite 150, Lorin Michael Watada, Mmbr, 50%, Ehren Keoni Watada, Mmbr, 50% - Ward 2 (Beers)
33. For possible action to approve a Change of Ownership for a Package License (Non-Operational), FROM: Smith's Food & Drug Centers, Inc., TO: Bells Market, LLC, dba Bells Market II, 515 East Oakey Boulevard, James Shoshani, Managing Mmbr, 100% JT, WROS, Naseem Shoshani, Mgr, 100% JT, WROS - Ward 3 (Coffin)
34. For possible action to approve a New Beer/Wine/Cooler On-Sale License, Las Pupusas Restaurant #5 dba Las Pupusas Restaurant #5, 7450 West Cheyenne Avenue, Suites 108 & 109, Luis Alfredo Martinez Mendoza, Owner, 100% - Ward 4 (Anthony)
35. For possible action to approve an Extension of a Temporary Tavern License for a Change of Ownership, FROM: Red Rock Properties, Inc., TO: Hoffdel, LLC, dba Time Out Sports Bar & Grill, 6138 West Charleston Boulevard, Frederick Joseph Hoffman III, Managing Mmbr, 51%, Joseph Michael Delefave, Managing Mmbr, 49% - Ward 1 (Tarkanian)
36. For possible action to approve a Change of Ownership for a Beer/Wine/Cooler Off-Sale License, FROM: City Express #5, LLC, TO: Smoke Ranch Enterprises, Inc., dba Smoke Ranch AM PM, 2401 North Jones Boulevard, Rapinder Chima, Pres, Secy, Treas, Dir, 100% - Ward 5 (Barlow)
37. For possible action to approve a Restricted Gaming License, Smoke Ranch Enterprises, Inc., dba Smoke Ranch AM PM, 2401 North Jones Boulevard, Rapinder Chima, Pres, Secy, Treas, Dir, 100% - Ward 5 (Barlow)
38. For possible action to approve a One Day Opening for a Non-Restricted Gaming License subject to confirmation of approval by the Nevada Gaming Commission, United Coin Machine Company db at Moulin Rouge, 840 West Bonanza Road, Woodson Robert, VP - Ward 5 (Barlow)
39. For possible action to approve an Extension of a Temporary Locksmith and Safe Mechanic License, Carolyn Kay Braceda dba All Valley Lock & Key, 11305 Asilo Bianco Avenue, Carolyn Kay Braceda, Owner, 100% - Ward 2 (Beers)
40. For possible action to approve a Change of Ownership for a Martial Arts Instruction License, FROM: Will K. Lee, TO: World KM Taekwondo Las Vegas, Inc., dba World KM Taekwondo Las Vegas, Inc., 1780 North Buffalo Drive, Suite 105, Will Lee, Pres, 100% - Ward 1 (Tarkanian)

## **PUBLIC WORKS - CONSENT**

41. For possible action to approve Amendment Number 2 to the Interlocal Contract with Clark County for the Department of Social Services to assist in evaluating City-designated special improvement district hardship applications (not to exceed \$1,350 annually - Special Assessment Special Revenue Fund [SRF]) - All Wards
42. For possible action to approve a Supplemental Interlocal Contract No. 4 - 638d between the City of Las Vegas and the Regional Transportation Commission of Southern Nevada (RTC) to change the scope of the project and increase project funding in the amount of \$432,000 for improvements associated with the city-wide maintenance, Fiscal Year 2011 Annual Restorations and Preservation projects (Public Works Capital Project Fund [CPF]) - All Wards
43. For possible action to approve Supplemental Interlocal Contract No. 6 - 439f between the City of Las Vegas and the Regional Transportation Commission of Southern Nevada (RTC) to decrease project funding in the amount of \$1,500,000, extend the project completion date to June 30, 2013, and change the scope of the project for the design, right-of-way acquisition and construction of roadway improvements for the US-95 Horse Drive Interchange, Teepee Lane to Brent Lane - Ward 6 (Ross)
44. For possible action to approve Amendment No. 2 to the Cooperative (Local Public Agency) Agreement No. PR121-09-050 between the City of Las Vegas and the State of Nevada Department of Transportation (NDOT) to extend the termination date of the agreement for design and construction of Intelligent Transportation System (ITS) improvements on Rancho Drive from Sahara Avenue to Rainbow Boulevard - Wards 1, 5, and 6 (Tarkanian, Barlow, and Ross)

45. For possible action to approve a change in speed limit on Buffalo Drive between Whispering Sands Drive and Racel Street from 25 mph to 35 mph - Ward 6 (Ross)
46. For possible action to approve a change in speed limit on Grand Teton Drive between Buffalo Drive and Jones Boulevard from 25 mph to 35 mph - Ward 6 (Ross)

## **DISCUSSION/ACTION ITEMS**

### **ADMINISTRATIVE - DISCUSSION**

47. Report by Wells Fargo Bank regarding the outcome and success of the Wells Fargo initiative, NeighborhoodLIFT Program - All Wards
48. Discussion for possible action regarding a Disposition and Development Agreement between City Parkway V, Inc., and Boyer Las Vegas SNF, L.C., for the sale of approximately 2.69 acres of vacant land within the Las Vegas Technology Center generally located at North Tenaya Way and Cascade Valley Court - Ward 1 (Tarkanian)
49. Discussion for possible action to approve the grant agreement that designates the court filing fees to the Southern Nevada Senior Law Program - All Wards [NOTE: This item is related to Item 50, Item 55 (R-38-2012), Item 56 (R-39-2012) and Item 57 (R-40-2012)]
50. Discussion for possible action to approve the Edward Byrne Memorial Justice Assistance Grant agreement that designates \$235,000 to the Southern Nevada Senior Law Program - All Wards [NOTE: This item is related to Item 49, Item 55 (R-38-2012), Item 56 (R-39-2012) and Item 57 (R-40-2012)]

### **CITY ATTORNEY - DISCUSSION**

51. Discussion for possible action to approve settlement in City of Las Vegas v. Maro Burunsuzyan regarding condemnation of parcels for the Casino Center/Third Street Realignment Project (\$325,000 - Regional Transportation Commission Fund) - Ward 3 (Coffin)

### **PARKS, RECREATION AND NEIGHBORHOOD SERVICES - DISCUSSION**

52. Discussion for possible action to rename the park currently known as Doolittle Park to Kianga Isoke Palacio Park at Doolittle located at 951 West Lake Mead Boulevard and replace one sign in the amount of \$3,500 (General Fund) - Ward 5 (Barlow)
53. Discussion for possible action to rename the park currently known as Freedom Park to Gary Reese Freedom Park located at 850 North Mojave Road and to replace three signs in the amount of \$9,500 (General Fund) - Ward 3 (Coffin)

### **PLANNING - BUSINESS LICENSING DISCUSSION**

54. Discussion for possible action regarding an Appeal of a Work Card Denial for Jeffrey S. Manning db at 7 Eleven Food Store 27607, 600 North Las Vegas Boulevard - Ward 5 (Barlow)

### **RESOLUTIONS - DISCUSSION**

55. R-38-2012 - Discussion for possible action regarding a Resolution supporting dissolving the Senior Citizens Advisory Board - All Wards [NOTE: This item is related to Item 49, Item 50, Item 56 (R-39-2012) and Item 57 (R-40-2012)]
56. R-39-2012 - Discussion for possible action regarding a Resolution supporting authorizing the donation of computer hardware and office furniture to the non-profit Southern Nevada Senior Law Program - All Wards [NOTE: This item is related to Item 49, Item 50, Item 55 (R-38-2012) and Item 57 (R-40-2012)]
57. R-40-2012 - Discussion for possible action to approve a Resolution supporting authorizing the donation of \$200,000 (General Fund) to the non-profit Southern Nevada Senior Law Program - All Wards [NOTE: This item is related to Item 49, Item 50, Item 55 (R-38-2012) and Item 56 (R-39-2012)]

## **BOARDS & COMMISSIONS - DISCUSSION**

- 58. ABEYANCE ITEM - For Possible Action - TRAFFIC AND PARKING COMMISSION - Martin Esbin, Term Expiration 2-21-2012
- 59. Discussion for possible action regarding member appointments to the Board of Appeals for the City of Las Vegas Building Official or Fire Marshal
- 60. Discussion for possible action regarding replacement appointments to the Commission for the Las Vegas Centennial

## **RECOMMENDING COMMITTEE REPORT - DISCUSSION**

## **BILLS ELIGIBLE FOR ADOPTION AT THIS MEETING**

- 61. Bill No. Z-2012-1 - For Possible Action - Amends the City's Official Zoning Map by changing the zoning designations of certain parcels of land to reflect and formalize rezoning applications previously approved by the City Council. Proposed by: Flinn Fagg, Director of Planning
- 62. Bill No. 2012-20 - For Possible Action - Levies Assessment for Special Improvement District No. 1485 - Alta Drive (Rancho Drive to approximately 275 feet west of Lacy Lane) (Landscape Maintenance FY2013) Proposed by: Jorge Cervantes, Director of Public Works
- 63. Bill No. 2012-21- For Possible Action - Levies Assessment for Special Improvement District No. 1516 - Fremont Street Maintenance District (Las Vegas Boulevard to 8th Street) Proposed by: Jorge Cervantes, Director of Public Works
- 64. Bill No. 2012-22 - For Possible Action - Updates the licensing regulations and fees applicable to apartment houses, and clarifies zoning requirements pertaining to the conversion of multi-family/apartment developments to co-op status. (TXT-41987) Proposed by: Flinn Fagg, Director of Planning

## **CLOSED SESSION**

- 65. Closed Session - A closed meeting in accordance with NRS 288.220 to discuss labor issues

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

## **BUSINESS ITEMS - AFTERNOON**

- 66. For Possible Action - Any items from the afternoon session that the Council, staff and /or the applicant wish to be stricken, tabled, withdrawn or held in abeyance to a future meeting may be brought forward and acted upon at this time

## **HEARINGS - DISCUSSION**

- 67. Public Hearing on local improvement district for Special Improvement District No. 1514 - Ann Road and Cimarron Road (West of Leggett Road) - Ward 6 (Ross)
- 68. Public Hearing on local improvement district for Special Improvement District No. 1519 - Sidewalk Infill - Oakey Boulevard (west of Rancho Drive) and 11th Street (north of Charleston Boulevard) - Wards 1 and 3 (Tarkanian and Coffin)
- 69. Public Hearing for possible action to consider the report of expenses to recover costs for abatement of nuisance located at 3113 Alcoa Avenue for fees in the amount of \$2,249 (General Fund) and assess a maximum of \$19,500 in daily and failed inspection civil penalties for a total of \$21,749. PROPERTY OWNER: KEITH L & MARVIS F FULTON - Ward 1 (Tarkanian)
- 70. Public Hearing for possible action to consider the report of expenses to recover costs for abatement of nuisance located at 5308 Del Rey Avenue for fees in the amount of \$2,163.50 (General Fund) and assess a maximum of \$19,500 in daily and failed inspection civil penalties for a total of \$21,663.50. PROPERTY OWNER: TRUSTEE CLARK COUNTY TREASURER C/O STANFIELD FAMILY TRUST - Ward 1 (Tarkanian)

71. Public Hearing for possible action to consider the report of expenses to recover costs for abatement of nuisance located at 221 Samantha Street for fees in the amount of \$2,203 (General Fund) and assess a maximum of \$19,500 in daily and failed inspection civil penalties for a total of \$21,703. PROPERTY OWNER: OPAL SPENCER - Ward 3 (Coffin)
72. Public Hearing for possible action to consider a request for a waiver and/or reduction of fees totaling \$2,346.75 in out of pocket costs, \$1,950 in failed inspection civil penalties and \$31,550 in daily civil penalties for a total of \$35,846.75 recorded against the property located at 1737 Canosa Avenue. PROPERTY OWNER: FANNIE MAE - Ward 3 (Coffin)
73. Hearing for possible action to consider the appeal regarding the Nuisance Notice and Order to comply for the property located at 2301 Palomino Lane. PROPERTY OWNERS: LESLIE MARK & SARAH S. STOVALL - Ward 1 (Tarkanian)

## **PLANNING**

THE ITEMS LISTED BELOW, WHERE APPROPRIATE, HAVE BEEN REVIEWED BY THE VARIOUS CITY DEPARTMENTS RELATIVE TO REQUIREMENTS FOR STORM DRAINAGE AND FLOOD CONTROL, CONNECTION TO SANITARY SEWER, TRAFFIC CIRCULATION, AND BUILDING AND FIRE REGULATIONS. THEIR COMMENTS AND/OR RECOMMENDATIONS AND REQUIREMENTS HAVE BEEN INCORPORATED INTO THE ACTION.

### **PLANNING - DISCUSSION**

74. SUP-43987 - ABEYANCE ITEM - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: CIMA MIZRACHI - OWNER: KING GEORGE, LLC - For possible action on an Appeal filed from the denial by the Planning Commission of a request for a Special Use Permit FOR A PROPOSED SECONDHAND DEALER at 1200 East Charleston Boulevard and 1125 South Maryland Parkway (APNs 162-02-110-015 and 018), C-2 (General Commercial) Zone, Ward 3 (Coffin). The Planning Commission (7-0 vote) recommends DENIAL. Staff recommends APPROVAL.
75. SDR-44449 - ABEYANCE ITEM - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT: CIM/LL LAS VEGAS, LLC - OWNER: 220 NORTH 4TH STREET LV, LLC, ET AL - For possible action on a request for a Major Amendment to a previously approved Site Development Plan Review (SDR-37946) FOR PROPOSED FACADE IMPROVEMENTS, AN EXPANSION OF A PORTE COCHERE, AND A REDUCTION IN SURFACE PARKING on 3.94 acres at 206 North 3rd Street, 220 North 4th Street and 221 North 3rd Street (APNs 139-34-501-009; 139-34-510-019 and 139-34-514-007 through 009), C-2 (General Commercial) Zone, Ward 5 (Barlow). The Planning Commission (5-0 vote) and Staff recommend APPROVAL.
76. GPA-44653 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: JOSE GARCIA - For possible action on a request for a General Plan Amendment FROM: L (LOW DENSITY RESIDENTIAL) TO: O (OFFICE) on 0.20 acres at 2041 Ballard Drive (APN 162-02-514-009), Ward 3 (Coffin). The Planning Commission (6-0 vote) and Staff recommend DENIAL. NOTE: THIS ITEM WILL BE STRICKEN AND REHEARD BY PLANNING COMMISSION
77. ZON-44654 - REZONING RELATED TO GPA-44653 - PUBLIC HEARING - APPLICANT/OWNER: JOSE GARCIA - For possible action on a request for a Rezoning FROM: R-1 (SINGLE FAMILY RESIDENTIAL) TO: P-O (PROFESSIONAL OFFICE) on 0.20 acres at 2041 Ballard Drive (APN 162-02-514-009), Ward 3 (Coffin). The Planning Commission (6-0 vote) and Staff recommend DENIAL. NOTE: THIS ITEM WILL BE STRICKEN AND REHEARD BY PLANNING COMMISSION
78. VAR-44656 - VARIANCE RELATED TO GPA-44653 AND ZON-44654 - PUBLIC HEARING - APPLICANT/OWNER: JOSE GARCIA - For possible action on a request for a Variance TO ALLOW A THREE-FOOT SIDE YARD SETBACK WHERE FIVE FEET IS REQUIRED AND TO ALLOW A THREE-FOOT SETBACK WHERE RESIDENTIAL ADJACENCY REQUIRES FIVE FEET ALONG THE WEST PROPERTY LINE on 0.20 acres at 2041 Ballard Drive (APN 162-02-514-009), Ward 3 (Coffin). The Planning Commission (6-0 vote) and Staff recommend DENIAL. NOTE: THIS ITEM WILL BE STRICKEN AND REHEARD BY PLANNING COMMISSION

79. SDR-44655 - SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-44653, ZON-44654 AND VAR-44656 - PUBLIC HEARING - APPLICANT/OWNER: JOSE GARCIA - For possible action on a request for a Site Development Plan Review FOR THE CONVERSION OF A SINGLE FAMILY RESIDENCE INTO A 1,750 SQUARE-FOOT OFFICE BUILDING WITH A WAIVER TO ALLOW A PERIMETER LANDSCAPE BUFFER WIDTH OF ZERO FEET ALONG A PORTION OF THE WEST PERIMETER WHERE FIVE FEET IS REQUIRED AND TO ALLOW EIGHT FEET ON THE NORTH PERIMETER WHERE 15 FEET IS REQUIRED AND A CORRESPONDING REQUEST FOR ENCROACHMENT INTO THE BALLARD DRIVE PUBLIC RIGHT OF WAY on 0.20 acres at 2041 Ballard Drive (APN 162-02-514-009), Ward 3 (Coffin). The Planning Commission (6-0 vote) and Staff recommend DENIAL. NOTE: THIS ITEM WILL BE STRICKEN AND REHEARD BY PLANNING COMMISSION
80. MOD-44703 - MAJOR MODIFICATION - PUBLIC HEARING - APPLICANT: GIZA DEVELOPMENT - OWNER: ROHANI-NAJMI TRUST - For possible action on a request for a Major Modification of the Montecito Town Center Development Agreement TO ADD 1.99 ACRES TO THE OVERALL PLAN UNDER THE MIXED USE COMMERCIAL SPECIAL LAND USE DESIGNATION at the northeast corner of Riley Street and Clark County 215 (APN 125-20-803-002), T-C (Town Center) Zone [MS-TC (Main Street Mixed Use - Town Center) Special Land Use Designation], Ward 6 (Ross). The Planning Commission (6-0 vote) and Staff recommend APPROVAL.
81. SUP-44701 - SPECIAL USE PERMIT RELATED TO MOD-44703 - PUBLIC HEARING - APPLICANT: GIZA DEVELOPMENT - OWNER: DELAWARE 118, LLC, ET AL - For possible action on a request for a Special Use Permit FOR A CONGREGATE CARE FACILITY at the southeast corner of Riley Street and Rome Boulevard (APNs 125-20-810-001 and 125-20-803-002), T-C (Town Center) Zone [MS-TC (Main Street Mixed Use - Town Center) Special Land Use Designation], Ward 6 (Ross). Staff recommends DENIAL. The Planning Commission (6-0 vote) recommends APPROVAL.
82. SDR-44700 - SITE DEVELOPMENT PLAN REVIEW RELATED TO MOD-44703 AND SUP-44701 - PUBLIC HEARING - APPLICANT: GIZA DEVELOPMENT - OWNER: DELAWARE 118, LLC, ET AL - For possible action on a request for a Site Development Plan Review FOR A PROPOSED SINGLE-STORY, 70,539 SQUARE-FOOT CONGREGATE CARE FACILITY WITH 60 CONVALESCENT CARE BEDS AND 34 ASSISTED LIVING UNITS WITH WAIVERS OF THE TOWN CENTER DEVELOPMENT STANDARDS TO ALLOW NONE OF THE BUILDING TO BE BUILT TO THE FRONT SETBACK LINE WHERE A MINIMUM OF 80 PERCENT IS REQUIRED AND A ZERO-FOOT CORNER SIDE YARD SETBACK WHERE 15 FEET IS REQUIRED; A WAIVER OF MONTECITO TOWN CENTER DEVELOPMENT STANDARDS TO ALLOW A SERVICE AREA TO BE LOCATED WITHIN PUBLIC VIEW AND WITHOUT SCREENING WHERE SUCH IS NOT ALLOWED; AND A CORRESPONDING REQUEST FOR ENCROACHMENT INTO THE ROME BOULEVARD AND RILEY STREET PUBLIC RIGHTS-OF-WAY on 3.99 acres at the southeast corner of Riley Street and Rome Boulevard (APNs 125-20-810-001 and 125-20-803-002), T-C (Town Center) Zone [MS-TC (Main Street Mixed Use - Town Center) Special Land Use Designation], Ward 6 (Ross). Staff recommends DENIAL. The Planning Commission (6-0 vote) recommends APPROVAL.
83. VAR-44710 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: EVAPS, LLC - For possible action on a request for a Variance TO ALLOW 100 PARKING SPACES WHERE 156 SPACES ARE REQUIRED on 0.65 acres at 400 South 7th Street (APN 139-34-701-009), C-1 (Limited Commercial) Zone, Ward 3 (Coffin). Staff recommends DENIAL. The Planning Commission (6-0 vote) recommends APPROVAL.
84. SDR-44708 - SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-44710 - PUBLIC HEARING - APPLICANT/OWNER: EVAPS, LLC - For possible action on a request for a Major Amendment to a previously approved Site Development Plan Review (SDR-39121) TO ELIMINATE ONE SUBTERRANEAN LEVEL OF REQUIRED PARKING AND ONE STORY OF OFFICE SPACE on 0.65 acres at 400 South 7th Street (APN 139-34-701-009), C-1 (Limited Commercial) Zone, Ward 3 (Coffin). Staff recommends DENIAL. The Planning Commission (6-0 vote) recommends APPROVAL.
85. SUP-43979 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: LAMAR KRUITBOSCH - OWNER: MELISSA F. MAXWELL - For possible action on a request for a Special Use Permit FOR A PROPOSED BAILBOND SERVICE USE at 1110 East Bonneville Avenue (APN 139-34-813-012), C-2 (General Commercial) Zone, Ward 3 (Coffin). The Planning Commission (5-1 vote) and Staff recommend APPROVAL.

86. SUP-44658 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: SAM E. HAMKA - OWNER: DI PROPERTIES, INC. - For possible action on a request for a Special Use Permit FOR A PROPOSED BEER/WINE/COOLER OFF-SALE ESTABLISHMENT WITHIN A PROPOSED 1,440 SQUARE-FOOT CONVENIENCE STORE at 3020 East Bonanza Road, Suite #150 (APN 139-25-405-009), C-1 (Limited Commercial) Zone, Ward 3 (Coffin). The Planning Commission (6-0 vote) and Staff recommend APPROVAL.
87. SUP-44662 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: SRL FELINE FOUNDATION - OWNER: ROGER JUSSEAU - For possible action on a request for a Special Use Permit FOR A PROPOSED THRIFTSHOP, NONPROFIT WITHIN AN EXISTING BUILDING at 1431 East Charleston Boulevard, Suites #17 and #19 (APN 139-35-401-004), C-1 (Limited Commercial) Zone, Ward 3 (Coffin). The Planning Commission (6-0 vote) and Staff recommend APPROVAL.
88. SUP-44663 - SPECIAL USE PERMIT RELATED TO SUP-44662 - PUBLIC HEARING - APPLICANT: SRL FELINE FOUNDATION - OWNER: ROGER JUSSEAU - For possible action on a request for a Special Use Permit FOR A PROPOSED ANIMAL HOSPITAL, CLINIC OR SHELTER WITH NO OUTSIDE PENS WITHIN AN EXISTING BUILDING at 1431 East Charleston Boulevard, Suites #17 and #19 (APN 139-35-401-004), C-1 (Limited Commercial) Zone, Ward 3 (Coffin). The Planning Commission (6-0 vote) and Staff recommend APPROVAL.
89. SUP-44681 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: DOLGEN MIDWEST, LLC - OWNER: B. LANCE MILLER & MARIANNE MILLER, ET AL - For possible action on a request for a Special Use Permit FOR A 17 SQUARE-FOOT ACCESSORY PACKAGE LIQUOR OFF-SALE WITHIN A PROPOSED 19,676 GROCERY STORE at 3700 East Charleston Boulevard, Suite #120 (APN 140-31-401-036), C-1 (Limited Commercial) Zone, Ward 3 (Coffin). The Planning Commission (6-0 vote) and Staff recommend APPROVAL.
90. EOT-44961 - EXTENSION OF TIME - NON-CONFORMING - PUBLIC HEARING - APPLICANT/OWNER: C&W PROPERTIES, LLC - For possible action on a request for an Extension of Time FOR A NON-CONFORMING TAVERN located at 6138-6144 West Charleston Boulevard (APN 138-35-806-001), C-2 (General Commercial) Zone, Ward 1 (Tarkanian). Staff recommends APPROVAL.

#### **SET DATE**

91. SET DATE ON ANY APPEALS FILED OR REQUIRED PUBLIC HEARINGS FROM THE CITY PLANNING COMMISSION MEETINGS AND DANGEROUS BUILDING OR NUISANCE/LITTER ABATEMENTS

#### **CITIZENS PARTICIPATION**

92. CITIZENS PARTICIPATION: PUBLIC COMMENT DURING THIS PORTION OF THE AGENDA MUST BE LIMITED TO MATTERS WITHIN THE JURISDICTION OF THE CITY COUNCIL. NO SUBJECT MAY BE ACTED UPON BY THE CITY COUNCIL UNLESS THAT SUBJECT IS ON THE AGENDA AND IS SCHEDULED FOR ACTION. IF YOU WISH TO BE HEARD, COME TO THE PODIUM AND GIVE YOUR NAME FOR THE RECORD. THE AMOUNT OF DISCUSSION ON ANY SINGLE SUBJECT, AS WELL AS THE AMOUNT OF TIME ANY SINGLE SPEAKER IS ALLOWED, MAY BE LIMITED

#### **COUNCIL MEMBER RECOGNITION**

93. COUNCIL MEMBER RECOGNITION: COMMENTS MADE BY INDIVIDUAL CITY COUNCIL MEMBERS DURING THIS PORTION OF THE AGENDA WILL NOT BE ACTED UPON BY THE CITY COUNCIL UNLESS THAT SUBJECT IS ON THE AGENDA AND SCHEDULED FOR ACTION

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

City Hall, 495 South Main Street, 1<sup>st</sup> Floor  
Clark County Government Center, 500 South Grand Central Parkway  
Grant Sawyer Building, 555 East Washington Avenue  
City of Las Vegas Development Services Center, 333 North Rancho Drive

**EXHIBIT C**

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

AFFIDAVIT OF PUBLICATION

STATE OF NEVADA)  
COUNTY OF CLARK) SS:

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

LV CITY CLERK

2296311LV

7886025

was continuously published in said Las Vegas Review-Journal and / or Las Vegas Sun in 1 edition(s) of said newspaper issued from 05/03/2012 to 05/03/2012, on the following days:

05/03/2012

BILL NO. 2012-21

AN ORDINANCE CONCERNING THE CITY OF LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 1516 - FREMONT STREET MAINTENANCE DISTRICT (LAS VEGAS BOULEVARD TO 8TH STREET) PROVIDING FOR THE PAYMENT OF THE COSTS AND EXPENSES OF A COMMERCIAL AREA VITALIZATION PROJECT; ASSESSING THE COST OF THE PROJECT AGAINST THE ASSESSABLE LOTS, TRACTS, AND PARCELS OF LAND BENEFITED BY SAID IMPROVEMENTS; RATIFYING, APPROVING AND CONFIRMING ALL ACTION PREVIOUSLY TAKEN; PRESCRIBING DETAILS IN CONNECTION THEREWITH.

PUBLIC NOTICE IS HEREBY GIVEN that an adequate number of typewritten copies of the above-entitled proposed Ordinance were filed with and are available for public inspection and distribution at the office of the City Clerk of the City of Las Vegas, 495 South Main Street, Las Vegas, Nevada, and that such ordinance was proposed on the 18th day of April, 2012, and will be considered for adoption at the regular meeting of the City Council of the City of Las Vegas on the 16th day of May, 2012.

/s/ BEVERLY K. BRIDGES, MMC  
City Clerk

COPIES OF THE COMPLETE ORDINANCE ARE AVAILABLE FOR PUBLIC INFORMATION IN THE OFFICE OF THE CITY CLERK, 2ND FLOOR, 495 SOUTH MAIN STREET, LAS VEGAS, NEVADA.  
PUB: May 3, 2012  
LV Review-Journal

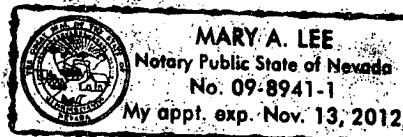
Signed

*Stacey M. Lewis*

SUBSCRIBED AND SWORN BEFORE ME THIS, THE

4<sup>th</sup> day of May 2012.

*Mary Lee*  
Notary Public





**EXHIBIT D**

**(Attach Affidavit of Publication of Adoption of Ordinance)**

**AFFIDAVIT OF PUBLICATION**

STATE OF NEVADA)  
COUNTY OF CLARK) SS:

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

LV CITY CLERK

2296311LV

7914174

was continuously published in said Las Vegas Review-Journal and / or Las Vegas Sun in 1 edition(s) of said newspaper issued from 05/19/2012 to 05/19/2012, on the following days:

05/19/2012

BILL NO. 2012-21  
ORDINANCE NO. 6195

AN ORDINANCE CONCERNING THE CITY OF LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 1516, FREMONT STREET MAINTENANCE DISTRICT (LAS VEGAS BOULEVARD TO 8TH STREET) PROVIDING FOR THE PAYMENT OF THE COSTS AND EXPENSES OF A COMMERCIAL AREA VITALIZATION PROJECT; ASSESSING THE COST OF THE PROJECT AGAINST THE ASSESSABLE LOTS, TRACTS, AND PARCELS OF LAND BENEFITED BY SAID IMPROVEMENTS; RATIFYING, APPROVING AND CONFIRMING ALL ACTION PREVIOUSLY TAKEN; PRESCRIBING DETAILS IN CONNECTION THEREWITH.

PUBLIC NOTICE IS HEREBY GIVEN that the above Ordinance was proposed on April 18, 2012, and was passed at a regular meeting held on May 16, 2012, by the following vote of the City Council of the City of Las Vegas, Nevada

Those Voting Aye: Carolyn G. Goodman  
Stavros S. Anthony  
Lois Tarkanian  
Steven D. Ross  
Ricki Y. Barlow  
Bob Coffin  
Bob Beers  
Those Voting Nay: NONE  
Those Absent: NONE

This Ordinance shall be in full force and effect from and after May 20, 2012, i.e., the day after its publication by title only.  
IN WITNESS WHEREOF, the City Council of the City of Las Vegas, Nevada, has caused this Ordinance to be published by title only.  
This 16th day of May, 2012.

/s/ CAROLYN G. GOODMAN  
Mayor  
City of Las Vegas, Nevada  
(SEAL)

Attest:  
/s/ BEVERLY K. BRIDGES, MMC  
City Clerk  
PUB: May 19, 2012  
LV Review-Journal

Signed: Stacey M. Lewis

SUBSCRIBED AND SWORN BEFORE ME THIS, THE

21<sup>st</sup> day of May 2012

Mary Lee  
Notary Public

