

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: APRIL 15, 2015

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

Consent Discussion

SUBJECT:

RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT THIS MEETING

Bill No. 2015-17 - For Possible Action - Annexation No. ANX-57905 - Property location: located at 3316 Valley Lane; Petitioned by: Hafen I, LLC; Acreage: 0.55 acres; Zoned: R-E (County zoning), R-E (City equivalent). Sponsored by: Councilman Ricki Y. Barlow

Fiscal Impact

No Impact

Augmentation Required

Budget Funds Available

Amount:

Funding Source:

Dept./Division:

PURPOSE/BACKGROUND:

The proposed ordinance annexes certain real property located at 3316 Valley Lane. The annexation is at the request of the property owner. The annexation process has now been completed in accordance with the NRS and the final date of annexation (April 10, 2015) is set by this ordinance.

RECOMMENDATION:

ADOPTION at the 4/15/2015 City Council Meeting as First Amendment pursuant to the 3/30/2015 Recommending Committee Meeting

First Reading – 3/18/2015; First Publication – 4/2/2015

BACKUP DOCUMENTATION:

Bill No. 2015-17 and Location Map

Motion made by RICKI Y. BARLOW to Approve (NOTE: A First Amendment version of this bill that had been recommended by the Recommending Committee, the only version that was viable, was not presented to be considered by the City Council. A new bill will be introduced at a future meeting to restart the annexation process for this property.)

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

BOB COFFIN, RICKI Y. BARLOW, LOIS TARKANIAN, CAROLYN G. GOODMAN, STAVROS S. ANTHONY, STEVEN D. ROSS, BOB BEERS; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-None)

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FIRST AMENDMENT

BILL NO. 2015-17

ORDINANCE NO. _____

AN ORDINANCE TO EXTEND THE BOUNDARIES OF THE CITY, TO PARTICULARLY DESCRIBE THE LAND TO BE ANNEXED, TO MAKE ITS INHABITANTS SUBJECT TO THE LAWS, OBLIGATIONS AND BENEFITS OF THE CITY, AND TO PROVIDE FOR OTHER RELATED MATTERS. (ANX-57905)

Sponsored by: Councilman Ricki Y. Barlow

Summary: Annexes property described as located at 3316 Valley Lane.

THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY
ORDAIN AS FOLLOWS:

SECTION 1: The corporate limits of the City of Las Vegas, Nevada, are hereby extended to annex, include, and make a part of the City of Las Vegas, Nevada, the following described real property:

That portion of the Southeast Quarter (SE 1/4) of the Northwest Quarter (NW 1/4) of the Southwest Quarter (SW 1/4) of Section 20, Township 20 South, Range 61 East, M.D.M., of Clark County Nevada, being the south 150.00 feet of School Block 12 of LAS VEGAS ACRES-TRACT No. 1 as described on TRUSTEE'S DEED UPON SALE recorded April 21, 2010 in Book 20100421 as Instrument Number 02814 of Clark County Nevada records, together with the adjoining 25.00 foot half street right of way of Valley Lane and the adjoining 15.00 foot half of

1 vacated 30.00 foot alley as described by Order of Vacation VS-010-90 recorded
2 April 23, 1993 as Instrument Number 01432 of Clark County Nevada records.
3 BASIS OF BEARINGS: South 89°48'21" West, being the south line of the
4 Southeast Quarter (SE 1/4) of the Northwest Quarter (NW 1/4) of the Southwest
5 Quarter (SW 1/4) of Section 20, Township 20 South, Range 61 East M.D.M., as
6 shown on Parcel Map in File 4, Page 77 of Clark County Nevada Records.

7 Prepared by:
8 Brian Yu, PLS
9 Dept. of Operations and Maintenance
10 Right-of-Way,
11 City of Las Vegas
12 333 N. Rancho Drive, 8th Floor
13 Las Vegas, NV 89106
14 byu@lasvegasnevada.gov

15 SECTION 2: The City Council hereby determines that the described territory
16 meets the requirements provided by law for annexation to the City for the following reasons:

17 A. The area to be annexed was contiguous to the City's boundaries at the time
18 the annexation proceedings were instituted;

19 B. More than one-eighth (1/8) of the aggregate external boundaries of the
20 area are contiguous to the City;

21 C. The territory proposed to be annexed is not included within the boundaries
22 of another incorporated city or within the boundaries of any unincorporated town as those
23 boundaries existed as of July 1, 1983;

24 D. The City is eligible to annex the described territory because the
25 landowners have signed a petition constituting one hundred percent (100%) of the owners of record
of individual lots or parcels of land within the annexation area.

SECTION 3: The City will provide police protection through the Las Vegas
Metropolitan Police Department, fire protection, street maintenance, and library services
immediately upon annexation. Garbage collection by the company franchised by the City will also
be provided immediately. The City sanitary sewer system will serve the proposed annexation area.
Any connection to or extension of this sewer line to serve the annexation area shall be at the

1 | expense of the landowners. Other services, such as participation in the City's recreational
2 | programs, special education classes and programs, public works planning, building inspections, and
3 | other City services will also be available immediately. Utilities such as gas, electricity, telephone,
4 | and water are provided by private utility companies and other services to the area will not be
5 | affected by annexation. Street paving, curbs and gutters, sidewalks and street lights which are not
6 | in place at the time of annexation will be installed in the presently developed areas upon the request
7 | of the property owners and at their expense by means of special assessment districts. Such
8 | improvements will be extended into the undeveloped areas as development takes place and the
9 | need therefor arises, and will be located according to the needs of the area at that time. Such
10 | installations will also be made at the expense of the property owners, either by means of special
11 | assessment districts or as prerequisites to the approval of subdivision plats, building permits or
12 | other land use or development applications.

13 | SECTION 4: The annexation of the described territory shall become effective
14 | on the 24th day of April, 2015, and on that date the City will have the funds appropriated in
15 | sufficient amount to finance the extension into the described territory of police protection, fire
16 | protection, street maintenance, street sweeping, and street lighting maintenance.

17 | SECTION 5: The described territory, together with the inhabitants and property
18 | thereof, shall, from and after the 24th day of April, 2015, be subject to all debts, laws, ordinances
19 | and regulations in force in the City and shall be entitled to the same privileges and benefits as other
20 | parts of the City, and shall be subject to municipal taxes levied by the City.

21 | SECTION 6: The City Engineer is hereby instructed to cause to be prepared an
22 | accurate map or plat of the described territory and to record the map or plat, together with a
23 | certified copy of this ordinance, in the office of the County Recorder of Clark County, Nevada,
24 | which recording shall be done prior to the 24th day of April, 2015.

25 | SECTION 7: The described territory, which previously has been zoned R-E

1 (County of Clark classification), is hereby classified as R-E (City of Las Vegas classification),
2 which is deemed to be the City equivalent of the County classification.

3 SECTION 8: If any section, subsection, subdivision, paragraph, sentence, clause
4 or phrase in this ordinance or any part thereof is for any reason held to be unconstitutional or
5 invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the
6 validity or effectiveness of the remaining portions of this ordinance or any part thereof. The City
7 Council of the City of Las Vegas hereby declares that it would have passed each section,
8 subsection, subdivision, paragraph, sentence, clause or phrase thereof irrespective of the fact that
9 any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases be
10 declared unconstitutional, invalid or ineffective.

11 SECTION 9: All ordinances or parts of ordinances or sections, subsections,
12 phrases, sentences, clauses or paragraphs contained in the Municipal Code of the City of Las
13 Vegas, Nevada, 1983 Edition, in conflict herewith are hereby repealed.

14 PASSED, ADOPTED and APPROVED this 15th day of April,
15 2015.

16 APPROVED:

17
18 By _____
CAROLYN G. GOODMAN, Mayor

19 ATTEST:

20 _____
21 LUANN D. HOLMES, MMC
Acting City Clerk

22 APPROVED AS TO FORM:

23 Val Steed
24 Val Steed, Deputy City Attorney

25 3-30-15
Date

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The above and foregoing ordinance was first proposed and read by title to the City Council on the 18th day of March, 2015, and referred to a committee for recommendation; hereafter the committee reported favorably on said ordinance on the 15th day of April, 2015, which as a regular meeting of said Council; that at said regular meeting, the proposed ordinance was read by title to the City Council as first introduced and adopted by the following vote:

- VOTING "AYE": Mayor Goodman and Councilmembers Anthony, Barlow, Tarkanian Ross, Coffin and Beers
- VOTING "NAY": None
- EXCUSED: None
- ABSTAINED: None
- DID NOT VOTE: None

APPROVED:

CAROLYN G. GOODMAN, Mayor

ATTEST:

LUANN D. HOLMES, MMC Acting City Clerk

