

Summary – An ordinance levying assessments in the City of Las Vegas, Nevada, Special Improvement District No. 815 (Summerlin Village 25), ratifying action taken by City officers toward the creation of such District, and providing other matters related thereto.

BILL NO. 2020-12

ORDINANCE NO. 6733

AN ORDINANCE CONCERNING THE CITY OF LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT 815 (SUMMERLIN VILLAGE 25); ASSESSING THE COST OF LOCAL IMPROVEMENTS AGAINST THE ASSESSABLE PROPERTY BENEFITED BY THE LOCAL IMPROVEMENTS; AND PROVIDING OTHER MATTERS RELATED THERETO.

WHEREAS, the City Council (the “Council”) of the City of Las Vegas, Nevada (the “City”), has previously, pursuant to the requisite preliminary proceedings, created the City of Las Vegas, Nevada, Special Improvement District No. 815 (Summerlin Village 25) (the “District”) for the purpose of acquiring and improving a street project, storm sewer project, sanitary sewer project, water project and drainage project (the “Project”), and has provided that the entire cost and expense of the Project shall be paid by special assessments, according to benefits received by the benefited lots, tracts and parcels of land in the District; and

WHEREAS, pursuant to Chapter 271 of Nevada Revised Statutes (“NRS”) and all laws amendatory thereof and supplemental thereto (the “Act”), there has previously been presented to the Council a written petition from The Howard Hughes Company, LLC, a Delaware limited liability company (the “Developer”), requesting the City to initiate the formation of the District and the acquisition and improvement of the Project and to issue bonds and levy assessments and requesting the City to proceed with certain actions required by the Act; and

WHEREAS, the City and the Developer have entered into a Development and Financing Agreement dated as of April 1, 2020 (the “Financing Agreement”), for the acquisition and improvement of the Project which contains the terms and conditions required by NRS 271.710 and 271.720; and

WHEREAS, the District has been created by an ordinance designated as the “District No. 815 Creation Ordinance” previously approved by the Council under the provisions of the Act; and

WHEREAS, the Council has determined that the entire cost and expense to the City of the acquisition and improvement of the Project is to be paid by special assessments levied against the benefited lots, tracts and parcels of land in the District; and

WHEREAS, such cost and expense of the Project includes the costs and expenses of the City to be incurred in connection with the issuance of the bonds by the City (including any refunding thereof, the “Bonds”) to finance the cost of the acquisition and improvement of the Project and the amount of reserve and other funds for the Bonds; and

WHEREAS, the Council has determined and does hereby declare that the net cost to the City of the Project is \$22,750,000 of which \$-0- is available from other sources and \$22,750,000 is to be assessed upon the benefited lots, tracts and parcels of land in the District; and

WHEREAS, after determination of the cost and expense of the acquisition and improvement of the Project to be paid by the property specially benefited, the Council, together with the Engineer (defined herein), made out an assessment roll for the District containing, among other things, the name and address of the last-known owner of the property to be assessed, a description of each lot, tract and parcel of land to be assessed, and the amount of the assessment thereon and has filed the assessment roll with the City Clerk; and

WHEREAS, the assessments do not exceed the benefits to the property assessed nor the total cost and expense of the acquisition and improvement of the Project payable from assessments as previously determined and do not exceed the reasonable market value of the lots, tracts and parcels of land to be assessed; and

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

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

Section 1. This ordinance shall be known as and may be cited by the short title “District No. 815 Assessment Ordinance” (this “Ordinance”).

Section 2. Unless the context otherwise requires, capitalized terms used herein shall have the following meanings:

“Act” means the Consolidated Local Improvements Law, being Chapter 271 of the Nevada Revised Statutes, as amended from time to time.

“Administration Fund” means the fund of that name established under the Indenture.

“Administrative Allocation” means, for any Assessment Year, the remainder of (a) the aggregate amount of Assessment Installments payable in such Assessment Year in accordance with this Ordinance (without taking into account any reduction in such Assessment Installments required to be made pursuant to Section 5C hereof), less (b) Annual Debt Service for the Bond Year commencing in such Assessment Year.

“Administrative Budget Amount” means, for any Administrative Year, the amount that the City reasonably anticipates, as of the November 15 immediately preceding the commencement of such Administrative Year, will be required to be available in the Administration Fund to pay Administrative Costs during the course of such Administrative Year or any subsequent Administrative Year; provided, however, the Administrative Budget Amount may not exceed the Administrative Allocation for such Administrative Year.

“Administrative Costs” means the actual and reasonable costs of administering the levy, collection and enforcement of the Assessments and all other actual and reasonable administrative costs and incidental expenses related to the Assessments or the Bonds, including, but not limited to, Trustee’s fees and expenses, engineer’s fees and expenses, outside legal costs, the costs and expenses of City staff and fees incurred in connection with the calculation of arbitrage rebate due to the federal government, the costs of existing or projected delinquencies in Assessment payments in current or future Administrative Years in amounts determined by the City in its sole discretion, which amounts may be used to pay Annual Debt Service in the City’s sole discretion, the costs of complying with federal securities laws, and the costs of any modification to the District.

“Administrative Year” means the twelve-month period beginning on December 2 in each year and extending to the next succeeding December 1, both dates inclusive. The first Administrative Year shall begin on December 2, 2021 and end on December 1, 2022.

“Annual Debt Service” means, with respect to any Outstanding Bonds, for each Bond Year, the sum of (a) the interest due on such Bonds in such Bond Year, assuming that such Bonds are retired as scheduled (including by reason of mandatory sinking fund redemptions), and (b) the principal amount of the such Bonds due in such Bond Year (including any mandatory sinking fund redemptions due in such Bond Year).

“Appraised Value” means the market value of all or any portion of the Property (assuming the completion of any portion of the Project to be acquired with the proceeds of Bonds that have been issued) as set forth in a Qualified Appraisal Report prepared by a Qualified Appraiser.

“Assessment” or **“Assessments”** means, with respect to the Property, or a portion thereof, the aggregate special assessments levied by the City thereon pursuant to and in accordance with the terms of this Ordinance and, with respect to an individual parcel of the Property, means the special assessment levied by the City thereon pursuant to and in accordance with the terms of this Ordinance.

“Assessment Installments” means the installments of principal and interest payable with respect to the Assessments.

“Assessment Revenue Fund” means the fund of that name established under the Indenture.

“Assessment Roll” means the Assessment Roll prepared by the Engineer in connection with the levy of the Assessments.

“Assessment Year” means the twelve-month period beginning on October 2 in each year and extending to the next succeeding October 1, both dates inclusive, except that the first Assessment Year shall begin on October 2, 2021 and end on October 1, 2022.

“Bond Year” means each twelve-month period beginning on December 2 in each year and extending to the next succeeding December 1, both dates inclusive, except that the first Bond Year shall begin on December 2, 2021 and end on December 1, 2022.

“Chief Financial Officer” means the Chief Financial Officer of the City.

“City Treasurer” means the Treasurer of the City, who is the officer of the City upon whom is delegated by law general responsibility for the maintenance of the moneys and other funds of the City.

“Creation Ordinance” means the ordinance of the City Council creating the District.

“Construction Fund” means the fund of that name established under the Indenture.

“Credit Amount” means, for any Assessment Year, an amount equal to the remainder of (a) the sum of (i) the amount on deposit in the Assessment Revenue Fund on December 3 of such Assessment Year (excluding amounts on deposit on December 3, 2020 and December 3, 2021, which shall not be used in calculating any Credit Amount) plus (ii) an amount equal to the Administrative Allocation for such Assessment Year, less (b) an amount equal to the Administrative Budget Amount for the Administrative Year commencing in such Assessment Year.

“District” means the “City of Las Vegas, Nevada Special Improvement District No. 815 (Summerlin Village 25)” created by the City pursuant to the Creation Ordinance.

“Engineer” means the City Engineer.

“Engineer’s Report” means the engineer’s report for the District prepared by the Engineer, as originally approved or as the same may be amended from time to time in accordance with the Act.

“Indenture” means the Trust Indenture relating to the Bonds by and between the City and the Trustee, as originally executed or as it may from time to time be amended or supplemented by any Supplemental Indenture.

“NRS” means the Nevada Revised Statutes, as amended from time to time.

“Ordinance” means this Ordinance.

“Parity Assessment” means a special assessment levied pursuant to the Act or any similar law, the lien of which is on a parity with the lien of the Assessments.

“Payment Dates” means April 1 and October 1, commencing October 1, 2020.

“Project” means the local improvements to be acquired, constructed and improved by the City with a portion of the proceeds of the Bonds, which local improvements are described in the Engineer’s Report and the Creation Ordinance.

“Property” means the real property located within the District, as described in the Creation Ordinance.

“Qualified Appraisal Report” means a real estate appraisal report which (a) has been prepared by a Qualified Appraiser, (b) uses a date of value, or was updated by a letter dated, no more than six months prior to the date of submittal to the Trustee, (c) states that it is prepared in accordance with the applicable standards of the Appraisal Institute for such reports, (d) is written in conformance with Uniform Standards of Professional Appraisal Practice (USPAP), and (e) employs a methodology and provides limiting conditions that are consistent with the Initial Appraisal Report.

“Qualified Appraiser” means BTI Appraisal, or any other real estate appraiser selected by the City that has a MAI designation from the Appraisal Institute and that is a Certified General Appraiser licensed in the State.

“Qualified Engineer” means a qualified engineer, or firm of engineers, of recognized standing in the field of assessment engineering.

“Reserve Fund” has the meaning ascribed thereto in the Indenture.

“Semiannual Credit Amount” means, for any Assessment Year, 50-percent of the Credit Amount for such Assessment Year.

“State” means the State of Nevada.

“Supplemental Indenture” means any indenture amendatory of or supplemental to the Indenture, but only if and to the extent that such Supplemental Indenture is specifically authorized under the Indenture.

“Trustee” means The Bank of New York Mellon Trust Company, N.A., as trustee under the Indenture, and any successor thereto permitted under the Indenture.

“Value to Lien Ratio” means a fraction, (a) the numerator of which is the sum of (i) the taxable value of the Property, or the portion thereof with respect to which the Value to Lien Ratio is being determined, for which a Qualified Appraisal Report has not been provided, as such value is shown on the most recently equalized property tax roll, plus (ii) the Appraised Value of the Property, or the portion thereof with respect to which the Value to Lien Ratio is being determined, for which a Qualified Appraisal Report has been provided, as such Appraised Value is shown in such Qualified Appraisal Report, and (b) the denominator of which is the sum of the principal amount of existing Assessments levied on the Property or such portion thereof, plus the principal amount of existing Parity Assessments levied on the Property or such portion thereof, plus the principal amount of any Parity Assessments proposed to be levied on the

Property or such portion thereof, which proposed Parity Assessments are anticipated to be levied on or before the date of, or in connection with, the event requiring a determination of Value to Lien Ratio; the Value to Lien Ratio shall be expressed, after reducing said fraction, as a number equal to the numerator of said fraction “to” a number equal to the denominator of said fraction.

Section 3. All actions, proceedings and matters previously 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 acquisition and improvement of the Project, the levy of Assessments for those purposes, and the validation and confirmation of the Assessment Roll and the Assessments therein, are ratified, approved and confirmed.

Section 4. For the purpose of paying the cost and expense of acquisition and improvement of the Project by the City, there are hereby levied and assessed against the lots, tracts and parcels of land in the District specially benefited by the Project and described in the Assessment Roll, the amounts and assessments shown in the Assessment Roll (as so filed and confirmed). The Council hereby finds and determines that such Assessments do not exceed the benefits to the property assessed nor the total cost and expense of the acquisition and improvement of the Project payable from assessments as previously determined and do not exceed the reasonable market value of the lots, tracts and parcels of land to be assessed.

Section 5.

A. The Developer, pursuant to Financing Agreement, has elected to pay the Assessments in installments, with interest as hereinafter provided, and the Council hereby authorizes such manner of payment. The unpaid Assessments shall be payable on April 1 and October 1 of each year, commencing on October 1, 2020, in fifty-nine (59) semi-annual substantially equal installments of principal and interest until paid in full, with interest in all cases on the unpaid and deferred installments of principal from the effective date of this Ordinance at a rate or rates, which shall not exceed by more than one percent (1%) the highest rate of interest on the Bonds issued for the District. Between the effective date of this Ordinance and the date the Bonds are issued, the unpaid Assessments shall bear interest at 0%. After the Bonds are issued, the Council hereby delegates to the City’s Chief Financial Officer pursuant to NRS 271.415 the ability to fix the rate or rates of interest on the unpaid Assessments in accordance with the parameters described in this Section. The effective interest rate on the Bonds will not exceed the statutory maximum rate, i.e., will not exceed by more than 3% the

“Index of Twenty Bonds,” which shall have been most recently published before the time bids for the bonds are received, or at the time a negotiated offer for the sale of such bonds is accepted.

B. The City Treasurer shall, on approximately March 1 and September 1 of each calendar year, commencing September 1, 2020, mail, by United States mail, postage prepaid as first-class mail, an assessment bill to each owner of a parcel of the Property with respect to which Assessment Installments are payable on the following April 1 or October 1, respectively. The names and addresses of such property owners shall be obtained from the records of the Clark County Assessor or from such other source or sources as the City Treasurer deems reliable. The assessment bill shall specify the amount of the Assessment Installment payable by such owner on the following April 1 or October 1, as applicable, and shall state that each such day is the last day for payment of such amount. Each assessment bill shall specify what portion of the amount payable constitutes interest and what portion constitutes principal.

C. Pursuant to the Indenture, the Trustee is required to notify the City Treasurer, no later than December 10 of each year, commencing December 10, 2022, of the amount on deposit in the Assessment Revenue Fund as of December 3 of such year. On or before December 15 of each year, commencing December 15, 2021, the City Treasurer shall calculate, or cause to be calculated, the Credit Amount for the then current Assessment Year. An amount equal to the Semiannual Credit Amount for such Assessment Year shall be credited against the aggregate Assessment Installments payable on each Payment Date in such Assessment Year. The amount of the Assessment Installment payable with respect to each parcel of the Property on each such Payment Date shall be reduced by a proportionate share of the Semiannual Credit Amount, such share to be in the same proportion to the whole of the Semiannual Credit Amount as the unpaid and non-delinquent principal of the Assessment levied on such parcel is to the whole of the unpaid and non-delinquent principal of the Assessment levied on the Property. The assessment bills shall reflect such reduction in the amount of the Assessment Installment payable on each Payment Date. Any Assessment Installment, the amount payable with respect to which on any Payment Date is reduced pursuant to this Section, shall for all purposes be deemed to have been paid on such Payment Date in an amount equal to such reduction. Notwithstanding the foregoing, amounts on deposit in the Assessment Revenue Fund on December 3, 2020 and December 3, 2021 shall by operation of this Ordinance be

deemed to be Administrative Costs, shall not be used to calculate any Credit Amount, and shall be transferred by the Trustee to the City for deposit into the Administration Fund.

D. The owner of any Property assessed and not in default as to any Assessment Installment or payment may, at any time (at the option of such owner), pay the whole or any portion of the unpaid principal with interest accruing thereon to the next Payment Date, together with a prepayment premium equal to three percent (3%) of the principal amount so prepaid. If the Bonds (or any bonds issued to refund the Bonds) may then be redeemed without the payment of any premium, the City, in its sole discretion, may waive the requirement of payment of the prepayment premium. No waiver for a particular prepayment premium shall be deemed to be a waiver for any other prepayment premium. The owner of any assessed property may, at any time, request the City to provide information as to the total amount which will be due in connection with a proposed prepayment of an Assessment by such owner and the City will promptly (but in any event within five (5) business days) provide such information to the owner. After any partial prepayment of an assessment or refunding of the Bonds pursuant to NRS 271.488, the City Treasurer shall reamortize the Assessment Installments due on the parcel on which the partial prepayment was made or, in the case of a refunding, on all parcels, so that the remaining Assessment Installments are semiannual substantially level installments of principal and interest with a final due date of October 1, 2049.

E. The Assessment against a portion of Property shall be reduced by the amount of any credits available for such Assessment that are applied as a result of the voluntary prepayment thereof in whole or part as provided in the Indenture. This section does not prevent the City from amending this Ordinance, the Financing Agreement or any other documents executed in connection with the Bonds to provide for other uses of the interest earned on Bond proceeds, any excess Bond proceeds or the reserve fund established for the Bonds (the "Reserve Fund") in connection with a refunding of the Bonds; and the owners of the property assessed in the District have no entitlement to payment of any amounts in the interest earned on Bond proceeds, any excess Bond proceeds or the Reserve Fund in the event of such an amendment.

F. The City Treasurer shall, within eight (8) City business days after the end of each calendar month in which Assessment Installments are received, transfer such Assessment Installments to the Trustee for deposit in the Assessment Revenue Fund; provided,

however, that any Assessment Installments received during the period from May 1 to May 15 shall be transferred by the City Treasurer to the Trustee no later than May 31 and any Assessment Installments received during the period from November 1 to November 15 shall be transferred by the City Treasurer to the Trustee no later than November 30.

Section 6. The amounts assessed as provided in this Ordinance shall be a lien upon the lots, tracts and parcels of land from the effective date of this Ordinance until paid. Pursuant to NRS Section 271.420, such lien shall be co-equal with the latest lien upon the lots, tracts and parcels to secure the payment of general taxes, shall not be subject to extinguishment by the sale of any property on account of the nonpayment of general taxes, and shall be prior and superior to all liens, claims, encumbrances and titles other than the lien 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. If any parcel of Property is divided after the effective date of this Ordinance and before the collection of all of the Assessment Installments, the Council may require the City Treasurer to apportion the uncollected amounts upon the several parts of land so divided.

A. Apportionments of Assessments shall be made in accordance with the method specified in the Engineer's Report.

B. In accordance with NRS 271.425, the City Treasurer shall prepare, or cause a Qualified Engineer to prepare, a report of such apportionment which, when approved by the City Council, shall be recorded in the office of the Clark County Recorder, 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.

C. The report of such an apportionment, when approved, shall be conclusive on all the parties, and all Assessments thereafter made upon the tracts shall thereafter be according to the subdivision.

Section 8. The City may also reapportion assessments on tracts (whether currently within the District or latter added to the District) with the consent of property owners whose assessment will be increased thereby pursuant to NRS 271.425(3) or NRS 271.710(2), subject to the following restrictions:

A. The City Council shall not make a finding that a proposed combination or reapportionment of Assessments pursuant to subsection 2 or subsection 3 of NRS 271.425 will not materially or adversely impair the obligation of the City with respect to Outstanding Bonds unless the City Council first obtains a written report of a Qualified Engineer certifying that, based on a Qualified Appraisal Report, the Value to Lien Ratio (including in the calculation thereof any increase in the Assessment on any parcel as a result of such combination or reapportionment) for each parcel of the Property, if any, on which Assessments are combined and each parcel of the Property, if any, on which Assessments are increased as a result of such reapportionment is at least three (3) to one (1). The City Council shall be entitled to rely on such written report of a Qualified Engineer in making such finding, and such written report of a Qualified Engineer shall be conclusive evidence that such proposed combination or reapportionment of Assessments pursuant to subsection 2 or subsection 3 of NRS 271.425 will not materially or adversely impair the obligation of the City with respect to Outstanding Bonds. The City Council shall not make the finding described in subsection 4(b) of NRS 271.425 unless the City Council first obtains a written report of a Qualified Engineer stating that the proposed combination or reapportionment of Assessments pursuant to subsection 2 or subsection 3 of NRS 271.425 will not increase the principal balance of any Assessment to an amount such that the aggregate amount which is assessed against a tract exceeds the minimum benefit to the tract that is estimated to result from the project which is financed by the Assessment. The City Council shall be entitled to rely on such written report of a Qualified Engineer in making such finding, and such written report of a Qualified Engineer shall be conclusive evidence that such proposed combination or reapportionment of Assessments pursuant to subsection 2 or subsection 3 of NRS 271.425 will not increase the principal balance of any Assessment to an amount such that the aggregate amount which is assessed against a tract exceeds the minimum benefit to the tract that is estimated to result from the project which is financed by the Assessment. Notwithstanding the foregoing, no combination or reapportionment of Assessments pursuant to subsection 2 or subsection 3 of NRS 271.425 shall be made unless, as of the effective date of such combination

or reapportionment, there are no delinquencies in the payment of Assessment Installments on any parcel of property on which Assessments will be increased as a result of such combination or reapportionment.

Section 9. In case any such lot, tract or parcel of land so assessed is delinquent in the payment of such assessment or any installment of principal or interest, the City Treasurer promptly (but in no event later than 60 days after the installment due date) shall mark the Assessment Installment delinquent on the Assessment Roll for the District and shall notify the owner of such delinquent property, if known, in writing of such delinquency, by first class mail, postage prepaid, addressed to the addressee's last-known address.

A. Said Assessment shall be enforced by the City Treasurer and other officers of the City, as provided in NRS 271.545 to 271.630, and the Assessment Roll and certified copy of this Ordinance shall be prima facie evidence of the regularity of the proceedings.

B. Except as herein provided, failure to pay any Assessment Installment, whether of principal or interest, when due shall cause the whole amount of the unpaid principal of such Assessment to become due and payable immediately, at the option of the City, the exercise of said option shall be indicated by the commencement of foreclosure or sale proceedings by the City. The whole amount of the unpaid principal and the interest that has accrued thereon shall, commencing fifteen (15) days after the date on which the delinquent Assessment Installment became due, whether or not the option to accelerate the due date for the payment of the unpaid principal is exercised, bear a penalty 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 the foreclosure sale or until paid; provided that, at any time prior to the day of such sale, the owner of any such lot or parcel may pay the aggregate amount of all of the delinquent Assessment Installments originally becoming due on or before the date of said payment, with accrued interest thereon and all penalties and costs of collection accrued, and shall thereupon be restored to the right thereafter to pay in installments in the same manner as if a default had not been suffered.

C. If any such collection is not promptly enforced by the City, any Bondholder may file and prosecute a foreclosure action in the name of the City. Any

Bondholder may also proceed against the City to protect and enforce the rights of the owners of the Bonds under this Ordinance and the Act by suit, action or special proceedings in equity or at law, only for either of the appointment of a receiver or for the specific performance of any provision contained herein or in the Act or in an award of execution of any power herein granted for the enforcement of any proper legal or equitable remedy as such bondholder may deem most effectual to protect and enforce the rights aforesaid. All such proceedings at law or in equity shall be instituted, had and maintained for the equal benefit of all owners of the Bonds then outstanding. The failure of the Bondholders so to foreclose upon the property which is the subject of such delinquent assessments or so to proceed against the City, or both, shall not relieve the City or any of its officers, agents or employees of any duty so to take the actions hereinabove set forth.

Section 10. The City shall not levy Parity Assessments against the Property, or any portion thereof, unless the Value to Lien Ratio of each parcel of the Property, or the portion thereof against which such Parity Assessment is proposed to be levied, will be, immediately after such levy, no less than three (3) to one (1).

Section 11. The City Clerk is hereby directed to deliver to the County Assessor, the County Recorder and the City Treasurer, a copy of the final Assessment Roll containing a description of the lots, tracts and parcels of land being assessed, with the amount of the assessment levied upon each and the name and address of the owner against whom the assessment was made, 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 Assessment Roll as provided in this Section, nor any defect in the roll as recorded shall affect the validity of the assessments, the lien for the payment thereof or the priority of that lien. The City Treasurer is hereby directed to collect the amounts assessed as a tax upon the lots, tracts and parcels of land to which they were assessed.

Section 12. In accordance with NRS 271.390(2), the City Clerk shall give written notice of the levy of assessments by mailing a copy of such notice, postage prepaid, either before or promptly after the effective date of this Ordinance, to the owners of all property upon which the assessment was levied at their last-known addresses. Proof of such mailing shall be made by the affidavit of the City Clerk, provided, however, that failure to mail any such notice or notices shall not invalidate any assessment or any other proceedings concerning the

District. Proof of the mailing shall be maintained in the permanent records of the office of the City Clerk until all special assessments and all Bonds shall have been paid in full, as to both principal and interest, or until any claim is barred by an appropriate statute of limitations. The Council hereby determines that the manner of giving notice herein provided 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 13. The notice provided for in NRS 271.390(2) and in Section 12 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 THE CITY OF LAS VEGAS, NEVADA,
SPECIAL IMPROVEMENT DISTRICT NO. 815
(SUMMERLIN VILLAGE 25)**

NOTICE IS HEREBY GIVEN to the owners of all property upon which an assessment has been levied that, by an ordinance duly passed, adopted, signed and approved on April 15, 2020 (the "Ordinance"), there were levied and assessed against the lots, tracts and parcels of land specially benefited by the local improvements in what is designated as the "City of Las Vegas, Nevada, Special Improvement District No. 815 (Summerlin Village 25)" (said lots, tracts and parcels of land being more specifically described in the assessment roll designated in the Ordinance), the costs and expenses of such improvements.

The assessments are payable at the times and in the amounts specified in the Ordinance. Failure to pay any installment, whether of principal or interest, when due shall cause the whole amount of the unpaid principal of such assessment to become due and payable immediately at the option of the City, the exercise of said option shall be indicated by the commencement of sale proceedings by the City. The whole amount of the unpaid principal and the interest that has accrued thereon shall, commencing fifteen (15) days after the date on which the delinquent installment became due, whether or not the option to accelerate the due date for the payment of the unpaid principal is exercised, bear a penalty at the rate of 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 the foreclosure sale or until paid; provided that, at any time prior to the day of such sale, the owner of any such lot or parcel may pay the aggregate amount of all of the delinquent installments originally becoming due on or before the date of said payment, with accrued interest thereon and all penalties and costs of collection accrued, and shall thereupon be restored to the right thereafter to pay in installments in the same manner as if a default had not been suffered.

Pursuant to NRS 271.395, within 15 days after the effective date of the Ordinance, any person who has filed a complaint, protest or objection in writing may 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 assessment roll, of each assessment contained in the assessment roll, and of the amount of the assessment levied on each lot, tract and parcel of land including without limiting the generality of the foregoing, the defense of confiscation, are perpetually barred.

The amounts assessed as aforesaid constitute a lien upon said lots, tracts and parcels of land from April 19, 2020, which lien shall be coequal with the latest lien thereon to secure the payment of general (ad valorem) taxes and prior and superior to all other liens, claims, encumbrances and titles (other than the liens of assessments and general (ad valorem) taxes). The sale of any such lot, tract or parcel of land for general (ad valorem) taxes shall not relieve such lot, tract or parcel of land from such assessment or the lien therefor.

DATED this April 15, 2020.

/s/ LUANN D. HOLMES
City Clerk

Amount of assessment \$ _____

Description of property assessed _____

(End of Form of Notice)

Section 14. The officers of the City are authorized and directed to take all action necessary or appropriate to effectuate the provisions of this Ordinance, including without limiting the generality of the foregoing, the preparation of all necessary documents, legal proceedings and other items necessary or desirable for the issuance of the Bonds.

Section 15. All ordinances, bylaws, resolutions and orders, or parts thereof, in conflict with the provisions of this Ordinance are hereby repealed to the extent only of such inconsistency. This repealer shall not be construed to revive any ordinance, bylaw, resolution or order, or part thereof, previously repealed.

Section 16. When first proposed, this Ordinance must be read to the Council by title, after which an adequate number of copies of this Ordinance must be deposited with the City Clerk for public examination and distribution. Notice of the deposit must be published once in a newspaper published and having general circulation in the City at least 10 days before the adoption of the Ordinance, such publication to be in substantially the following form:

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

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE CONCERNING THE CITY OF LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT 815 (SUMMERLIN VILLAGE 25); AND ASSESSING THE COST OF LOCAL IMPROVEMENTS AGAINST THE ASSESSABLE PROPERTY BENEFITED BY THE LOCAL IMPROVEMENTS; AND PROVIDING OTHER MATTERS RELATED THERETO.

PUBLIC NOTICE IS HEREBY GIVEN that an adequate number of typewritten copies of the above-numbered and entitled proposed Ordinance are available for public inspection and distribution at the office of the City Clerk of the City of Las Vegas, at her office in City Hall, 495. S. Main Street, Las Vegas, Nevada, Las Vegas, Nevada, and that such Ordinance was proposed April 1, 2020, and will be considered for adoption at the a regular meeting of the City Council of the City of Las Vegas held on April 15, 2020.

/s/ LUANN D. HOLMES, MMC
City Clerk

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

Section 17. After this Ordinance is signed by the Mayor and attested and sealed by the City Clerk, this Ordinance shall be published once by its title only, together with the names of the Council members voting for or against its passage, such publication to be made in the Las Vegas Review-Journal, a newspaper published and having a general circulation in the City, such publication to be in substantially the following form:

(Form of Publication of Adoption of Ordinance)

ORDINANCE NO. _____

AN ORDINANCE CONCERNING THE CITY OF LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT 815 (SUMMERLIN VILLAGE 25); AND ASSESSING THE COST OF LOCAL IMPROVEMENTS AGAINST THE ASSESSABLE PROPERTY BENEFITED BY THE LOCAL IMPROVEMENTS; AND PROVIDING OTHER MATTERS RELATED THERETO.

PUBLIC NOTICE IS HEREBY GIVEN that such Ordinance was proposed on April 1, 2020, and was passed at the meeting held on April 15, 2020, by the following vote of the City Council:

Those Voting Aye:	_____
Those Voting Nay:	_____
Those Absent:	_____

This Ordinance shall be in full force and effect from and after April 19, 2020, i.e., the day after the publication of such Ordinance by its title only.

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

DATED this April 15, 2020.

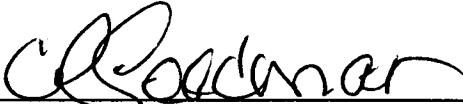
/s/ CAROLYN G. GOODMAN
Mayor

Attest:

/s/ LUANN D. HOLMES, MMC
City Clerk

(End of Form of Publication)

Section 18. 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.



CAROLYN G. GOODMAN, Mayor

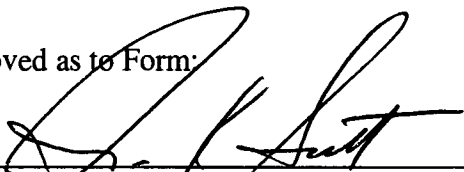
(SEAL)

Attest:



LUANN D. HOLMES, MMC,
City Clerk

Approved as to Form:



BRYAN K. SCOTT, Assistant City Attorney

This Ordinance shall be in full force and effect from and after April 19, 2020, i.e., the date after the publication of such ordinance by its title.

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

I am the duly chosen and qualified City Clerk of Las Vegas (the “City”), in the State of Nevada, do hereby certify:

1. The foregoing pages constitute a true, correct, complete and compared copy of an ordinance which was introduced at the meeting of the Council on April 1, 2020 and finally adopted and approved on April 15, 2020.

2. The following members of the Council were present at the April 1, 2020 Council meeting:

Mayor:	Carolyn G. Goodman
Council members:	Michele Fiore
	Stavros S. Anthony
	Cedric Crear
	Brian Knudsen
	Victoria Seaman
	Olivia Diaz

Those Voting Nay:	None
Those Absent:	None

3. The foregoing Ordinance was first proposed and read by title to the City Council on April 1, 2020, and referred to a committee for recommendation; thereafter the said committee reported favorably on said Ordinance on April 15, 2020, which was a regular meeting of said Council; that at said regular meeting, the proposed Ordinance was again read by title to the City Council and adopted. The members of the City Council were present at the April 15, 2020 meeting and voted upon the adoption of the Ordinance as follows:

Mayor:
Council members:

Carolyn G. Goodman
Michele Fiore
Stavros S. Anthony
Cedric Crear
Brian Knudsen
Victoria Seaman
Olivia Diaz

Those Voting Nay:
Those Absent:

None
None

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

5. All members of the Council were given due and proper notice of the meetings on April 1, 2020 and April 15, 2020. Pursuant to Nevada Revised Statutes ("NRS") 241.020, written notice of the meetings was given not later than 9:00 a.m. on the third working days before the meetings including in the notice the time, place, location, and agenda of the meeting:

(a) By posting a copy of the notice at least three working days before the meetings on the City's website, on the official website of the State of Nevada pursuant to NRS 232.2175, at the principal office of the Council, or if there is no principal office, at the building in which the meeting is to be held, and at least three (3) other separate, prominent places within the jurisdiction of the Council, to wit:

- (i) City Hall
495 S. Main Street
Las Vegas, Nevada
- (ii) City of Las Vegas
333 N. Rancho Drive
Las Vegas, Nevada
- (iii) Clark County Government Center
500 S. Grand Central Parkway
Las Vegas, Nevada

(iv) The City of Las Vegas website
and

(b) Prior to 9:00 a.m. at least 3 working days before such meetings, such notice was mailed to each person, if any, who has requested notices of meetings of the Council in compliance with NRS 241.020(3)(b) by United States Mail, or if feasible and agreed to by the requestor, by electronic mail.

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

7. A copy of such notice so given of the meeting of the Council on April 1, 2020 is attached to this certificate as Exhibit A and a copy of the notice so given of the meeting of the Council on April 15, 2020 is attached to this certificate as Exhibit B.

8. 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.

IN WITNESS WHEREOF, I have hereunto set my hand on this April 15, 2020.



LUANN D. HOLMES, MMC, City Clerk

(SEAL)

EXHIBIT A

(Attach Copy of Notice of April 1, 2020 Meeting)

Carolyn G. Goodman, Mayor (At-Large)
Michele Fiore, Mayor Pro Tem (Ward 6)
Brian Knudsen (Ward 1)
Victoria Seaman (Ward 2)
Olivia Diaz (Ward 3)
Stavros S. Anthony (Ward 4)
Cedric Crear (Ward 5)



City Manager Scott Adams
City Attorney Bradford R. Jerbic
City Clerk LuAnn D. Holmes

City Council Agenda

Council Chambers · 495 South Main Street · Phone 702-229-6011
City of Las Vegas Internet Address: www.lasvegasnevada.gov

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April 1, 2020
9:00 AM

A lunch break may be taken at the discretion of the Mayor.

Should you choose to attend in person, a medical screening will be administered before you can enter the building. Alternatively, any and all persons are encouraged to send comments and written objections electronically prior to the meeting via e-mail to citycouncil@lasvegasnevada.gov, by mailing to the City Clerk, 2nd Floor, City Hall, 495 South Main Street, Las Vegas, Nevada, 89101 or fax to (702) 382-4803.

Online comments can also be submitted via the e-mail provided above or from the City's website at www.lasvegasnevada.gov/councilcomment during the meeting. All comments received will be considered public record and included in the backup. Comments received on an item after action has been taken will not be read. A time limit may be imposed on the comments read for the record.

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. Backup material for this agenda may be obtained from LuAnn D. Holmes, City Clerk, at the City Clerk's Office at 495 South Main Street, 2nd Floor or on the City's webpage at www.lasvegasnevada.gov.

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 customers of CenturyLink and Cox Communications can view this program in High Definition on Channel 1002 and in Standard Definition on Channel 2. You can also watch this meeting live on Apple TV, Roku and Amazon Fire TV on the Go-Vegas app. The Council Meeting, as well as all other KCLV programming, can be viewed on the internet at www.kclv.tv/live. 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 5:00 PM.

Note: Cellular phones are to be turned off during the Council Meeting.

CEREMONIAL MATTERS

1. Call to Order
2. Announcement Regarding: Compliance with Open Meeting Law
3. Invocation - Reverend Bonnie Polley, Christ Episcopal Church
4. Pledge of Allegiance

BUSINESS ITEMS - 9 A.M. SESSION **PUBLIC COMMENT**

5. 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 - 9 A.M. Session

6. For Possible Action - Any items from the 9 a.m. 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.
7. For possible action to approve the Final Minutes by reference of the March 4, 2020 Regular City Council Meeting

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.

CITY ATTORNEY - CONSENT

8. For possible action to approve a business impact statement regarding a proposed ordinance to amend LVMC Chapter 6.50 and provisions of LVMC Title 19 to establish licensing and zoning regulations for ancillary wineries as allowed by State law. (This item is related to Bill No. 2020-10, which is located later on this agenda under New Bills)
9. For possible action to approve continued funding for Alan J. Lefebvre, Esq., and William D. Schuller, Esq., now affiliated with Litigator Law, to represent the City of Las Vegas in actions filed against it in 180 Land Company, LLC v. City of Las Vegas, Case No. 2:18-cv-0547-JCM-CWH, in the United States District Court, 180 Land Co LLC v. City of Las Vegas, Case No. A-18-771389-C, in the Eighth Judicial District Court, and Laborers' International Union v. City of Las Vegas, et al., Case No. 2:19-cv-00322-GMN-NJK, in the United States District Court, relating to the development of a portion of the former Badlands Golf Course for an amount not to exceed \$50,000 (General Fund) - Ward 2 (Seaman)

COMMUNITY SERVICES - CONSENT

10. ABEYANCE ITEM - For possible action to approve the allocation of \$1,400,000 of HOME Investment Partnerships Program Grant Funds and Account for Affordable Housing Trust Funds (AAHTF) to Nevada HAND, for the construction of Decatur / Alta Phase 1 Senior Apartments located at 400 South Decatur Boulevard, APN 138-36-601-009 - Ward 1 (Knudsen)

ECONOMIC AND URBAN DEVELOPMENT - CONSENT

11. For possible action to approve a Fourth Amendment to Disposition and Development Agreement (DDA) between City Parkway V, Inc. and Jackson-Shaw Company to extend the Close of Escrow, extend the Feasibility Review Period and to substitute a replacement Schedule of Performance for the development of a hotel on Parcel B North bounded by Symphony Park Avenue to the north, Promenade Place to the east, Robin Leach Lane to the south and Grand Central Parkway to the west (APN 139-33-610-029) at Symphony Park - Ward 5 (Crear)

FINANCE - PURCHASING AND CONTRACTS - CONSENT

12. For possible action to approve award of Modification No. 1 to Contract No. 190079-DD Blanket Services Contract for Professional Engineering Services, for the Water Pollution Control Facility (WPCF) located at 6005 Vegas Valley Drive - Department of Public Works - Award recommended to: CH2M HILL ENGINEERING. INC. (Not-to- Exceed \$500,000 - Various Funds) - Clark County
13. For possible action to approve award of Contract No. 200125-PH, Accident Investigation Services - Department of Human Resources - Award recommended to: CARL WARREN & COMPANY (Not-to-Exceed \$300,000 Annually - Liability Insurance and Property Damage Internal Service Fund)
14. For possible action to approve award of Contract 19.46330-JH, Construction Manager at Risk Agreement for Las Vegas Boulevard Improvements - Stewart Avenue to Sahara Avenue - Department of Public Works - Award recommended to: LAS VEGAS PAVING CORPORATION (\$109,450,000 - Road & Flood Capital Project Fund, Sanitation Enterprise Fund) - Wards 3 and 5 (Diaz and Crear)
15. For possible action to approve award of Contract No. 200191-JH, Right of Way Services Contract for Eastern Bus Turnouts located on Eastern Avenue from Washington Avenue through Cedar Avenue - Department of Public Works - Award recommended to: TIERRA RIGHT OF WAY SERVICES, LTD. (\$284,000 - Road and Flood Capital Project Fund) - Ward 3 (Diaz)
16. For possible action to approve award of Contract No. 200183-DD, Blanket Services Contract for Construction Manager as Agent and Staff Augmentation Services - Department of Public Works - Award recommended to: CA GROUP, INC. (Not-to-Exceed \$1,600,000 - Various Funds) - All Wards
17. For possible action to approve award of Modification No. 6 to Contract No. 140022-CB, Contract for Consulting Services for City of Las Vegas Fire and Rescue - Department of Fire & Rescue - Award recommended to: SQS CONSULTANTS, INC. (\$18,000 - Fire Communications Internal Service Fund)

FIRE AND RESCUE - CONSENT

18. For possible action to approve a contract between the City of Las Vegas and the State of Nevada Department of Health and Human Services to establish the City as a provider of ground ambulance transportation services in accordance with the State of Nevada Medicaid State Plan and Nevada Medicaid Services Manual - All Wards

PLANNING - CONSENT

19. For possible action to approve the ratification of funding allocation and award by the Commission for the Las Vegas Centennial of \$150,000 to the City of Las Vegas, Acting By and Through its Office of Cultural Affairs, for the production of the 2020 Las Vegas Days Parade (Formerly Helldorado Days) that will take place on May 9, 2020

PLANNING - BUSINESS LICENSING - CONSENT

20. For possible action to approve a Tavern-Limited License for a Change of Ownership FROM: BIERGARTEN, LLC TO: JESS THE MESS, LLC dba BERLIN at 201 East Charleston Boulevard - Ward 3 (Diaz)
21. For possible action to approve a Tavern-Limited License for NAAKITI FLORAL DESIGN, INC. dba CORK AND THORN at 70 West Imperial Avenue [Randi Garrett, President, Secretary, Treasurer, Director and Shareholder] - Ward 3 (Diaz)
22. For possible action to approve a Banquet or Event Establishment Liquor License for ZAPPOS.COM, LLC dba ZAPPOS at 400 Stewart Avenue - Ward 5 (Crear)
23. For possible action to approve a Package License for WINCO FOODS, LLC dba WINCO FOODS at 7501 West Washington Avenue - Ward 1 (Knudsen)

PUBLIC WORKS - CONSENT

24. For possible action to approve staff to negotiate and purchase property rights at the northwest corner of Rancho Lane and Tonopah Drive as part of the Rancho Drive Complete Street Improvements - Mesquite Avenue to Sahara Avenue Project, APN 139-32-803-009 (\$500,000 - Road and Flood Capital Project Fund [CPF]) - Ward 1 (Knudsen)
25. For possible action to approve Interlocal Contract 1166 (construction) and Supplemental Interlocal Contract No. 1-989a (engineering) between the City of Las Vegas (CLV) and the Regional Transportation Commission of Southern Nevada (RTC) to provide funding for construction and increase funding for engineering for the Downtown Pedestrian Safety Program - Phase 1 improvements, located in a quarter-mile radius around the Fremont Street Experience (\$7,270,000 - Road and Flood Capital Project Fund [CPF]) - Wards 3 and 5 (Diaz and Crear)

26. For possible action to approve Interlocal Contract 1170 between the City of Las Vegas (CLV) and the Regional Transportation Commission of Southern Nevada (RTC) to provide funding for construction for the Las Vegas Boulevard, Stewart Avenue to Sahara Avenue Project (\$109,000,000 - Road and Flood Capital Project Fund [CPF]) - Wards 3 and 5 (Diaz and Crear)

RESOLUTIONS - CONSENT

27. R-14-2020 - For possible action to approve a Resolution concerning a proposed Special Improvement District (SID) 611 within the Sunstone area and approving the form authorizing the execution and delivery of a deposit agreement and improvements reimbursement agreement with SC East Landco, LLC, a Delaware limited liability company, in the amount of \$150,000 for the City of Las Vegas to draw against as it incurs the expenses of creating and financing the district with SC East Landco, LLC (\$150,000 - SID Construction Fund) - Ward 6 (Fiore)
28. R-15-2020 - For possible action to approve a Resolution approving the form of an agreement between the City and the owner of all assessable property in a proposed Special Improvement District (SID No. 815, Summerlin Village 25) - Ward 2 (Seaman)
29. R-16-2020 - For possible action to approve 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 Bella Tux Properties, LLC (Owner) located at 1611 East Charleston Boulevard (APN 139-35-413-027), to be in compliance with and in furtherance of the goals and objectives of the RDA - Redevelopment Area - Ward 3 (Diaz) [NOTE: This item is related to RDA Item 5 (RA-5-2020)]

DISCUSSION/ACTION ITEMS

HEARINGS - DISCUSSION

30. Public hearing on local improvement district for Special Improvement District (SID) No. 1485 - Alta Drive (Landscape Maintenance - FY2021) - Ward 1 (Knudsen)
31. Public hearing on local improvement district for Special Improvement District (SID) No. 1516 - Fremont Street Maintenance District FY2021 (Las Vegas Boulevard to 8th Street) - Ward 3 (Diaz)

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.

32. Bill No. 2020-8 - Adopts that certain document entitled "First Amendment to Fifth Amendment and Restatement to the Development Agreement for Skye Canyon Master Planned Community," regarding property generally located at the northwest corner of Grand Teton Drive and Grand Canyon Drive. Proposed by: Robert Summerfield, Director of Planning
33. Bill No. 2020-9 - Updates LVMC Chapter 19.09, relating to Form-Based Code, to refine and adjust various procedures and standards pertaining to property and applications that are governed by that Chapter. Proposed by: Robert Summerfield, Director of Planning

NEW BILLS

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.

34. Bill No. 2020-10 - Amends LVMC Chapter 6.50 and provisions of LVMC Title 19 to establish licensing and zoning regulations for ancillary wineries as allowed by State law. Sponsored by: Councilman Cedric Crear
35. Bill No. 2020-11 - Ordinance creating the City of Las Vegas, Nevada Special Improvement District No. 815 (Summerlin Village 25); ordering a street project, storm sewer project, sanitary sewer project, drainage project, and water project, within the City of Las Vegas, Nevada and providing other matters related thereto. Proposed by: Mike Janssen, Director of Public Works
36. Bill No. 2020-12 - Ordinance concerning City of Las Vegas Special Improvement District No. 815 (Summerlin Village 25); assessing the cost of local improvements against the assessable property benefited by the local improvements; and providing other matters related thereto. Proposed by: Mike Janssen, Director of Public Works

37. Bill No. 2020-13 - Ordinance authorizing the issuance and sale by the City of its Special Improvement District No. 815 (Summerlin Village 25) Local Improvement Bonds, Series 2020, approving the form of certain documents with respect to such bonds, ratifying action taken by City officers toward the issuance of such bonds; and providing other matters related thereto. Proposed by: Venetta Appleyard, Director of Finance

NOT TO BE HEARD BEFORE 10 A.M. - 38 THROUGH 46

BUSINESS ITEMS - 10 A.M. Session

38. Any items from the 10 a.m. session that the Council, staff and/or the applicant wish to be stricken or held in abeyance to a future meeting may be brought forward and acted upon at this time.

HEARINGS - DISCUSSION

39. Public hearing and discussion for possible action to consider a request for a waiver and/or reduction of fees totaling \$2,332.02 in unpaid out of pocket costs, and \$19,200.56 in unpaid civil penalties for a total of \$21,532.58 recorded against the property located at 10827 MYSTIC SHORE AVE - PROPERTY OWNER: NASO GREGORY J - Ward 6 (Fiore)

PLANNING

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

PLANNING - DISCUSSION

40. GPA-77917 - ABEYANCE ITEM - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: MOISES CARPIO - For possible action on a request for a General Plan Amendment FROM: O (OFFICE) TO: GC (GENERAL COMMERCIAL) on 0.19 acres at 1208 South Eastern Avenue (APN 162-02-517-019), Ward 3 (Diaz) [PRJ-77410]. The Planning Commission (7-0 vote) and Staff recommend DENIAL.
41. ZON-77919 - ABEYANCE ITEM - REZONING RELATED TO GPA-77917 - PUBLIC HEARING - APPLICANT/OWNER: MOISES CARPIO - For possible action on a request for a Rezoning FROM: P-R (PROFESSIONAL OFFICE AND PARKING) TO: C-1 (LIMITED COMMERCIAL) on 0.19 acres at 1208 South Eastern Avenue (APN 162-02-517-019), Ward 3 (Diaz) [PRJ-77410]. The Planning Commission (7-0 vote) and Staff recommend DENIAL.
42. VAR-78113 - ABEYANCE ITEM - VARIANCE RELATED TO GPA-77917 AND ZON-77919 - PUBLIC HEARING - APPLICANT/OWNER: MOISES CARPIO - For possible action on a request for a Variance TO ALLOW A 64-FOOT LOT WIDTH WHERE 100 FEET IS REQUIRED, A THREE-FOOT SIDE YARD SETBACK AND A FIVE-FOOT CORNER SIDE YARD SETBACK WHERE 10 FEET IS REQUIRED at 1208 South Eastern Avenue (APN 162-02-517-019), Ward 3 (Diaz) [PRJ-77410]. The Planning Commission (7-0 vote) and Staff recommend DENIAL.
43. ROC-78044 - ABEYANCE ITEM - REVIEW OF CONDITION - PUBLIC HEARING - APPLICANT: WALMART STORES, INC. - OWNER: WAL-MART REAL ESTATE BUSINESS TRUST - For possible action on a request for a Review of Condition of an approved Special Use Permit (SUP-3815) TO REMOVE CONDITION NUMBER 6 WHICH STATES, "THE SALE OF ALCOHOLIC BEVERAGES SHALL BE LIMITED TO AN AREA NOT TO EXCEED 10% OF THE RETAIL FLOOR SPACE OF THE MARKET" AND TO REMOVE CONDITION NUMBER 7 WHICH STATES, "THE SALE OF INDIVIDUAL CONTAINERS OF ANY SIZE OF BEER, WINE COOLERS OR SCREW CAP WINE IS PROHIBITED. ALL SUCH PRODUCTS SHALL REMAIN IN THEIR ORIGINAL CONFIGURATIONS AS SHIPPED BY THE MANUFACTURER. FURTHER, NO REPACKAGING OF CONTAINERS INTO GROUPS SMALLER THAN THE ORIGINAL SHIPPING CONTAINER SIZE SHALL BE PERMITTED" on 4.31 acres at 6310 West Charleston Boulevard (APN 138-35-816-002), C-1 (Limited Commercial) Zone, Ward 1 (Knudsen) [PRJ-78041]. Staff recommends DENIAL.
44. VAR-78137 - ABEYANCE ITEM - VARIANCE - PUBLIC HEARING - APPLICANT: CLARK COUNTY SCHOOL DISTRICT - OWNER: SCHOOL BOARD OF TRUSTEES - For possible action on a request for a Variance TO ALLOW NO OFFSITE IMPROVEMENTS ON VIRGINIA CITY AVENUE WHERE SUCH ARE REQUIRED on 7.03 acres at 950 North Tonopah Drive (APN 139-28-210-007), C-V (Civic) Zone, Ward 5 (Crear) [PRJ-77865]. Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL.

45. SUP-78109 - ABEYANCE ITEM - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: QC FINANCIAL SERVICES, INC - OWNER: RIBAUDO FAMILY TRUST - For possible action on a request for a Special Use Permit FOR A PROPOSED 1,170 SQUARE-FOOT AUTO TITLE LOAN USE WITHIN AN EXISTING FINANCIAL INSTITUTION, SPECIFIED USE WITH WAIVERS TO ALLOW A 130-FOOT DISTANCE SEPARATION FROM A RESIDENTIAL USE WHERE 200 FEET IS REQUIRED, TO ALLOW A 1,170 SQUARE-FOOT TENANT SPACE DEDICATED TO THE USE WHERE 1,500 SQUARE-FEET IS REQUIRED AND TO ALLOW WINDOW SIGNAGE THAT DOES NOT COMPLY WITH TITLE 19.12 STANDARDS at 1942 East Sahara Avenue, Suite A (APN 162-02-811-116), C-1 (Limited Commercial), Ward 3 (Diaz) [PRJ-78046]. The Planning Commission (7-0 vote) and Staff recommend APPROVAL.
46. SUP-78144 - ABEYANCE ITEM - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER: GAS STATION LOT, LLC - For possible action on a request for a Special Use Permit FOR A PROPOSED 2,450 SQUARE-FOOT BEER/WINE/COOLER OFF-SALE ESTABLISHMENT USE WITH A WAIVER TO ALLOW A 343-FOOT DISTANCE SEPARATION FROM A CITY PARK WHERE 400 FEET IS REQUIRED at 2051 East Sahara Avenue (APN 162-02-811-209), C-1 (Limited Commercial) Zone, Ward 3 (Diaz) [PRJ-78126]. The Planning Commission (7-0 vote) and Staff recommend APPROVAL.

REPORTS AND PRESENTATIONS

47. Report from Scott D. Adams, City Manager, on Emerging Issues - All Wards

SET DATE

48. 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

49. 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

50. 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.

THIS MEETING HAS BEEN PROPERLY NOTICED AND POSTED AT THE FOLLOWING LOCATIONS
IN ACCORDANCE WITH THE STATE OF NEVADA EXECUTIVE DEPARTMENT
DECLARATION OF EMERGENCY DIRECTIVE 006
The City of Las Vegas website – www.lasvegasnevada.gov
and
The Nevada Public Notice Website – notice.nv.gov

EXHIBIT B

(Attach Copy of Notice of April 15, 2020 Meeting)

Carolyn G. Goodman, Mayor (At-Large)
Michele Fiore, Mayor Pro Tem (Ward 6)
Brian Knudsen (Ward 1)
Victoria Seaman (Ward 2)
Olivia Diaz (Ward 3)
Stavros S. Anthony (Ward 4)
Cedric Crear (Ward 5)

City Manager Scott Adams
City Attorney Bradford R. Jerbic
City Clerk LuAnn D. Holmes



City Council Agenda

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April 15, 2020

9:00 AM

A lunch break may be taken at the discretion of the Mayor.

Should you choose to attend in person, a medical screening will be administered before you can enter the building. Alternatively, any and all persons are encouraged to send comments and written objections electronically prior to the meeting via e-mail to citycouncil@lasvegasnevada.gov, by mailing to the City Clerk, 2nd Floor, City Hall, 495 South Main Street, Las Vegas, Nevada, 89101 or fax to (702) 382-4803.

Online comments can also be submitted via the e-mail provided above or from the City's website at www.lasvegasnevada.gov/councilcomment during the meeting. All comments received will be considered public record and included in the backup. Comments received on an item after action has been taken will not be read. A time limit may be imposed on the comments read for the record.

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. Backup material for this agenda may be obtained from LuAnn D. Holmes, City Clerk, at the City Clerk's Office at 495 South Main Street, 2nd Floor or on the City's webpage at www.lasvegasnevada.gov.

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 customers of CenturyLink and Cox Communications can view this program in High Definition on Channel 1002 and in Standard Definition on Channel 2. You can also watch this meeting live on Apple TV, Roku and Amazon Fire TV on the Go-Vegas app. The Council Meeting, as well as all other KCLV programming, can be viewed on the internet at www.kclv.tv/live. 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 5:00 PM.

Note: Cellular phones are to be turned off during the Council Meeting.

CEREMONIAL MATTERS

1. Call to Order
2. Announcement Regarding: Compliance with Open Meeting Law
3. Invocation - Pastor Khosrow (Koz) Alighchi, Persian Church of Las Vegas
4. Pledge of Allegiance

BUSINESS ITEMS - 9 A.M. SESSION **PUBLIC COMMENT**

5. 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 - 9 A.M. Session

6. For Possible Action - Any items from the 9 a.m. 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.
7. For possible action to approve the Final Minutes by reference of the March 18, 2020 Regular City Council Meeting

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.

CITY ATTORNEY - CONSENT

8. For possible action to approve continued funding for McDonald Carano to represent the City of Las Vegas in an action filed against it by 180 Land Company, LLC, Case No. A-17-758528-J, in the Eighth Judicial District Court, concerning the denial of several land use applications for the development of a portion of the former Badlands Golf Course for an amount not to exceed \$100,000 (General Fund) - Ward 2 (Seaman)

ECONOMIC AND URBAN DEVELOPMENT - CONSENT

9. For possible action to approve a Reinstatement of Exclusive Negotiation Agreement (ENA) between the City of Las Vegas and GJTRC Holdings, LLC for the negotiation of a master development agreement regarding the redevelopment of property commonly known as Cashman Center located at 850 North Las Vegas Boulevard and 826 North Las Vegas Boulevard and Heritage Park located at 888 North Las Vegas Boulevard (APNs 139-26-301-004, -005 and 139-27-709-001) - Ward 5 (Crear)

FINANCE - PURCHASING AND CONTRACTS - CONSENT

10. For possible action to approve award of Amendment No. 2 to Contract No. 150151-DC, Las Vegas Blvd Improvements Stewart Ave to Sahara Ave Part II - Department of Public Works - Award recommended to: CA GROUP (\$360,000 - Road and Flood Capital Projects Fund) - Wards 3 and 5 (Diaz and Crear)
11. For possible action to approve award of Contract No. 200176-JL, 2020 Sewer Rate Study - Department of Public Works - Award recommended to: FINANCIAL CONSULTING SOLUTIONS GROUP, INC. dba FCS GROUP (Not-to-Exceed \$172,030 - Sanitation Enterprise Fund) - All Wards
12. For possible action to approve the ratification of emergency services purchases related to the Covid-19 pandemic consisting of ADA restroom and shower facilities for the Cashman Isolation/Quarantine facility located at 850 Las Vegas Boulevard (\$254,110 - Special Programs) - Ward 5 (Crear)

PLANNING - BUSINESS LICENSING - CONSENT

13. For possible action to approve a Marijuana Distributor License for CARSON CITY AGENCY SOLUTIONS, LLC dba CARSON CITY AGENCY SOLUTIONS, LLC at 4949 Highway 50 East, Suite A-4 [Lucinda House Mahoney, Managing Member] - Carson City, Nevada
14. For possible action to approve a Temporary Marijuana Production Establishment License (Medical/Recreational) for a Change of Ownership FROM: ACRES CULTIVATION, LLC TO: ACRES CULTIVATION, LLC dba ACRES CULTIVATION, LLC at 950 Anvil Road - Nye County, Nevada
15. For possible action to approve a Temporary Marijuana Cultivation Establishment License (Medical/Recreational) for a Change of Ownership FROM: ACRES CULTIVATION, LLC TO: ACRES CULTIVATION, LLC dba ACRES CULTIVATION, LLC at 950 Anvil Road - Nye County, Nevada
16. For possible action to approve a Marijuana Production Establishment License (Medical/Recreational) for MM DEVELOPMENT COMPANY, INC. dba PLANET 13 / MEDIZIN at 2548 West Desert Inn Road - Clark County, Nevada
17. For possible action to approve a Tavern-Limited License for a Change of Ownership FROM: BROOKE-R, LLC TO: OTM PROPERTY INVESTMENTS, LLC dba YU-OR-MI SUSHI BAR at 100 East California Street - Ward 3 (Diaz)
18. For possible action to approve a Tavern-Limited License for a Change of Ownership FROM: EUREKA RESTAURANT GROUP, LLC TO: EUREKA RESTAURANT GROUP LLC dba EUREKA! at 520 Fremont Street, Suite #110 - Ward 3 (Diaz)
19. For possible action to approve a Tavern-Limited License for SHADY FREMONT, LLC dba SHADY LADY at 512 Fremont Street [Ryan Doherty, Managing Member] - Ward 3 (Diaz)
20. For possible action to approve a Tavern License for a Change of Ownership FROM: MACAYO VEGAS, INC. TO: RD SERVICES, LLC dba MI CASA MEXICAN CUISINE at 1741 East Charleston Boulevard [Enrique Munoz Diaz, Managing Member] - Ward 3 (Diaz)
21. For possible action to approve a Tavern License for NEVADA RESTAURANT SERVICES, INC. dba RED DRAGON SPORTS BAR #195 at 3540 West Sahara Avenue, Suite E1 - Ward 1 (Knudsen)
22. For possible action to approve a Restricted Gaming License for NEVADA RESTAURANT SERVICES, INC. dba RED DRAGON SPORTS BAR #195 at 3540 West Sahara Avenue, Suite E1 - Ward 1 (Knudsen)
23. For possible action to approve a Temporary Beer/Wine/Cooler On-Sale License for SUSHILON SUSHI Y MARISCOS, LLC dba SUSHILON SUSHI Y MARISCOS at 1436 East Charleston Boulevard [Janetta Olmeda Soto Navarrete, Managing Member] - Ward 3 (Diaz)
24. For possible action to approve a Restricted Gaming License for UNITED COIN MACHINE CO dba CENTURY GAMING TECHNOLOGIES db at 7-ELEVEN STORE #38554A at 4360 North Rancho Drive - Ward 4 (Anthony)
25. For possible action to approve a Massage Establishment License for PROJECT WELLBEING, LLC dba PROJECT WELLBEING at 1700 Village Center Drive - Ward 2 (Seaman)

PUBLIC WORKS - CONSENT

26. For possible action to approve staff to initiate a condemnation action for the purchase of property rights for the Charleston Boulevard Streetscape Improvements Project, Martin Luther King Boulevard to Rancho Drive, a portion of APN 139-33-406-003 (\$60,000 - Road and Flood Capital Project Fund [CPF]) - Ward 1 (Knudsen)
27. For possible action to approve First Supplemental Interlocal Contract LAS31A17 between the City of Las Vegas (CLV) and the Clark County Regional Flood Control District (CCRFCD) to increase project funding and extend the contract expiration date to June 30, 2023 for the design of the Las Vegas Wash (LVW) - Moccasin, Skye Canyon Park to Upper LVW Project (\$120,000 - Road and Flood Capital Project Fund [CPF]) - Ward 6 (Fiore)
28. For possible action to approve Amendment No. 1 to Interlocal Agreement No. 116271 between the City of Las Vegas (CLV) and the Las Vegas Valley Water District (LVVWD) for the construction of water facilities in Las Vegas Boulevard from Sahara Avenue to Stewart Avenue to increase the LVVWD funding contribution for the new water pipeline and appurtenances in conjunction with the CLV Roadway Improvement Project - Wards 3 and 5 (Diaz and Crear)

RESOLUTIONS - CONSENT

29. R-17-2020 - For possible action to approve a Resolution concerning the City of Las Vegas, Nevada, Special Improvement District No. 1485 - Alta Drive (Landscape Maintenance FY2021); overruling complaints, protests, and objections made to the assessments at the hearing of said assessment roll; and confirming the assessment roll - Ward 1 (Knudsen)
30. R-18-2020 - For possible action to approve a Resolution concerning the City of Las Vegas, Nevada, Special Improvement District No. 1516 - Fremont Street Maintenance District FY2021 (Las Vegas Boulevard to 8th Street); overruling complaints, protests, and objections made to the assessments at the hearing of said assessment roll; and confirming the assessment roll - Ward 3 (Diaz)

DISCUSSION/ACTION ITEMS

RESOLUTIONS - DISCUSSION

31. R-19-2020 - Discussion for possible action to approve a Resolution approving and ratifying actions authorized by the City Manager regarding business license fees, business license status, land use status, and sewer fees - All Wards

RECOMMENDING COMMITTEE REPORT - DISCUSSION

BILLS ELIGIBLE FOR ADOPTION AT THIS MEETING

32. Bill No. 2020-8 - For possible action - Adopts that certain document entitled "First Amendment to Fifth Amendment and Restatement to the Development Agreement for Skye Canyon Master Planned Community," regarding property generally located at the northwest corner of Grand Teton Drive and Grand Canyon Drive. Proposed by: Robert Summerfield, Director of Planning
33. Bill No. 2020-9 - For possible action - Updates LVMC Chapter 19.09, relating to Form-Based Code, to refine and adjust various procedures and standards pertaining to property and applications that are governed by that Chapter. Proposed by: Robert Summerfield, Director of Planning
34. Bill No. 2020-11 - For possible action - Ordinance creating the City of Las Vegas, Nevada Special Improvement District No. 815 (Summerlin Village 25); ordering a street project, storm sewer project, sanitary sewer project, drainage project, and water project, within the City of Las Vegas, Nevada and providing other matters related thereto. Proposed by: Mike Janssen, Director of Public Works
35. Bill No. 2020-12 - For possible action - Ordinance concerning City of Las Vegas Special Improvement District No. 815 (Summerlin Village 25); assessing the cost of local improvements against the assessable property benefited by the local improvements; and providing other matters related thereto. Proposed by: Mike Janssen, Director of Public Works
36. Bill No. 2020-13 - For possible action - Ordinance authorizing the issuance and sale by the City of its Special Improvement District No. 815 (Summerlin Village 25) Local Improvement Bonds, Series 2020, approving the form of certain documents with respect to such bonds, ratifying action taken by City officers toward the issuance of such bonds; and providing other matters related thereto. Proposed by: Venetta Appleyard, Director of Finance

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.

37. Bill No. 2020-10 - Amends LVMC Chapter 6.50 and provisions of LVMC Title 19 to establish licensing and zoning regulations for ancillary wineries as allowed by State law. Sponsored by: Councilman Cedric Crear

NEW BILLS

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.

38. Bill No. 2020-14 - Ordinance concerning the City of Las Vegas, Nevada, Special Improvement District No. 1485 - Alta Drive (Landscape Maintenance FY2021); providing for the payment of the costs and expenses of maintaining street beautification improvements; assessing the cost of maintenance against the assessable lots, tracts, and parcels of land benefitted by said maintenance. Proposed by: Mike Janssen, Director of Public Works

39. Bill No. 2020-15 - Ordinance concerning the City of Las Vegas, Nevada, Special Improvement District No. 1516 - Fremont Street Maintenance District FY2021 (Las Vegas Boulevard to 8th Street); providing for the payment of the costs and expenses of a Neighborhood Improvement Project, assessing the cost of the project against the assessable lots, tracts, and parcels of land benefitted by said improvements. Proposed by: Mike Janssen, Director of Public Works
40. Bill No. 2020-16 - Authorizes the establishment of one or more temporary programs to allow certain types of businesses with an alcoholic beverage license and a restaurant license to offer and provide the delivery or the curbside pickup of alcoholic beverages in connection with the delivery or pickup of food by a customer who has placed an order therefor. Sponsored by: Councilman Brian Knudsen

PLANNING

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

PLANNING - CONSENT

PM Session – All items listed on the Consent Agenda are considered to be routine and have been recommended “for approval”. All items on the consent agenda may be approved in a single motion. However, if a Council Member so requests, any consent item may be moved to the Discussion portion of the agenda and other action, including postponement or denial of the item, may take place.

41. EOT-78343 - EXTENSION OF TIME - VARIANCE - APPLICANT/OWNER: TECO CHARLESTON, LLC - For possible action on a request for a first Extension of Time of an approved Variance (VAR-72234) TO ALLOW AN EIGHT-FOOT TALL BLOCK WALL WITH TWO FEET OF BARBED WIRE WHERE EIGHT FEET IS THE MAXIMUM HEIGHT ALLOWED on 1.64 acres at 3550 East Charleston Boulevard (APN 140-31-401-043), LI/R (Light Industrial/Research) Zone, Ward 3 (Diaz) [PRJ-78282]. Staff recommends APPROVAL.
42. EOT-78344 - EXTENSION OF TIME RELATED TO EOT-78343 - SITE DEVELOPMENT PLAN REVIEW - APPLICANT/OWNER: TECO CHARLESTON, LLC - For possible action on a request for a first Extension of Time of an approved Site Development Plan Review (SDR-72183) FOR A PROPOSED MOTOR VEHICLES SALES (AUTOMOBILE REPOSSESSION AGENCY) WITH WAIVERS TO ALLOW A ZERO-FOOT LANDSCAPE BUFFER ALONG THE NORTH, EAST AND A PORTION OF THE SOUTH AND WEST PROPERTY LINES WHERE EIGHT FEET IS REQUIRED; TO ALLOW A NINE-FOOT LANDSCAPE BUFFER ALONG THE WEST PROPERTY LINE WHERE 15 FEET IS REQUIRED; AND TO ALLOW ALL SIDES OF THE BUILDING TO NOT BE COHERENTLY DESIGNED AND TREATED WHERE SUCH IS REQUIRED on 1.64 acres at 3550 East Charleston Boulevard (APN 140-31-401-043), LI/R (Light Industrial/Research) Zone, Ward 3 (Diaz) [PRJ-78282]. Staff recommends APPROVAL.

PLANNING - ONE MOTION/ONE VOTE

The following are items that may be considered in one motion/one vote. They are considered to be routine non-public and public hearing items. All public hearing and non-public hearing items 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.

43. GPA-78033 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT: 190 OCTANE FT PARTNERS, LLC - OWNER: UNITED STATES OF AMERICA - For possible action on a request for a General Plan Amendment FROM: PF (PUBLIC FACILITIES) AND DR (DESERT RURAL DENSITY RESIDENTIAL) TO: PCD (PLANNED COMMUNITY DEVELOPMENT) on 275.80 acres on the west side of Puli Road between Farm Road and Tropical Parkway (portions of APNs 126-26-000-001, 126-23-000-003 and 126-14-000-003), Ward 6 (Fiore) [PRJ-77997]. The Planning Commission (6-0 vote) and Staff recommend APPROVAL.
44. ZON-78241 - REZONING RELATED TO GPA-78033 - PUBLIC HEARING - APPLICANT: 190 OCTANE FT PARTNERS, LLC - OWNER: UNITED STATES OF AMERICA - For possible action on a request for a Rezoning FROM: U (UNDEVELOPED) [DR (DESERT RURAL DENSITY RESIDENTIAL) GENERAL PLAN DESIGNATION] AND C-V (CIVIC) TO: PD (PLANNED DEVELOPMENT) on 275.80 acres on the west side of Puli Road between Farm Road and Tropical Parkway (portions of APNs 126-26-000-001, 126-23-000-003 and 126-14-000-003), Ward 6 (Fiore) [PRJ-77997]. The Planning Commission (6-0 vote) and Staff recommend APPROVAL.

45. VAC-78242 - VACATION RELATED TO GPA-78033 AND ZON-78241 - PUBLIC HEARING - APPLICANT: 190 OCTANE FT PARTNERS, LLC - OWNER: UNITED STATES OF AMERICA - For possible action on a request for a Petition to Vacate Bureau of Land Management right-of-way grants generally located on the west side of Puli Road between Farm Road and Tropical Parkway, Ward 6 (Fiore) [PRJ-77997]. The Planning Commission (6-0 vote) and Staff recommend APPROVAL.
46. TMP-78365 - TENTATIVE MAP RELATED TO GPA-78033, ZON-78241 AND VAC-78242 - PUBLIC HEARING - BLM 270 - APPLICANT: 190 OCTANE FT PARTNERS, LLC - OWNER: UNITED STATES OF AMERICA - For possible action on a request for a Tentative Map FOR A 12-LOT MASTER PLANNED RESIDENTIAL SUBDIVISION on 275.80 acres on the west side of Puli Road between Farm Road and Tropical Parkway (portions of APNs 126-26-000-001, 126-23-000-003 and 126-14-000-003), U (Undeveloped) Zone [DR (Desert Rural Density Residential) General Plan Designation] and C-V (Civic) Zone [PROPOSED: PD (Planned Development)], Ward 6 (Fiore) [PRJ-77997]. The Planning Commission (6-0 vote) and Staff recommend APPROVAL.
47. GPA-78348 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS - For possible action on a request to amend the Planned Streets and Highways Map and Schedule 13-1A and to amend Map 2C of the Transportation Streets and Highways Element of the Las Vegas 2020 Master Plan TO ADD, REMOVE OR AMEND VARIOUS ROADWAY ALIGNMENTS WITHIN THE NORTHWEST PORTION OF THE CITY, Ward 6 (Fiore) [PRJ-78356]. The Planning Commission (6-0 vote) and Staff recommend APPROVAL.
48. GPA-78349 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS - For possible action on a request to amend Map Numbers 1 and 2 of the Trails Element of the Las Vegas 2020 Master Plan, Ward 6 (Fiore) [PRJ-78358]. The Planning Commission (6-0 vote) and Staff recommend APPROVAL.
49. VAR-77772 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: ARG DI51PCK001, LLC - For possible action on a request for a Variance TO ALLOW A SIX-FOOT SIDE YARD SETBACK WHERE 10 FEET IS REQUIRED FOR AN EXISTING BUILDING on 1.33 acres at 150 South Valley View Boulevard (APN 139-30-812-002), C-1 (Limited Commercial) Zone, Ward 1 (Knudsen) [PRJ-77771]. The Planning Commission (7-0 vote) and Staff recommend APPROVAL.
50. VAC-78236 - VACATION - PUBLIC HEARING - APPLICANT/OWNER: TWIN LAKES BAPTIST CHURCH - For possible action on a request for a Petition to Vacate U.S. Government Patent Easements at the northwest corner of Westcliff Drive and Rainbow Boulevard (APN 138-27-802-004), C-1 (Limited Commercial) Zone, Ward 1 (Knudsen) [PRJ-78208]. The Planning Commission (7-0 vote) and Staff recommend APPROVAL.
51. SDR-78237 - SITE DEVELOPMENT PLAN REVIEW RELATED TO VAC-78236 - PUBLIC HEARING - APPLICANT/OWNER: TWIN LAKES BAPTIST CHURCH - For possible action on a request for a Site Development Plan Review FOR A PROPOSED ONE-STORY, 14,625 SQUARE-FOOT CHURCH/HOUSE OF WORSHIP INCLUDING A FELLOWSHIP HALL AND ADMINISTRATION BUILDING; AND A TWO-STORY, 5,790 SQUARE-FOOT MULTIPURPOSE BUILDING WITH A WAIVER TO NOT ORIENT THE BUILDING TO THE CORNER WHERE SUCH IS REQUIRED on 10.00 acres at the northwest corner of Westcliff Drive and Rainbow Boulevard (APN 138-27-802-004), C-1 (Limited Commercial) Zone, Ward 1 (Knudsen) [PRJ-78208]. The Planning Commission (7-0 vote) and Staff recommend APPROVAL.

PLANNING - DISCUSSION

52. ROC-78317 - ABEYANCE ITEM - REVIEW OF CONDITION - PUBLIC HEARING - APPLICANT: ARJUN HUALAPAI WAY, LLC - OWNER: RED RUPEE, LLC - For possible action on a request for a Review of Condition of an approved Petition to Vacate (VAC-75859) the north half of Darling Road east of Hualapai Way TO REMOVE CONDITION NUMBER 2, WHICH STATES, "A CLARK COUNTY ORDER OF VACATION TO REMOVE ADJACENT CLARK COUNTY RIGHTS-OF-WAY AND PATENT EASEMENTS SO THAT NO 'ORPHAN' DEDICATION OR PATENT EASEMENT IN CLARK COUNTY REMAINS SHALL RECORD CONCURRENT WITH THIS ORDER OF VACATION UNLESS SPECIFICALLY ALLOWED IN WRITING BY CLARK COUNTY," Ward 6 (Fiore) [PRJ-78275]. Staff recommends DENIAL.

53. GPA-77891 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT: DAPPER COMPANIES - OWNER: MLK CAREY, LLC - For possible action on a request for a General Plan Amendment FROM: MXU (MIXED USE) TO: SC (SERVICE COMMERCIAL) on 0.59 acres at 2360 North Martin L. King Boulevard (APN 139-21-510-001), Ward 5 (Crear) [PRJ-77889]. The Planning Commission (6-0 vote) and Staff recommend APPROVAL.
54. VAR-78229 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: MICHAEL AND RUBY M. KELSCH - For possible action on an Appeal of the Approval by the Planning Commission on a request for a Variance TO ALLOW AN EXISTING ACCESSORY STRUCTURE (CLASS II) [CARPORT] THAT IS NOT AESTHETICALLY COMPATIBLE WITH THE PRINCIPAL DWELLING, TO ALLOW A TWO-FOOT SEPARATION FROM THE MAIN BUILDING WHERE SIX FEET IS REQUIRED, A ZERO-FOOT SIDE YARD SETBACK WHERE THREE FEET IS REQUIRED, TO BE LOCATED IN FRONT OF THE PRINCIPAL DWELLING UNIT WHERE SUCH IS NOT ALLOWED, TO EXCEED THE HEIGHT OF THE PRINCIPAL DWELLING UNIT WHERE SUCH IS NOT ALLOWED; AND TO ALLOW AN 11-FOOT REAR YARD SETBACK WHERE 15 FEET IS REQUIRED FOR AN EXISTING ADDITION TO A SINGLE FAMILY DWELLING on 0.14 acres at 717 South Mallard Street (APN 138-36-316-012), R-1 (Single Family Residential) Zone, Ward 1 (Knudsen) [PRJ-78063]. Staff recommends DENIAL. The Planning Commission (6-0 vote) APPROVED. NOTE: THE PLANNING COMMISSION APPROVED AN AMENDED REQUEST TO ALLOW AN 11-FOOT REAR YARD SETBACK WHERE 15 FEET IS REQUIRED FOR AN EXISTING ADDITION TO A SINGLE FAMILY DWELLING.
55. SUP-78253 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS - For possible action on a request for a Special Use Permit FOR AN ALTERNATIVE PARKING STANDARD TO ALLOW 12 PARKING SPACES WHERE 50 SPACES ARE REQUIRED FOR A CLINIC USE at 1425 Main Street (APN 139-27-504-001), C-V (Civic) Zone, Ward 5 (Crear) [PRJ-78099]. The Planning Commission (7-0 vote) and Staff recommend APPROVAL.
56. SDR-78254 - SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-78253 - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS - For possible action on a request for a Site Development Plan Review FOR A PROPOSED 8,812 SQUARE-FOOT CLINIC on 0.40 acres at 1425 Main Street (APN 139-27-504-001), C-V (Civic) Zone, Ward 5 (Crear) [PRJ-78099]. The Planning Commission (7-0 vote) and Staff recommend APPROVAL.
57. SDR-78245 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT: MO CONSTRUCTION, LLC - OWNER: CVV, LLC - For possible action on a request for a Site Development Plan Review FOR A PROPOSED 3,855 SQUARE-FOOT COMMERCIAL BUILDING WITH DRIVE THROUGH WITH A WAIVER TO NOT ORIENT THE BUILDING TO THE CORNER WHERE SUCH IS REQUIRED AND TO ALLOW A WAIVER OF TITLE 19 LANDSCAPE BUFFER STANDARDS on 0.43 acres at 3801 West Charleston Boulevard (APN 162-06-501-002), C-1 (Limited Commercial) Zone, Ward 1 (Knudsen) [PRJ-78111]. The Planning Commission (6-0 vote) and Staff recommend DENIAL.
58. SDR-78259 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT/OWNER: FORTRESS OGDEN, LLC, ET AL - For possible action on a request for a Site Development Plan Review FOR A PROPOSED FIVE-STORY MIXED-USE DEVELOPMENT CONSISTING OF 2,774 SQUARE FEET OF COMMERCIAL SPACE AND 80 MULTI-FAMILY RESIDENTIAL UNITS WITH WAIVERS OF TITLE 19.09 FORM BASED CODE STANDARDS on 0.80 acres at 1116 East Ogden Avenue (APNs Multiple), T4-MS (T4 Main Street) Zone, Ward 5 (Crear) [PRJ-78121]. The Planning Commission (7-0 vote) and Staff recommend APPROVAL.

REPORTS AND PRESENTATIONS

59. Report from Scott D. Adams, City Manager, on Emerging Issues - All Wards

SET DATE

60. 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

61. 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

62. 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.

THIS MEETING HAS BEEN PROPERLY NOTICED AND POSTED AT THE FOLLOWING LOCATIONS IN
ACCORDANCE WITH THE STATE OF NEVADA EXECUTIVE DEPARTMENT DECLARATION OF
EMERGENCY DIRECTIVE 006

The City of Las Vegas website – www.lasvegasnevada.gov

and

The Nevada Public Notice Website – notice.nv.gov

EXHIBIT C

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

AFFIDAVIT OF PUBLICATION

STATE OF NEVADA)
COUNTY OF CLARK) SS:

RECEIVED
CITY CLERK

2020 APR 15 P 4:03

LV CITY CLERK
495 S MAIN ST
LAS VEGAS NV 89101

Account # 22515
Ad Number 0001100371

Leslie McCormick, 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, was continuously published in said Las Vegas Review-Journal and / or Las Vegas Sun in 1 edition(s) of said newspaper issued from 04/02/2020 to 04/02/2020, on the following days:

04 / 02 / 20

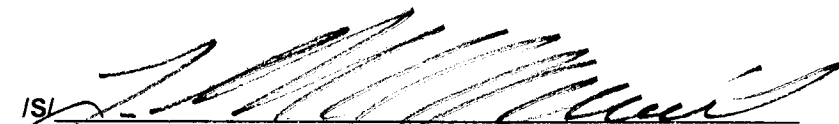
BILL NO. 2020-12

AN ORDINANCE CONCERNING THE CITY OF LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT 815 (SUMMERLIN VILLAGE 25); AND ASSESSING THE COST OF LOCAL IMPROVEMENTS AGAINST THE ASSESSABLE PROPERTY BENEFITED BY THE LOCAL IMPROVEMENTS; AND PROVIDING OTHER MATTERS RELATED THERETO.

PUBLIC NOTICE IS HEREBY GIVEN that an adequate number of typewritten copies of the above-numbered and entitled proposed Ordinance are available for public inspection and distribution at the office of the City Clerk of the City of Las Vegas, at her office in City Hall, 495. S. Main Street, Las Vegas, Nevada, and that such Ordinance was proposed April 1, 2020, and will be considered for adoption at a regular meeting of the City Council of the City of Las Vegas held on April 15, 2020.

/s/LUANN D. HOLMES, MMC,
City Clerk

PUB: April 2, 2020
LV Review-Journal

/s/ 
LEGAL ADVERTISEMENT REPRESENTATIVE

Subscribed and sworn to before me on this 3rd day of April, 2020

Notary 



EXHIBIT D

(Attach Affidavit of Publication of Adoption of Ordinance)

AFFIDAVIT OF PUBLICATION

STATE OF NEVADA)
COUNTY OF CLARK) SS:

LV CITY CLERK
495 S MAIN ST
LAS VEGAS NV 89101

Account # 22515
Ad Number 0001101843

Leslie McCormick, 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, was continuously published in said Las Vegas Review-Journal and / or Las Vegas Sun in 1 edition(s) of said newspaper issued from 04/18/2020 to 04/18/2020, on the following days:

04 / 18 / 20

**BILL NO. 2020-12
ORDINANCE NO. 6733**

AN ORDINANCE CONCERNING THE CITY OF LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT 815 (SUMMERLIN VILLAGE 25); AND ASSESSING THE COST OF LOCAL IMPROVEMENTS AGAINST THE ASSESSABLE PROPERTY BENEFITED BY THE LOCAL IMPROVEMENTS; AND PROVIDING OTHER MATTERS RELATED THERETO.

PUBLIC NOTICE IS HEREBY GIVEN that such Ordinance was proposed on April 1, 2020, and was passed at the meeting held on April 15, 2020, by the following vote of the City Council:

Those Voting Aye:
Carolyn G. Goodman
Michele Fiore
Stavros S. Anthony
Cedric Crear
Brian Knudsen
Victoria Seaman
Olivia Diaz

Those Voting Nay: None

Those Absent: None

This Ordinance shall be in full force and effect from and after April 19, 2020, i.e., the day after the publication of such Ordinance by its title only.

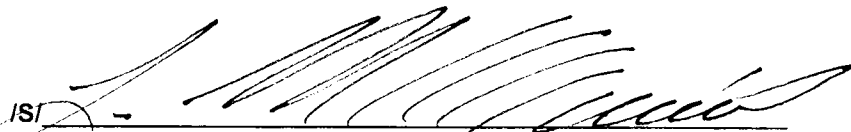
IN WITNESS WHEREOF, the City Council of the City of Las Vegas, Nevada, has caused this Ordinance to be published by title only.

DATED this April 15, 2020.

/s/ CAROLYN G. GOODMAN
Mayor

Attest:
/s/ LUANN D. HOLMES, MMC
City Clerk

PUB: April 18, 2020
LV Review-Journal

/s/ 
LEGAL ADVERTISEMENT REPRESENTATIVE

Subscribed and sworn to before me on this 20th day of April, 2020

Notary



