

BILL NO. 2020-14

ORDINANCE NO. 6737

AN 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 BENEFITED BY SAID MAINTENANCE; RATIFYING, APPROVING AND CONFIRMING ALL ACTION PREVIOUSLY TAKEN; PRESCRIBING DETAILS IN CONNECTION THEREWITH.

Summary: Levy Ordinance

WHEREAS, the City Council of the City of Las Vegas (the “City Council” and “City”, respectively) in the County of Clark and State of Nevada, has heretofore, pursuant to the requisite preliminary proceedings, created Las Vegas, Nevada, Special Improvement District No. 1485 – Alta Drive (Landscape Maintenance) (the “District”), to defray the annual maintenance costs of a street beautification project within the District (the “Maintenance Project”) as defined in Chapter 271 of the Nevada Revised Statutes (“NRS”), and has provided that the entire cost and expense of the Maintenance Project shall be paid by special assessments, according to benefits, levied against the benefited lots, tracts and parcels of land in the District; and

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

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

WHEREAS, in accordance with NRS 271.360 and NRS 271.378, the City Council has heretofore determined, and does hereby declare, that the net cost of the Maintenance Project for FY2021 (including all necessary incidentals which either have been or will be incurred in connection with the District) is \$75,800, of which, \$ -0- is available from other sources and of which \$75,800 is to be assessed upon the benefited lots, tracts and parcels of land in the District which the City Council has determined will receive special benefits (and corresponding market value increases) from the Maintenance Project; and

WHEREAS, the City Council, by resolution heretofore adopted and directed the City Engineer together with the City Engineer Division (the "Engineer") to make out a final assessment roll; and

WHEREAS, after a determination of the costs of such work to be paid by the property specially benefited, the City Council, together with the Engineer made out a final assessment roll for the District containing, among other things, the names and addresses of the last known owners of the property to be assessed, a description of each lot, tract, or parcel of land to be assessed, and the amount of the assessment thereon; and

WHEREAS, the Engineer has reported the final assessment roll to the City Council and has filed the final assessment roll with the City Clerk; and

WHEREAS, the City Council thereupon fixed a time and place, to wit: Wednesday, April 1, 2020, at 9:00 a.m., at the Las Vegas City Council Chambers, 495 South Main Street, in Las Vegas, Nevada, when all complaints, protests and objections to the final assessment roll, to the amount of the assessments, and to the regularity of the proceedings in making such assessments, by the owners of the property specially benefited by, and proposed to be assessed for, the Maintenance Project in the District, by any person interested, and by any parties aggrieved by such assessments, would be heard and considered by the City Council; and

WHEREAS, the Engineer has, in accordance with the provisions of law relating thereto, given the requisite legal notice by both mail and publication that complaints, protests and objections to assessments for the Maintenance Project should be filed with the City Clerk, and that the City Council would hear and consider any and all complaints, protests or objections on Wednesday, April 1, 2020, at 9:00 a.m., at the Las Vegas City Council Chambers, 495 South Main Street, in Las Vegas, Nevada; and

WHEREAS, the City Council caused the final assessment roll to be filed in the records of the office of the City Clerk on March 4, 2020; and

WHEREAS, the City Clerk, by publication and by mail, gave the requisite notice of the time and place of such hearing on April 1, 2020, of the filing of the final assessment roll in her office, of the date of filing the same, and of the right of any such person to object specifically in writing and of the waiver of any objection in the absence of such objection; and

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

WHEREAS, all complaints, protests and objections, both written and oral, were found to be without sufficient merit and overruled, except as provided in the District No. 1485 (FY2021) Assessment Protest Resolution; and

WHEREAS, by the District No. 1485 (FY2021) Assessment Protest Resolution, the City Council modified, corrected and revised the final assessment roll and modified, corrected, revised and confirmed the final assessment roll to be in final form; and

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

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

WHEREAS, the City Council has determined, and does hereby determine, that the City shall pay the costs of the Maintenance Project, with funds completely derived from the levy of assessments.

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

Section 1. This Ordinance shall be known as, and may be cited by, the short title "District No. 1485 (FY2021) Levy Ordinance" (the "Ordinance").

Section 2. The City Council has heretofore determined, and does hereby declare, that each and every complaint, protest and objection made in connection with the District is without sufficient merit and the same be, and the same hereby is, overruled, and finally passed on by the City Council, except as provided in the District No. 1485 (FY2021) Assessment Protest Resolution.

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

Section 4. For the purpose of paying the costs and expenses of the Maintenance Project, the amounts and assessments shown in the final assessment roll (as so filed, modified and confirmed) are hereby levied and assessed against the lots, tracts and parcels of land in the District (being all those specially benefited by the Maintenance Project) and described in the final assessment roll for the District, as filed in the office of the City Clerk on March 4, 2020, and as modified and confirmed by the District No. 1485 (FY2021) Assessment Protest Resolution duly adopted by the City Council on April 15, 2020.

Section 5. The assessments shall be due and payable at the office of the City Treasurer within 30 days after this Ordinance becomes effective, without interest and without demand; provided that all or any part of such assessments may, at the election of the owner, be paid in installments, as hereinafter provided. Failure to pay the whole assessment within said period of 30 days shall be conclusively considered and held an election on the part of all persons interested, whether under disability or otherwise, to pay in installments the amount of the assessment then unpaid. In case of such election to pay in installments, the unpaid assessments shall be payable in four (4) substantially equal quarterly installments of principal until paid in full, without interest, payable at the office of the City Treasurer on July 1, 2020, October 1, 2020, January 1, 2021 and April 1, 2021. Failure to pay any installment when due shall cause the whole amount of the unpaid principal to become due and payable immediately, at the option of the City, the exercise of said option to be indicated by the commencement of foreclosure proceedings by the City; and the whole amount of the unpaid principal shall, after such delinquency, whether said option is or is not exercised, bear penalty interest at the rate of two percent (2%) (or at any higher rate authorized by statute, or any lower rate, which may be zero percent, for such period as determined by the City Treasurer) per month (not prorated for any portion of the month) on the unpaid balance of the assessment and accrued interest until the day of sale or until paid, but at any time prior to the date of the sale the owner may pay the amount of all delinquent installments originally becoming due on or before the date of said payment, and all penalty interest accrued, and shall thereupon be restored to the right thereafter to pay in installments in the same manner as if default had not been suffered. The owner of any property assessed and not in default as to any installment or payment may, at any time (at the option of such owner), pay the whole or any installment of the unpaid principal.

Pursuant to NRS 271.357 and NRS 271.360, any assessment against property for which an application for Hardship Determination has been approved by the City Council shall be postponed, but the owner shall make payments of interest on the unpaid balance of previous and current assessments at the same rate and terms as are established for other assessments in the manner provided. The assessment shall remain postponed until the earlier of the following occurrences: (a) the property is sold or transferred to a person other than one to whom a Hardship Determination has been granted; (b) the term of the bonds expire; (c) the property owner's application for renewal of the Hardship Determination is disapproved; (d) the property owner fails to pay interest on the unpaid balance of assessments in a timely manner; or (e) the property owner pays all previous and current assessments. The owner shall also be subject to the lien as provided in Section 6 hereof.

Section 6. The amounts assessed shall be a lien upon the owner's lots, tracts and parcels of land from the effective date of this Ordinance (i.e. May 24, 2020) until paid. The lien shall be co-equal with the latest lien thereon to secure the payment of general taxes and prior and superior to all other liens, claims, encumbrances and titles (other than the liens of assessments and general taxes). The sale of any such lot, tract or parcel of land for general or other taxes shall not relieve such lot, tract or parcel of land from such assessment or the lien therefor. Such amounts shall continue to be a lien upon the lots, tracts and parcels of land assessed until paid in full (including all principal, penalties, and collection costs and interest thereon).

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

defect in the report as recorded, shall affect the validity of the assessments, the lien for the payment thereof or the priority of that lien.

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

Section 9. The City Clerk is hereby directed to deliver to the City Treasurer a copy of the final assessment roll containing a description of the lots, tracts and parcels of land being assessed, with the amount of the assessment levied upon each and the name and address of the owner or owners against whom the assessment was made. The final assessment roll is to be recorded in the office of the Clark County Recorder together with the statement that the current payment status of any assessment may be obtained from the City Treasurer. The City Treasurer is additionally directed to collect the several sums so assessed as a tax upon the several tracts to which they were assessed.

Section 10. In accordance with NRS 271.405(7) the City Clerk shall give notice by publication in the Las Vegas Review-Journal, a newspaper of general circulation in the City, and such notice to be published at least once a week, for three consecutive publications, by three weekly insertions, the first such publication to be at least 15 days prior to the end of the 30-day period stating that said assessments have been levied and are due and payable and the last day for their payment. It shall not be necessary that the notice be published on the same day of the week, but not less than 14 days shall intervene between the first publication and the last publication. Service by publication shall be verified by the affidavit of the publisher or his designee and filed with the City Clerk. In accordance with NRS 271.390(2); the City Clerk or Deputy City Clerk shall also give written notice of the levying of the assessments by mailing a copy of

such notice, postage prepaid, at least 20 days prior to the end of said 30-day period, to the owner or owners of all property upon which the assessment was levied at his or her last known address or addresses. Proof of such mailing shall be made by the affidavit of the City Clerk or Deputy City Clerk and such proof shall be filed with the City Clerk. Failure to mail any such notice or notices shall not invalidate any assessment or any other proceedings concerning the District. Proof of the publication and proof of the mailing shall be maintained in the permanent records of the office of the City Clerk until all special assessments have been paid in full or until any claim is barred by an appropriate statute of limitations. The City Council hereby determines that the manner of giving notice herein provided by publication and by mail is reasonably calculated to inform the parties of the proceedings concerning the District and the levy of assessments which may directly and adversely affect their legally protected interests.

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

(Form of Notice)

NOTICE TO PROPERTY OWNERS OF THE LEVY OF ASSESSMENTS FOR BOUNDARIES OF DISTRICT IN THE CITY OF LAS VEGAS, NEVADA SPECIAL IMPROVEMENT DISTRICT NO. 1485 – ALTA DRIVE (LANDSCAPE MAINTENANCE FY2021)

NOTICE IS HEREBY GIVEN to the owners of all property upon which an assessment has been levied, and other interested persons, that District No. 1485 (FY2021) Levy Ordinance (the “Levy Ordinance”) was duly passed, adopted, signed and approved by the City Council of the City of Las Vegas on May 20, 2020. The Levy Ordinance levied and assessed the cost and expense of Boundaries of District against the lots, tracts and parcels of land specially benefited by the maintenance in what is commonly designated as “City of Las Vegas, Nevada, Special Improvement District No. 1485 – Alta Drive (Landscape Maintenance FY2021),” (said lots, tracts and parcels of land being more specifically described in the final assessment roll designated in the ordinance).

Assessments are due and payable at the office of the City Treasurer in Las Vegas, Nevada, on or before June 23, 2020, being 30 days after the effective date of the Levy Ordinance, without interest and without demand, provided that all, or any part of such assessments may, at the election of the owner, be paid in installments, without interest as hereinafter provided. Failure to pay the whole assessment within the 30-day period will be conclusively considered and held an election on the part of all persons interested, whether under disability or otherwise, to pay the unpaid assessment in installments. In case of such election to pay in installments, the unpaid assessments will be payable in four (4) substantially equal quarterly installments of principal until paid in full, being payable at the office of the City Treasurer in Las Vegas, Nevada, on July 1, 2020, October 1, 2020, January 1, 2021, and April 1, 2021. Failure to pay any assessment installment 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 to be indicated by the commencement of foreclosure proceedings by the City, and the whole amount of the unpaid principal shall, after such delinquency, whether said option is or is not exercised, bear penalty interest at the rate of two percent (2%) (or at any higher rate authorized by statute, or any lower rate, which may be zero percent, for such period as determined by the City Treasurer) per month (not prorated for any portion of the month) on the unpaid balance of the assessment and accrued interest, until the day of sale or until paid, but at any time prior to the date of the sale, the owner may pay the amount of all delinquent installments originally becoming due on or before the date of said payment, and all penalty interest accrued, and shall thereupon be restored to the right thereafter to pay in installments in the same manner as if default had not been suffered. The owner of any property 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 quarterly installment of the unpaid principal of such owner’s assessment.

Pursuant to NRS 271.357 and NRS 271.360, any assessment against property for which an application for Hardship Determination has been approved by the City Council shall be postponed, but the owner shall make payments of interest on the unpaid balance of previous and current assessments at the

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

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

The amounts assessed as aforesaid constitute a lien upon said lots, tracts and parcels of land from May 24, 2020, (i.e., the effective date of the Levy Ordinance), which lien shall be co-equal with the latest lien thereon to secure the payment of general taxes and prior and superior to all other liens, claims, encumbrances and titles (other than the liens of assessments and general taxes). The sale of any such lot, tract or parcel of land for general taxes shall not relieve such lot, tract or parcel of land from such assessment or the lien therefor.

Dated this May 20, 2020.

LUANN D. HOLMES, MMC
City Clerk

(End of Form of Notice)

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

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

Section 14. In accordance with Section 2.110 of the City Charter, this Ordinance when first proposed is to be read by title to the City Council, immediately after which an adequate number of copies of the proposed Ordinance are to be deposited with the office of the City Clerk for public examination and distribution upon request; thereafter, the City Clerk is authorized and directed to give notice of the deposit together with the title of the Ordinance by publication at least once in the Las Vegas Review-Journal, i.e., a newspaper published and having general circulation in the City, at least ten (10) days before the adoption of the Ordinance, i.e., at least ten (10) days before May 20, 2020, such publication to be in substantially the following form:

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

ORDINANCE NO. _____

AN ORDINANCE CONCERNING THE CITY OF LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 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 BENEFITED BY SAID MAINTENANCE; RATIFYING, APPROVING AND CONFIRMING ALL ACTION PREVIOUSLY TAKEN; PRESCRIBING DETAILS IN CONNECTION THEREWITH.

PUBLIC NOTICE IS HEREBY GIVEN that an adequate number of typewritten copies of the above-entitled proposed Ordinance were filed with and are available for public inspection and distribution at the office of the City Clerk of the City of Las Vegas, 495 South Main Street, Las Vegas, Nevada, and that such ordinance was proposed on the 15th day of April, 2020, and will be considered for adoption at the regular meeting of the City Council of the City of Las Vegas on the 20th day of May, 2020.

/s/ LUANN D. HOLMES, MMC
City Clerk

(End of Form)

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

(Form for Publication After Final Adoption of Ordinance)

ORDINANCE NO. _____

AN ORDINANCE CONCERNING THE CITY OF LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 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 BENEFITED BY SAID MAINTENANCE; RATIFYING, APPROVING AND CONFIRMING ALL ACTION PREVIOUSLY TAKEN; PRESCRIBING DETAILS IN CONNECTION THEREWITH.

PUBLIC NOTICE IS HEREBY GIVEN that the above Ordinance was proposed on April 15, 2020, and was passed at a regular meeting held on May 20, 2020, by the following vote of the City Council of the City of Las Vegas, Nevada:

Those Present:

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

Those Voting Aye:

Those Voting Nay:

Those Absent:

This Ordinance shall be in full force and effect from and after May 24, 2020, i.e., the day after its publication by title only.

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

This 20th day of May, 2020.

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

(SEAL)

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


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

INTRODUCED April 15, 2020, PASSED, ADOPTED AND APPROVED May 20, 2020.



CAROLYN G. GOODMAN
Mayor

Attest:



LUANN D. HOLMES, MMC
City Clerk

Approved as to Form:

3/31/20

Date Assistant City Attorney

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

I, LuAnn D. Holmes, MMC, the duly chosen, qualified City Clerk of the City 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 City Council on April 15, 2020, and finally adopted and approved on May 20, 2020.

2. The following members of the City Council were present at the April 15, 2020, Council meeting:

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

3. The foregoing Ordinance was first proposed and read by title to the City Council on April 15, 2020, and referred to a committee for recommendation; thereafter the said committee reported favorably on said Ordinance on May 20, 2020, which was a regular meeting of said City Council; that at said regular meeting, the proposed Ordinance was again read by title to the City Council and adopted. The presence of members of the City Council at its meeting of May 20, 2020, and their votes upon the adoption of the Ordinance were as follows:

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

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

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

5. All members of the City Council were given due and proper notice of the meetings held on April 15, 2020, and May 20, 2020. Pursuant to § 241.020, Nevada Revised Statutes, written notice of the

meetings was given no later than 9:00 a.m. on the third working day before the meetings, including in the notice the time, place, location, and agenda of the meeting:

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

(i) City Hall
495 South Main Street
Las Vegas, Nevada

(ii) City of Las Vegas Development Services Center
333 N. Rancho Drive
Las Vegas, Nevada

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

(iv) The City of Las Vegas website

and


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

6. A copy of such notice so given of the meeting of the City Council on April 15, 2020, is attached to this certificate as Exhibit A and a copy of the notice so given of the meeting of the City Council on May 20, 2020, is attached to this certificate as Exhibit B.

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

8. Upon request, the governing body provides, at no charge, at least one copy of the agenda for its public meetings, any proposed ordinance or regulation which will be discussed at the public meeting, and any other supporting materials provided to the members of the governing body for an item on the agenda, except for certain confidential materials and materials pertaining to the closed meetings, as provided by law.

IN WITNESS WHEREOF, I have hereunto set my hand on this May 20, 20120



LUANN D. HOLMES, MMC
City Clerk

(SEAL)

EXHIBIT A

(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

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

Facilities are provided throughout City Hall for convenience of persons with disabilities. For meetings held in the Council Chambers, sound equipment is available for persons with hearing impairments. Reasonable efforts will be made to assist and accommodate persons with disabilities or impairments. If you need an accommodation to attend and participate in this meeting, please call the City Clerk's office at 702-229-6311 and advise of your need at least 48 hours in advance of the meeting. Dial 7-1-1 for Relay Nevada.

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 citycouncillive@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 B

(Attach Copy of Notice of May 20, 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

Facilities are provided throughout City Hall for convenience of persons with disabilities. For meetings held in the Council Chambers, sound equipment is available for persons with hearing impairments. Reasonable efforts will be made to assist and accommodate persons with disabilities or impairments. If you need an accommodation to attend and participate in this meeting, please call the City Clerk's office at 702-229-6311 and advise of your need at least 48 hours in advance of the meeting. Dial 7-1-1 for Relay Nevada.

May 20, 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 citycouncillive@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 April 15, 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.

FINANCE - PURCHASING AND CONTRACTS - CONSENT

8. For possible action to approve award of Modification No. One to Contract No. 200010-JL, Public Attorneys for Indigent Defendants Department 3 - Las Vegas Municipal Court - Award recommended to: MATSUDA LAW, LTD. (Not-to-Exceed \$83,400 Annually - General Fund)
9. For possible action to approve award of Amendment No. 3 to Contract No. 150119-TF, Flow Monitoring Services - Department of Public Works - Award recommended to: ADS ENVIRONMENTAL SERVICES (Not-to-Exceed \$251,800 Annually - Sanitation Enterprise Fund) - All Wards
10. For possible action to approve award of Modification No. Three to Contract No. 120098-CW, Contract for Benefits Producer and Consultant Services - Department of Human Resources - Award recommended to: MOUNTAIN WEST SERIES OF LOCKTON COMPANIES, LLC dba LOCKTON COMPANIES, LLC (Not-to-Exceed \$360,000 Annually - Employee Benefit Internal Service Fund)
11. For possible action to approve award of Bid No. 19.53441.01-DD, Water Pollution Control Facility Biological Nutrient Removal Facility Rehabilitation, located at 6005 East Vegas Valley Drive, to the lowest responsive and responsible bidder - Department of Public Works - Award recommended to: MMC, INC. (\$10,543,657 - Sanitation Enterprise Fund) - Clark County
12. For possible action to approve award of Modification No. 1 to Contract No. 20.75156-JH, 215 Beltway Channel - Durango Drive to Grand Montecito Parkway, Department of Public Works - Award recommended to: MEADOW VALLEY CONTRACTORS, INC. DBA ACC SOUTHWEST (\$870,900.05 - Road and Flood Capital Projects Fund) - Ward 6 (Fiore) and Clark County

PLANNING - BUSINESS LICENSING - CONSENT

13. For possible action to approve a Tavern License for a Change of Ownership FROM: SACKLEY FAMILY TRUST TO: KICKERS, LLC dba KICKERS at 931 North Las Vegas Boulevard [Jennifer Metzger, Managing Member] - Ward 5 (Crear)
14. For possible action to approve a Restaurant with Alcohol License for HONG DA, INC. dba OHJAH JAPANESE STEAKHOUSE SUSHI & HIBACHI at 7480 Oso Blanca Road [Zhi Gang Wang, President, Secretary, Treasurer, Director, Shareholder] - Ward 6 (Fiore)

15. For possible action to approve a Non-Operational Restaurant with Alcohol License for a Change of Ownership FROM: BRAVO BRIO RESTAURANT GROUP, INC. TO: FOODFIRST GLOBAL RESTAURANTS, INC. dba BRIO TUSCAN GRILLE at 420 South Rampart Boulevard, Suite #180 - Ward 2 (Seaman)
16. For possible action to approve a Beer/Wine/Cooler Off-Sale License for a Change of Ownership FROM: RAINBOW RANCHO, LLC TO: TERRIBLE HERBST, INC. dba TERRIBLE'S #417 at 5001 North Rainbow Boulevard - Ward 4 (Anthony)
17. For possible action to approve a One-Day Opening for a Non-Restricted Gaming License for UNITED COIN MACHINE CO dba CENTURY GAMING TECHNOLOGIES db at MOULIN ROUGE at 840 West Bonanza Road - Ward 5 (Crear)
18. For possible action to approve a One-Day Opening for a Non-Restricted Gaming License FIFTH STREET GAMING, LLC dba FIFTH STREET GAMING, LLC db at WESTERN at 899 Fremont Street - Ward 3 (Diaz)
19. For possible action to approve the extension of a Temporary Banquet or Event Establishment License (No. G67-08237) for MANSION FIFTY-FOUR LAS VEGAS, LLC dba MANSION 54 at 1044 South 6th Street [John Cartoscelli, Managing Member] - Ward 3 (Diaz)

PUBLIC WORKS - CONSENT

20. For possible action to approve Cooperative (Local Public Agency) Agreement P421-17-063 - Amendment No. 1 between the City of Las Vegas (CLV) and the State of Nevada Department of Transportation (NDOT) to increase project funding for construction for the Roland Wiley Intersections Improvements Project located at Roland Wiley Road and Westcliff Drive and Roland Wiley Road and Silver Sky Circle Intersections (\$422,105 - Traffic Improvements Capital Project Fund [CPF]) - Ward 2 (Seaman)
21. For possible action to approve Cooperative (Local Public Agency) Agreement P420-17-063 - Amendment No. 1 between the City of Las Vegas (CLV) and the State of Nevada Department of Transportation (NDOT) to increase project funding for construction for the Pennwood Avenue Safe Routes to School Project located along Pennwood Avenue from Decatur Boulevard to Valley View Boulevard (\$172,632 - Traffic Improvements Capital Project Fund [CPF]) - Ward 1 (Knudsen)
22. For possible action to approve Cooperative (Local Public Agency) Agreement P283-17-063 - Amendment No. 1 between the City of Las Vegas (CLV) and the State of Nevada Department of Transportation (NDOT) to increase project funding for construction for the 28th Street Safe Routes to School Project located on 28th Street from Bonanza Road to Charleston Boulevard (\$189,474 - Traffic Improvements Capital Project Fund [CPF]) - Ward 3 (Diaz)
23. For possible action to approve Cooperative (Local Public Agency) Agreement P284-17-063 - Amendment No. 1 between the City of Las Vegas (CLV) and the State of Nevada Department of Transportation (NDOT) to increase project funding for construction for the Lone Mountain Trail at Alexander Road Project located at Alexander Road and Pioneer Way (\$147,368 - Traffic Improvements Capital Project Fund [CPF]) - Ward 4 (Anthony)
24. For possible action to approve an Air Rights Easement Agreement between the City of Las Vegas (CLV) and 220 North 4th Street LV, LLC to accommodate the Downtown Grand's second story slab that encroaches into the CLV's right-of-way along Ogden Avenue and Stewart Avenue, APNs 139-34-514-009 and 139-34-599-018 - Ward 5 (Crear)

YOUTH DEVELOPMENT AND SOCIAL INNOVATION - CONSENT

25. For possible action to approve a grant award from AmeriCorps VISTA to the City of Las Vegas (City) in the amount of \$74,940 which will be matched with City funding in the amount of \$12,490 to support various focus areas of City programing (General Fund) - All Wards

DISCUSSION/ACTION ITEMS

COMMUNITY SERVICES - DISCUSSION

26. Discussion for possible action regarding the City of Las Vegas Amended FY2019-2020 Action Plan that secures Coronavirus Aid, Relief, and Economic Security Act (CARES Act) funds totaling \$4,900,673 from the Department of Housing and Urban Development (HUD) to prevent, prepare for, and respond to the Coronavirus pandemic - All Wards

ECONOMIC AND URBAN DEVELOPMENT - DISCUSSION

27. Discussion for possible action regarding an Exclusive Negotiation Agreement (ENA) between City Parkway V, Inc. (CPV) and Nevada Test Site Historical Foundation (Developer) for property located in Symphony Park, a portion of APN 139-34-211-005, generally bounded by South City Parkway to the West, West Bridger Avenue to the North, UPRR to the East, and Robin Leach Lane to the South - Ward 5 (Crear)

HUMAN RESOURCES - DISCUSSION

28. Discussion for possible action regarding the review of and selection from various processes for the recruitment of a City Attorney, including possible authorization to the Acting Human Resources Director to execute a contract with an executive search firm (Not-to-Exceed \$50,000 - General Fund) - All Wards

RESOLUTIONS - DISCUSSION

29. R-22-2020 - Discussion for possible action regarding a Resolution approving and ratifying actions authorized by the City Manager regarding business license fees, business license status, land use status, sewer fees, special improvement district liens, and Economic and Urban Development agreements for commercial business tenants - All Wards
30. R-23-2020 - Discussion for possible action regarding a Resolution establishing the CARES Act Special Revenue Fund to be used to account for funds received pursuant to Section 601(b) of the Social Security Act, as added by Section 5001 of the Coronavirus Aid, Relief, and Economic Security Act, Public Law No. 116-136, Division A, Title V (March 27, 2020) - All Wards

BOARDS AND COMMISSIONS - DISCUSSION

31. Discussion for possible action regarding the reappointment of Joseph Throneberry to the Audit Oversight Committee

RECOMMENDING COMMITTEE REPORT - DISCUSSION

BILLS ELIGIBLE FOR ADOPTION AT THIS MEETING

32. Bill No. 2020-14 - For possible action - 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
33. Bill No. 2020-15 - For possible action - 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

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. 2020-17 - Amends LVMC 6.74.050 and 19.12.070 relating to the permissible locations for secondhand dealers.

HEARINGS - DISCUSSION

35. ABEYANCE ITEM - Public hearing and discussion for possible action to consider a request for a waiver and/or reduction of fees totaling \$18,334.59 in out of pocket costs and \$90,000 in civil penalties for a total of \$108,334.59 recorded against the property located at 1614 EAST OGDEN AVENUE - PROPERTY OWNER: M T REAL ESTATE INVESTMENT, INC. - Ward 5 (Crear)

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 - 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.

36. MOD-78461 - MAJOR MODIFICATION - PUBLIC HEARING - APPLICANT/OWNER: HOWARD HUGHES COMPANY, LLC - For possible action on a request for a Major Modification of the approved Summerlin Master Development Plan TO ADD THE SUMMERLIN AA (ACTIVE ADULT), SETBACK AND WALL/FENCE DEVELOPMENT STANDARDS TO THE SUMMERLIN DEVELOPMENT STANDARDS MANUAL (APNs Multiple), P-C (Planned Community) Zone, Ward 2 (Seaman) [PRJ-78287]. The Planning Commission (7-0 vote) and Staff recommend APPROVAL.
37. MDR-78464 - DEVELOPMENT PLAN REVIEW RELATED TO MOD-78461 - PUBLIC HEARING - APPLICANT/OWNER: HOWARD HUGHES COMPANY, LLC - For possible action on a request for a Development Plan Review for Summerlin Village 27 on 571.67 acres on the north side of Lake Mead Boulevard alignment, 740 feet west of Reverence Parkway (Portion of APNs 137-15-401-002, 137-22-101-004 and 137-21-101-002), P-C Planned Community) Zone, Ward 2 (Seaman) [PRJ-78287]. The Planning Commission (7-0 vote) and Staff recommend APPROVAL.
38. GPA-77994 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT: EPIC MOUNTAINS EDGE, LLC AND MOUNTAIN SUNRISE VIEW II LIMITED PARTNERSHIP - OWNER: UNITED STATES OF AMERICA - For possible action on a request for a General Plan Amendment FROM: PF (PUBLIC FACILITIES) TO: SC (SERVICE COMMERCIAL) on 4.93 acres on the west side of Hammer Lane, approximately 338 feet east of Shaumber Road (APN 126-36-101-017), Ward 6 (Fiore) [PRJ-77918]. The Planning Commission (7-0 vote) and Staff recommend APPROVAL.
39. ZON-77995 - REZONING RELATED TO GPA-77994 - PUBLIC HEARING - APPLICANT: EPIC MOUNTAINS EDGE, LLC AND MOUNTAIN SUNRISE VIEW II LIMITED PARTNERSHIP - OWNER: UNITED STATES OF AMERICA - For possible action on a request for a Rezoning FROM: C-V (CIVIC) TO: C-1 (LIMITED COMMERCIAL) on 4.93 acres on the west side of Hammer Lane, approximately 338 feet east of Shaumber Road (APN 126-36-101-017), Ward 6 (Fiore) [PRJ-77918]. The Planning Commission (7-0 vote) and Staff recommend APPROVAL.
40. SNC-78411 - STREET NAME CHANGE - PUBLIC HEARING - APPLICANT: PULTE HOMES OF NEVADA - OWNER: PN II, INC. - For possible action on a request for a Street Name Change FROM: SKYE HILL STREET TO: SKYE PEAK STREET, generally located north of Eagle Canyon Avenue, east of Shaumber Road, Ward 6 (Fiore) [PRJ-78395]. The Planning Commission (7-0 vote) and Staff recommend APPROVAL.
41. VAC-78428 - VACATION - PUBLIC HEARING - APPLICANT: SC EAST LANDCO, LLC - OWNER: EASTLAND, LLC, ET AL - For possible action on a Petition to Vacate portions of Bureau of Land Management right-of-way grants, U.S. Government Patent Easements and a City of Las Vegas public drainage easement generally located north of West Skye Canyon Park Drive and west of North Skye Canyon Park Drive (APNs multiple), Ward 6 (Fiore) [PRJ-78226]. The Planning Commission (7-0 vote) and Staff recommend APPROVAL.

PLANNING - DISCUSSION

42. 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.

43. VAR-78229 - ABEYANCE ITEM - 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.
44. SDR-77943 - ABEYANCE ITEM - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT/OWNER: LAP INVESTMENT, LLC - For possible action on a request for a Site Development Plan Review FOR A PROPOSED 9,750 SQUARE-FOOT PARKING LOT WITH WAIVERS OF THE PERIMETER LANDSCAPE BUFFER REQUIREMENTS on 0.22 acres on the north side of Charleston Boulevard approximately 330 feet west of Moonlight Drive (APN 140-31-802-004), C-1 (Limited Commercial) Zone, Ward 3 (Diaz) [PRJ-77713]. The Planning Commission (7-0 vote) and Staff recommend DENIAL.
45. GPA-77939 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT: EAB AND ELB FAMILY TRUST - OWNER: ALEXANDER & ESTHER WHITE LIVING TRUST - For possible action on a request for a General Plan Amendment FROM: O (OFFICE) TO: M (MEDIUM DENSITY RESIDENTIAL) on 3.66 acres at the northeast and southeast corners of Gowan Road and Durango Drive (APNs 138-09-201-020 and 138-09-301-001), Ward 4 (Anthony) [PRJ-77867]. Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL.
46. ZON-77940 - REZONING RELATED TO GPA-77939 - PUBLIC HEARING - APPLICANT: EAB AND ELB FAMILY TRUST - OWNER: ALEXANDER & ESTHER WHITE LIVING TRUST - For possible action on a request for a Rezoning FROM: P-O (PROFESSIONAL OFFICE) TO: R-TH (SINGLE FAMILY ATTACHED) on 3.66 acres at the northeast and southeast corners of Gowan Road and Durango Drive (APNs 138-09-201-020 and 138-09-301-001), Ward 4 (Anthony) [PRJ-77867]. Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL.
47. VAR-78565 - VARIANCE RELATED TO GPA-77939 AND ZON-77940 - PUBLIC HEARING - APPLICANT: EAB AND ELB FAMILY TRUST - OWNER: ALEXANDER & ESTHER WHITE LIVING TRUST - For possible action on a request for a Variance TO ALLOW STUB STREET TERMINUS WHERE A CUL-DE-SAC OR HAMMERHEAD IS REQUIRED AND A CONNECTIVITY RATIO OF 0.83 WHERE 1.30 IS REQUIRED on 3.66 acres at the northeast and southeast corners of Gowan Road and Durango Drive (APNs 138-09-201-020 and 138-09-301-001), P-O (Professional Office) Zone [PROPOSED: R-TH (Single Family Attached), Ward 4 (Anthony) [PRJ-77867]. Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL.
48. TMP-78559 - TENTATIVE MAP RELATED TO GPA-77939, ZON-77940 AND VAR-78565 - DURANGO & GOWAN - PUBLIC HEARING - APPLICANT: EAB AND ELB FAMILY TRUST - OWNER: ALEXANDER & ESTHER WHITE LIVING TRUST - For possible action on a request for a Tentative Map FOR A 58-LOT SINGLE-FAMILY RESIDENTIAL SUBDIVISION on 3.66 acres at the northeast and southeast corners of Gowan Road and Durango Drive (APNs 138-09-201-020 and 138-09-301-001), P-O (Professional Office) Zone [PROPOSED: R-TH (Single Family Attached), Ward 4 (Anthony) [PRJ-77867]. Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL.
49. GPA-78218 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS - For possible action on a request for a General Plan Amendment to amend portions of the Southeast Sector Land Use Map of the General Plan FROM: L (LOW DENSITY RESIDENTIAL), O (OFFICE) AND SC (SERVICE COMMERCIAL) TO: FBC (FORM-BASED CODE) on approximately 40 acres in the Las Vegas Medical District generally located south of Charleston Boulevard, east of Rancho Drive (APNs Multiple), Ward 1 (Knudsen) [PRJ-78477]. The Planning Commission (5-2 vote) and Staff recommend APPROVAL.

50. ZON-78219 - REZONING RELATED TO GPA-78218 - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS - For possible action on a request for a Rezoning FROM: C-1 (LIMITED COMMERCIAL), C-D (DESIGNED COMMERCIAL), O (OFFICE), P-R (PROFESSIONAL OFFICE AND PARKING), R-1 (SINGLE FAMILY RESIDENTIAL) AND R-E (RESIDENCE ESTATES) TO: T4-C (T4 CORRIDOR), T5-C (T5 CORRIDOR), T5-MS (T5 MAIN STREET), T3-N (T3 NEIGHBORHOOD) on approximately 40 acres in the Las Vegas Medical District generally located south of Charleston Boulevard, east of Rancho Drive (APNs Multiple), Ward 1 (Knudsen) [PRJ-78477]. The Planning Commission (6-1 vote) and Staff recommend APPROVAL.
51. ZON-78454 - REZONING - PUBLIC HEARING - APPLICANT/OWNER: LDR PARTNERS - For possible action on a request for a Rezoning FROM: U (UNDEVELOPED) [MXU (MIXED USE) GENERAL PLAN DESIGNATION]] TO: C-1 (LIMITED COMMERCIAL) on 0.52 acres at the southeast corner of Charleston Boulevard and Westwind Drive (APN 163-01-103-001), Ward 1 (Knudsen) [PRJ-78379]. The Planning Commission (7-0 vote) and Staff recommend APPROVAL.
52. VAR-78455 - VARIANCE RELATED TO ZON-78454 - PUBLIC HEARING - APPLICANT/OWNER: LDR PARTNERS - For possible action on a request for a Variance TO ALLOW 74 PARKING SPACES WHERE 128 ARE REQUIRED on 0.52 acres at the southeast corner of Charleston Boulevard and Westwind Drive (APNs 163-01-103-001 and 004), U (Undeveloped) [MXU (Mixed Use) General Plan Designation]] [PROPOSED: C-1 (Limited Commercial)], Ward 1 (Knudsen) [PRJ-78379]. Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL.
53. VAR-78456 - VARIANCE RELATED TO ZON-78454 AND VAR-78455 - PUBLIC HEARING - APPLICANT/OWNER: LDR PARTNERS - For possible action on a request for a Variance TO ALLOW AN EIGHT-FOOT RESIDENTIAL ADJACENCY SETBACK FOR A TRASH RECEPTACLE WHERE 50 FEET IS REQUIRED AND A 21-FOOT RESIDENTIAL ADJACENCY SETBACK FOR A BUILDING WHERE 63 FEET IS REQUIRED on 0.52 acres at the southeast corner of Charleston Boulevard and Westwind Drive (APNs 163-01-103-001 and 004), U (Undeveloped) [MXU (Mixed Use) General Plan Designation]] [PROPOSED: C-1 (Limited Commercial)], Ward 1 (Knudsen) [PRJ-78379]. Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL.
54. SDR-78460 - SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-78454, VAR-78455 AND VAR-78456 - PUBLIC HEARING - APPLICANT/OWNER: LDR PARTNERS - For possible action on a request for a Site Development Plan Review FOR A PROPOSED 10,010 SQUARE-FOOT RETAIL DEVELOPMENT WITH WAIVERS OF THE PERIMETER LANDSCAPE BUFFER REQUIREMENTS AND TO ALLOW THE SOUTH FACADE TO NOT BE DESIGNED AND TREATED COHERENTLY WHERE ALL SIDES OF THE BUILDING ARE REQUIRED on 0.52 acres at the southeast corner of Charleston Boulevard and Westwind Drive (APNs 163-01-103-001 and 004), U (Undeveloped) [MXU (Mixed Use) General Plan Designation]] [PROPOSED: C-1 (Limited Commercial)], Ward 1 (Knudsen) [PRJ-78379]. Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL.
55. VAR-78434 - VARIANCE - PUBLIC HEARING - APPLICANT: DR HORTON, INC. - OWNER: FORESTAR (USA) REAL ESTATE GROUP, INC. - For possible action on a request for a Variance TO ALLOW A NONSTANDARD RIGHT-OF-WAY TERMINUS WHERE A CUL-DE-SAC IS REQUIRED on 22.95 acres at the southwest corner of Ann Road and Hualapai Way (APNs Multiple), R-1 (Single Family Residential) Zone, Ward 6 (Fiore) [PRJ-78357]. Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL.
56. VAC-78436 - VACATION RELATED TO VAR-78484 - PUBLIC HEARING - APPLICANT: DR HORTON, INC. - OWNER: FORESTAR (USA) REAL ESTATE GROUP, INC. - For possible action on a request for a Petition to Vacate public right-of-way generally located at the terminus of Stephen Avenue and the terminus of Ruffian Road, Ward 6 (Fiore) [PRJ-78357]. Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL.
57. SUP-78250 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: ON CALL CASH - OWNER: CHARLESTON MARKETPLACE MALCAI - For possible action on a request for a Special Use Permit FOR A PROPOSED 1,575 SQUARE-FOOT AUTO TITLE LOAN USE WITH WAIVERS TO ALLOW A ZERO-FOOT DISTANCE SEPARATION FROM A PARCEL ZONED FOR RESIDENTIAL USE WHERE 200 FEET IS REQUIRED, TO ALLOW A 373-FOOT DISTANCE SEPARATION FROM AN EXISTING SIMILAR USE WHERE 1,000 FEET IS REQUIRED, AND TO ALLOW WINDOW SIGNAGE THAT DOES NOT COMPLY WITH TITLE 19.12 STANDARDS at 5950 West Charleston Boulevard, Suite #110 (APN 138-36-406-006), C-1 (Limited Commercial) Zone, Ward 1 (Knudsen) [PRJ-78221]. The Planning Commission (6-1 vote) and Staff recommend DENIAL.

58. SUP-78466 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER: ESCAPE RESORTS, INC. - For possible action on a request for a Special Use Permit FOR A PROPOSED 26,010 SQUARE-FOOT TAVERN-LIMITED ESTABLISHMENT USE at 207 North 11th Street (APNs 139-35-211-052, 053 and 054), T5-MS (T5 Main Street) Zone, Ward 5 (Crear) [PRJ-78453]. The Planning Commission (7-0 vote) and Staff recommend APPROVAL.
59. SDR-78465 - SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-78466 - PUBLIC HEARING - APPLICANT/OWNER: ESCAPE RESORTS, INC. - For possible action on a request for a Site Development Plan Review FOR A PROPOSED TWO-STORY, 16,192 SQUARE-FOOT HOTEL WITH POOL DECK on 1.15 acres at 207 North 11th Street (APNs 139-35-211-052, 053 and 054), T5-MS (T5 Main Street) Zone, Ward 5 (Crear) [PRJ-78453]. The Planning Commission (7-0 vote) and Staff recommend APPROVAL.
60. EOT-78630 - EXTENSION OF TIME - NONCONFORMING - PUBLIC HEARING - APPLICANT/OWNER: FREMONT PROPERTIES, LLC - For possible action on a request for a tenth Extension of Time FOR A NONCONFORMING LIQUOR ESTABLISHMENT (TAVERN) at 1930 Fremont Street, Suite A (APN 139-35-803-005), T4-C (T4 Corridor) Zone, Ward 3 (Diaz) [PRJ-78621]. Staff recommends DENIAL.
61. SDR-78441 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT/OWNER: SPRING LT APT 1, LLC - For possible action on a request for a Site Development Plan Review FOR A PROPOSED TWO-STORY, 16-UNIT MULTI-FAMILY DEVELOPMENT WITH A WAIVER TO ALLOW 10 PARKING SPACES WHERE 28 ARE REQUIRED on 0.34 acres at 405 South 10th Street (APN 139-34-712-124), R-4 (High Density Residential) Zone, Ward 3 (Diaz) [PRJ-78340]. The Planning Commission (7-0 vote) recommends DENIAL. Staff recommends APPROVAL.

REPORTS AND PRESENTATIONS

62. Report from Scott D. Adams, City Manager, on Emerging Issues - All Wards
63. Report by Ted Olivas, Chief of Staff, regarding an overview of passed and pending federal legislation related to the COVID-19 Pandemic - All Wards

SET DATE

64. 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

65. 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

66. 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 Filing of Ordinance)

AFFIDAVIT OF PUBLICATION

STATE OF NEVADA)
COUNTY OF CLARK) SS:

RECEIVED
CITY CLERK

2020 MAY 19 P 12:17

LV CITY CLERK
495 S MAIN ST
LAS VEGAS NV 89101

Account # 22515
Ad Number 0001103489

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 05/07/2020 to 05/07/2020, on the following days:

05 / 07 / 20

BILL NO. 2020-14

AN 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 BENEFITED BY SAID MAINTENANCE; RATIFYING, APPROVING AND CONFIRMING ALL ACTION PREVIOUSLY TAKEN; PRESCRIBING DETAILS IN CONNECTION THEREWITH.

PUBLIC NOTICE IS HEREBY GIVEN that an adequate number of typewritten copies of the above-entitled proposed Ordinance were filed with and are available for public inspection and distribution at the office of the City Clerk of the City of Las Vegas, 495 South Main Street, Las Vegas, Nevada, and that such ordinance was proposed on the 15th day of April, 2020, and will be considered for adoption at the regular meeting of the City Council of the City of Las Vegas on the 20th day of May, 2020.


/s/LUANN D. HOLMES, MMC
City Clerk

PUB: May 7, 2020
LV Review-Journal



LEGAL ADVERTISEMENT REPRESENTATIVE

Subscribed and sworn to before me on this 7th day of May, 2020

Notary 

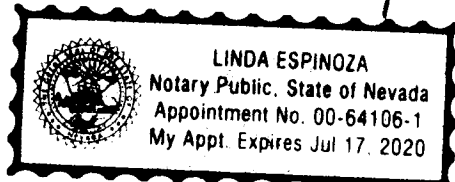


EXHIBIT D

(Attach Affidavit of Publication of Adoption of Ordinance)

AFFIDAVIT OF PUBLICATION

STATE OF NEVADA)
COUNTY OF CLARK) SS:

2020 JUN -1 A 11:39

LV CITY CLERK
495 S MAIN ST
LAS VEGAS NV 89101

Account # 22515
Ad Number 0001105174

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 05/23/2020 to 05/23/2020, on the following days:

05 / 23 / 20

BILL NO. 2020-14
ORDINANCE NO. 6737

AN 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 BENEFITED BY SAID MAINTENANCE; RATIFYING, APPROVING AND CONFIRMING ALL ACTION PREVIOUSLY TAKEN; PRESCRIBING DETAILS IN CONNECTION THEREWITH.

PUBLIC NOTICE IS HEREBY GIVEN that the above Ordinance was proposed on April 15, 2020, and was passed at a regular meeting held on May 20, 2020, by the following vote of the City Council of the City of Las Vegas, Nevada:

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 May 24, 2020, i.e., the day after its publication by title only. IN WITNESS WHEREOF, the City Council of the City of Las Vegas, Nevada, has caused this Ordinance to be published by title only.

This 20th day of May, 2020.

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

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

PUB: May 23, 2020
LV Review-Journal

Signature of Leslie McCormick
LEGAL ADVERTISEMENT REPRESENTATIVE

Subscribed and sworn to before me on this 25th day of May, 2020

Signature of Linda Espinoza
Notary

