

Summary – An ordinance levying assessments in the City of Las Vegas, Nevada, Special Improvement District No. 612 (Skye Hills), ratifying action taken by City officers toward the creation of such District, and providing other matters related thereto.

BILL NO. 2020-34

ORDINANCE NO. 6757

AN ORDINANCE CONCERNING THE CITY OF LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 612 (SKYE HILLS); ASSESSING THE COST OF LOCAL IMPROVEMENTS AGAINST THE ASSESSABLE PROPERTY BENEFITED BY THE LOCAL IMPROVEMENTS; AND PROVIDING OTHER MATTERS RELATED THERETO.

WHEREAS, the City Council (the “Council”) of the City of Las Vegas, Nevada (the “City”), has previously, pursuant to the requisite preliminary proceedings, created the City of Las Vegas, Nevada, Special Improvement District No. 612 (Skye Hills) (the “District”) for the purpose of acquiring and improving a street project, storm sewer project, sanitary sewer project, water project and drainage project (the “Project”), and has provided that the entire cost and expense of the Project shall be paid by special assessments, according to benefits received by the benefited lots, tracts and parcels of land in the District; and

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

WHEREAS, the City and the Developer have entered into a Development and Financing Agreement dated as of October 7, 2020, for the acquisition and improvement of the Project that contains the terms and conditions required by NRS 271.710 and 271.720; and

WHEREAS, the City has further entered into an Agreement with each of 190 Octane FT Partners, L.L.C., a Nevada limited liability company, and Cat 5 Investment Partners, LLC, a Nevada limited liability company (collectively, the “Land Owners”), each dated as of October 7, 2020 (collectively, the “Landowner Agreements”), which contains the terms and conditions required by NRS 271.710 and 271.720; and

WHEREAS, the Land Owners are collectively the owners of 100% of the assessable property comprising the District; and

WHEREAS, the District has been created by an ordinance designated as the “District No. 612 Creation Ordinance” previously approved by the Council under the provisions of the Act; and

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

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

WHEREAS, the Council has determined and does hereby declare that the net cost to the City of the Project is \$11,943,000 of which \$-0- is available from other sources and \$11,943,000 is to be assessed upon the benefited lots, tracts and parcels of land in the District; and

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

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

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

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

Section 1. This ordinance shall be known as and may be cited by the short title “District No. 612 Assessment Ordinance” (this “Ordinance”).

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

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

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

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

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

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

“Administrative Year” means the twelve-month period beginning on June 2 in each year and extending to the next succeeding June 1, both dates inclusive. The first Administrative Year shall begin on June 2, 2022 and end on June 1, 2023.

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

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

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

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

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

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

“Assessment Year” means the twelve-month period beginning on April 2 in each year and extending to the next succeeding April 1, both dates inclusive, except that the first Assessment Year shall begin on April 2, 2022 and end on April 1, 2023.

“Bond Year” means each twelve-month period beginning on June 2 in each year and extending to the next succeeding June 1, both dates inclusive, except that the first Bond Year shall begin on June 2, 2022 and end on June 1, 2023.

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

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

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

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

“**Credit Amount**” means, for any Assessment Year, an amount equal to the remainder of (a) the sum of (i) the amount on deposit in the Assessment Revenue Fund on June 3 of such Assessment Year (excluding amounts on deposit on June 3, 2021 and June 3, 2022, which shall not be used in calculating any Credit Amount) plus (ii) an amount equal to the Administrative Allocation for such Assessment Year, less (b) an amount equal to the Administrative Budget Amount for the Administrative Year commencing in such Assessment Year.

“**District**” means the “City of Las Vegas, Nevada Special Improvement District No. 612 (Skye Hills)” created by the City pursuant to the Creation Ordinance.

“**Engineer**” means the City Engineer.

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

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

“**Initial Appraisal Report**” means the Qualified Appraisal Report prepared by BTI in connection with the creation of the District.

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

“**Ordinance**” means this Ordinance.

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

“**Payment Dates**” means April 1 and October 1, commencing April 1, 2021.

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

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

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

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

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

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

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

“State” means the State of Nevada.

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

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

“Value to Lien Ratio” means a fraction, (a) the numerator of which is the sum of (i) the taxable value of the Property, or the portion thereof with respect to which the Value to Lien Ratio is being determined, for which a Qualified Appraisal Report has not been provided, as such value is shown on the most recently equalized property tax roll, plus (ii) the Appraised Value of the Property, or the portion thereof with respect to which the Value to Lien Ratio is

being determined, for which a Qualified Appraisal Report has been provided, as such Appraised Value is shown in such Qualified Appraisal Report, and (b) the denominator of which is the sum of the principal amount of existing Assessments levied on the Property or such portion thereof, plus the principal amount of existing Parity Assessments levied on the Property or such portion thereof, plus the principal amount of any Parity Assessments proposed to be levied on the Property or such portion thereof, which proposed Parity Assessments are anticipated to be levied on or before the date of, or in connection with, the event requiring a determination of Value to Lien Ratio; the Value to Lien Ratio shall be expressed, after reducing said fraction, as a number equal to the numerator of said fraction "to" a number equal to the denominator of said fraction.

Section 3. All actions, proceedings and matters previously taken, had and done by the City and the officers thereof (not inconsistent with the provisions of this Ordinance) concerning the District, including, but not limited to, the acquisition and improvement of the Project, the levy of Assessments for those purposes, and the validation and confirmation of the Assessment Roll and the Assessments therein, are ratified, approved and confirmed.

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

Section 5.

A. The Land Owners, pursuant to the Landowner Agreements, have elected to pay the Assessments in installments, with interest as hereinafter provided, and the Council hereby authorizes such manner of payment. The unpaid Assessments shall be payable on April 1 and October 1 of each year, commencing on April 1, 2021, in fifty-nine (59) semi-annual substantially equal installments of principal and interest until paid in full, with interest in all cases on the unpaid and deferred installments of principal from the effective date of this Ordinance at a rate or rates, which shall not exceed by more than one percent (1%) the highest rate of interest on the Bonds issued for the District. Between the effective date of this

Ordinance and the date the Bonds are issued, the unpaid Assessments shall bear interest at 0%. After the Bonds are issued, the Council hereby delegates to the City's Chief Financial Officer pursuant to NRS 271.415 the ability to fix the rate or rates of interest on the unpaid Assessments in accordance with the parameters described in this Section. The effective interest rate on the Bonds will not exceed the statutory maximum rate, i.e., will not exceed by more than 3% the "Index of Twenty Bonds," which shall have been most recently published before the time bids for the Bonds are received, or at the time a negotiated offer for the sale of such Bonds is accepted.

B. The City Treasurer shall, on approximately March 1 and September 1 of each calendar year, commencing March 1, 2021, mail, by United States mail, postage prepaid as first-class mail, an assessment bill to each owner of a parcel of the Property with respect to which Assessment Installments are payable on the following April 1 or October 1, respectively. The names and addresses of such property owners shall be obtained from the records of the Clark County Assessor or from such other source or sources as the City Treasurer deems reliable. The assessment bill shall specify the amount of the Assessment Installment payable by such owner on the following April 1 or October 1, as applicable, and shall state that each such day is the last day for payment of such amount. Each assessment bill shall specify what portion of the amount payable constitutes interest and what portion constitutes principal.

C. Pursuant to the Indenture, the Trustee is required to notify the City Treasurer, no later than June 10 of each year, commencing June 10, 2023, of the amount on deposit in the Assessment Revenue Fund as of June 3 of such year. On or before June 15 of each year, commencing June 15, 2022, the City Treasurer shall calculate, or cause to be calculated, the Credit Amount for the then current Assessment Year. An amount equal to the Semiannual Credit Amount for such Assessment Year shall be credited against the aggregate Assessment Installments payable on each Payment Date in such Assessment Year. The amount of the Assessment Installment payable with respect to each parcel of the Property on each such Payment Date shall be reduced by a proportionate share of the Semiannual Credit Amount, such share to be in the same proportion to the whole of the Semiannual Credit Amount as the unpaid and non-delinquent principal of the Assessment levied on such parcel is to the whole of the unpaid and non-delinquent principal of the Assessment levied on the Property. The assessment bills shall reflect such reduction in the amount of the Assessment Installment payable on each

Payment Date. Any Assessment Installment, the amount payable with respect to which on any Payment Date is reduced pursuant to this Section, shall for all purposes be deemed to have been paid on such Payment Date in an amount equal to such reduction. Notwithstanding the foregoing, amounts on deposit in the Assessment Revenue Fund on June 3, 2021 and June 3, 2022 shall by operation of this Ordinance be deemed to be Administrative Costs, shall not be used to calculate any Credit Amount, and shall be transferred by the Trustee to the City for deposit into the Administration Fund.

D. The owner of any Property assessed and not in default as to any Assessment Installment or payment may, at any time (at the option of such owner), pay the whole or any portion of the unpaid principal with interest accruing thereon to the next Payment Date, together with a prepayment premium equal to three percent (3%) of the principal amount so prepaid. If the Bonds (or any bonds issued to refund the Bonds) may then be redeemed without the payment of any premium, the City, in its sole discretion, may waive the requirement of payment of the prepayment premium. No waiver for a particular prepayment premium shall be deemed to be a waiver for any other prepayment premium. The owner of any assessed property may, at any time, request the City to provide information as to the total amount which will be due in connection with a proposed prepayment of an Assessment by such owner and the City will promptly (but in any event within five (5) business days) provide such information to the owner. After any partial prepayment of an assessment or refunding of the Bonds pursuant to NRS 271.488, the City Treasurer shall reamortize the Assessment Installments due on the parcel on which the partial prepayment was made or, in the case of a refunding, on all parcels, so that the remaining Assessment Installments are semiannual substantially level installments of principal and interest with a final due date of April 1, 2050.

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

amounts representing interest earned on Bond proceeds, any excess Bond proceeds or the Reserve Fund in the event of such an amendment.

F. The City Treasurer shall, within eight (8) City business days after the end of each calendar month in which Assessment Installments are received, transfer such Assessment Installments to the Trustee for deposit in the Assessment Revenue Fund; provided, however, that any Assessment Installments received during the period from May 1 to May 15 shall be transferred by the City Treasurer to the Trustee no later than May 31 and any Assessment Installments received during the period from November 1 to November 15 shall be transferred by the City Treasurer to the Trustee no later than November 30.

Section 6. The amounts assessed as provided in this Ordinance shall be a lien upon the lots, tracts and parcels of land assessed from the effective date of this Ordinance until paid. Pursuant to NRS Section 271.420, such lien shall be co-equal with the latest lien upon the lots, tracts and parcels to secure the payment of general taxes, shall not be subject to extinguishment by the sale of any property on account of the nonpayment of general taxes, and shall be prior and superior to all liens, claims, encumbrances and titles other than the lien of assessments and general taxes. The sale of any such lot, tract or parcel of land for general or other taxes shall not relieve such lot, tract or parcel of land from such assessment or the lien therefor. Such amounts shall continue to be a lien upon the lots, tracts and parcels of land assessed until paid in full (including all principal and the interest thereon, and any penalties and collection costs).

Section 7. If any parcel of Property is divided after the effective date of this Ordinance and before the collection of all of the Assessment Installments, the Council may require the City Treasurer to apportion the uncollected amounts upon the several parts of land so divided.

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

B. In accordance with NRS 271.425, the City Treasurer shall prepare, or cause a Qualified Engineer to prepare, a report of such apportionment which, when approved by the City Council, shall be recorded in the office of the Clark County Recorder, together with a statement that the current payment status of any of the Assessments may be obtained from the City Treasurer. Neither the failure to record the report nor any defect in the report as recorded

shall affect the validity of the assessments, the lien for the payment thereof or the priority of that lien.

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

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

A. The City Council shall not make a finding that a proposed combination or reapportionment of Assessments pursuant to subsection 2 or subsection 3 of NRS 271.425 will not materially or adversely impair the obligation of the City with respect to Outstanding Bonds unless the City Council first obtains a written report of a Qualified Engineer certifying that, based on a Qualified Appraisal Report, the Value to Lien Ratio (including in the calculation thereof any increase in the Assessment on any parcel as a result of such combination or reapportionment) for each parcel of the Property, if any, on which Assessments are combined and each parcel of the Property, if any, on which Assessments are increased as a result of such reapportionment is at least three (3) to one (1). The City Council shall be entitled to rely on such written report of a Qualified Engineer in making such finding, and such written report of a Qualified Engineer shall be conclusive evidence that such proposed combination or reapportionment of Assessments pursuant to subsection 2 or subsection 3 of NRS 271.425 will not materially or adversely impair the obligation of the City with respect to Outstanding Bonds. The City Council shall not make the finding described in subsection 4(b) of NRS 271.425 unless the City Council first obtains a written report of a Qualified Engineer stating that the proposed combination or reapportionment of Assessments pursuant to subsection 2 or subsection 3 of NRS 271.425 will not increase the principal balance of any Assessment to an amount such that the aggregate amount which is assessed against a tract exceeds the minimum benefit to the tract that is estimated to result from the project which is financed by the Assessment. The City Council shall be entitled to rely on such written report of a Qualified Engineer in making such finding, and such written report of a Qualified Engineer shall be conclusive evidence that such proposed combination or reapportionment of Assessments pursuant to subsection 2 or subsection 3 of NRS

271.425 will not increase the principal balance of any Assessment to an amount such that the aggregate amount which is assessed against a tract exceeds the minimum benefit to the tract that is estimated to result from the project which is financed by the Assessment. Notwithstanding the foregoing, no combination or reapportionment of Assessments pursuant to subsection 2 or subsection 3 of NRS 271.425 shall be made unless, as of the effective date of such combination or reapportionment, there are no delinquencies in the payment of Assessment Installments on any parcel of property on which Assessments will be increased as a result of such combination or reapportionment.

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

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

B. Except as herein provided, failure to pay any Assessment Installment, whether of principal or interest, when due shall cause the whole amount of the unpaid principal of such Assessment to become due and payable immediately, at the option of the City, the exercise of said option shall be indicated by the commencement of foreclosure or sale proceedings by the City. The whole amount of the unpaid principal and the interest that has accrued thereon shall, commencing fifteen (15) days after the date on which the delinquent Assessment Installment became due, whether or not the option to accelerate the due date for the payment of the unpaid principal is exercised, bear a penalty at the rate of two percent (2%) (or at any higher rate authorized by statute, or any lower rate, which may be zero percent, for such period as determined by the City Treasurer) per month (not prorated for any portion of the month) on the unpaid balance of the Assessment and accrued interest, until the day of the foreclosure sale or until paid; provided that, at any time prior to the day of such sale, the owner of any such lot or parcel may pay the aggregate amount of all of the delinquent Assessment

Installments originally becoming due on or before the date of said payment, with accrued interest thereon and all penalties and costs of collection accrued, and shall thereupon be restored to the right thereafter to pay in installments in the same manner as if a default had not been suffered.

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

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

Section 11. The City Clerk is hereby directed to deliver to the County Assessor, the County Recorder and the City Treasurer, a copy of the final Assessment Roll containing a description of the lots, tracts and parcels of land being assessed, with the amount of the assessment levied upon each and the name and address of the owner against whom the assessment was made, together with a statement that the current payment status of any of the assessments may be obtained from the City Treasurer. Neither the failure to record the Assessment Roll as provided in this Section, nor any defect in the roll as recorded shall affect the validity of the assessments, the lien for the payment thereof or the priority of that lien. The City Treasurer is hereby directed to collect the amounts assessed as a tax upon the lots, tracts and parcels of land assessed.

Section 12. In accordance with NRS 271.390(2), the City Clerk shall give written notice of the levy of assessments by mailing a copy of such notice, postage prepaid, either before or promptly after the effective date of this Ordinance, to the owners of all property upon which the assessment was levied at their last-known addresses. Proof of such mailing shall be made by the affidavit of the City Clerk, provided, however, that failure to mail any such notice or notices shall not invalidate any assessment or any other proceedings concerning the District. Proof of the mailing shall be maintained in the permanent records of the office of the City Clerk until all special assessments and all Bonds shall have been paid in full, as to both principal and interest, or until any claim is barred by an appropriate statute of limitations. The Council hereby determines that the manner of giving notice herein provided by mail is reasonably calculated to inform the parties of the proceedings concerning the District and the levy of assessments which may directly and adversely affect their legally protected interests.

Section 13. The notice provided for in NRS 271.390(2) and in Section 12 of this Ordinance shall be in substantially the following form:

(Form of Notice)

**NOTICE TO PROPERTY OWNERS OF THE LEVY OF ASSESSMENTS FOR
IMPROVEMENTS IN THE CITY OF LAS VEGAS, NEVADA,
SPECIAL IMPROVEMENT DISTRICT NO. 612
(SKYE HILLS)**

NOTICE IS HEREBY GIVEN to the owners of all property upon which an assessment has been levied that, by an ordinance duly passed, adopted, signed and approved on November 4, 2020 (the "Ordinance"), there were levied and assessed against the lots, tracts and parcels of land specially benefited by the local improvements in what is designated as the "City of Las Vegas, Nevada, Special Improvement District No. 612 (Skye Hills)" (said lots, tracts and parcels of land being more specifically described in the assessment roll designated in the Ordinance), the costs and expenses of such improvements.

The assessments are payable at the times and in the amounts specified in the Ordinance. Failure to pay any installment, whether of principal or interest, when due shall cause the whole amount of the unpaid principal of such assessment to become due and payable immediately at the option of the City, the exercise of said option shall be indicated by the commencement of sale proceedings by the City. The whole amount of the unpaid principal and the interest that has accrued thereon shall, commencing fifteen (15) days after the date on which the delinquent installment became due, whether or not the option to accelerate the due date for the payment of the unpaid principal is exercised, bear a penalty at the rate of 2% (or at any higher rate authorized by statute, or any lower rate, which may be zero percent, for such period as determined by the City Treasurer) per month (not prorated for any portion of the month) on the unpaid balance of the assessment and accrued interest, until the day of the foreclosure sale or until paid; provided that, at any time prior to the day of such sale, the owner of any such lot or parcel may pay the aggregate amount of all of the delinquent installments originally becoming due on or before the date of said payment, with accrued interest thereon and all penalties and costs of collection accrued, and shall thereupon be restored to the right thereafter to pay in installments in the same manner as if a default had not been suffered.

Pursuant to NRS 271.395, within 15 days after the effective date of the Ordinance, any person who has filed a complaint, protest or objection in writing may commence an action or suit in any court of competent jurisdiction to correct or set aside such determination.

Thereafter all actions or suits attacking the regularity, validity and correctness of the proceedings, of the assessment roll, of each assessment contained in the assessment roll, and of the amount of the assessment levied on each lot, tract and parcel of land, including without limiting the generality of the foregoing, the defense of confiscation, are perpetually barred.

The amounts assessed as aforesaid constitute a lien upon said lots, tracts and parcels of land from November 8, 2020, which lien shall be coequal with the latest lien thereon to secure the payment of general (ad valorem) taxes and prior and superior to all other liens, claims, encumbrances and titles (other than the liens of assessments and general (ad valorem) taxes). The sale of any such lot, tract or parcel of land for general (ad valorem) taxes shall not relieve such lot, tract or parcel of land from such assessment or the lien therefor.

DATED this November 4, 2020.

/s/ LUANN D. HOLMES

City Clerk

Amount of assessment \$ _____

Description of property assessed _____

(End of Form of Notice)

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

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

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

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

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE CONCERNING THE CITY OF LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 612 (SKYE HILLS); AND ASSESSING THE COST OF LOCAL IMPROVEMENTS AGAINST THE ASSESSABLE PROPERTY BENEFITED BY THE LOCAL IMPROVEMENTS; AND PROVIDING OTHER MATTERS RELATED THERETO.

PUBLIC NOTICE IS HEREBY GIVEN that an adequate number of typewritten copies of the above-numbered and entitled proposed Ordinance are available for public inspection and distribution at the office of the City Clerk of the City of Las Vegas, at her office in City Hall, 495 S. Main Street, Las Vegas, Nevada, Las Vegas, Nevada, and that such Ordinance was proposed October 21, 2020, and will be considered for adoption at the a regular meeting of the City Council of the City of Las Vegas to be held on November 4, 2020.

/s/ LUANN D. HOLMES, MMC

City Clerk

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

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

(Form of Publication of Adoption of Ordinance)

ORDINANCE NO. _____

AN ORDINANCE CONCERNING THE CITY OF LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 612 (SKYE HILLS); AND ASSESSING THE COST OF LOCAL IMPROVEMENTS AGAINST THE ASSESSABLE PROPERTY BENEFITED BY THE LOCAL IMPROVEMENTS; AND PROVIDING OTHER MATTERS RELATED THERETO.

PUBLIC NOTICE IS HEREBY GIVEN that such Ordinance was proposed on October 21, 2020, and was passed at the meeting held on November 4, 2020, by the following vote of the City Council:

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

This Ordinance shall be in full force and effect from and after November 8, 2020, i.e., the day after the publication of such Ordinance by its title only.

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

DATED this November 4, 2020.

/s/ CAROLYN G. GOODMAN
Mayor

Attest:

/s/ LUANN D. HOLMES, MMC
City Clerk

(End of Form of Publication)


Section 18. If any section, paragraph, clause or other provision of this Ordinance shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or other provision shall not affect any of the remaining provisions of this Ordinance.



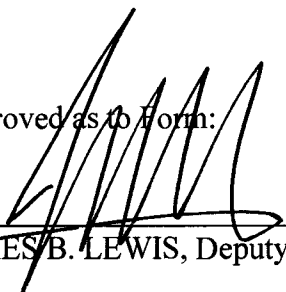
CAROLYN G. GOODMAN, Mayor

(SEAL)

Attest:



LUANN D. HOLMES, MMC,
City Clerk

Approved as to Form:


JAMES B. LEWIS, Deputy City Attorney

This Ordinance shall be in full force and effect from and after November 8, 2020, i.e., the date after the publication of such ordinance by its title.

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

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

1. The foregoing pages constitute a true, correct, complete and compared copy of an ordinance which was introduced at the meeting of the Council on October 21, 2020 and finally adopted and approved on November 4, 2020.

2. The following members of the Council were present at the October 21, 2020 Council meeting:

Mayor:	Carolyn G. Goodman
Council members:	Stavros S. Anthony
	Michele Fiore
	Cedric Crear
	Brian Knudsen
	Victoria Seaman
	Olivia Diaz
Those Absent:	None

3. The foregoing Ordinance was first proposed and read by title to the City Council on October 21, 2020, and referred to a committee for recommendation; thereafter the said committee reported favorably on said Ordinance on November 4, 2020, which was a regular meeting of said Council; that at said regular meeting, the proposed Ordinance was again read by title to the City Council and adopted. The members of the City Council were present at the November 4, 2020 meeting and voted upon the adoption of the Ordinance as follows:

Those Voting Aye:	
Mayor:	Carolyn G. Goodman
Council members:	Stavros S. Anthony
	Michele Fiore
	Brian Knudsen
	Victoria Seaman
	Olivia Diaz
Those Voting Nay:	None
Those Absent:	None
Those Not Voting:	Cedric Crear

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

5. All members of the Council were given due and proper notice of the meetings on October 21, 2020 and November 4, 2020. Pursuant to Nevada Revised Statutes (“NRS”) 241.020, written notice of the meetings was given not later than 9:00 a.m. on the third working days before the meetings including in the notice the time, place, location, and agenda of the meeting:

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

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

(iv) The City of Las Vegas website
and

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

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

7. A copy of such notice so given of the meeting of the Council on October 21, 2020 is attached to this certificate as Exhibit A and a copy of the notice so given of the meeting of the Council on November 4, 2020 is attached to this certificate as Exhibit B.

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

IN WITNESS WHEREOF, I have hereunto set my hand on this November 4, 2020.



LUANN D. HOLMES, MMC, City Clerk

(SEAL)

EXHIBIT A

(Attach Copy of Notice of October 21, 2020 Meeting)

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



City Manager Scott Adams
City Attorney Bryan K. Scott
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.

October 21, 2020

9:00 AM

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

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.

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 meetingcomments@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. E-mails must contain the meeting name, date and item number in the subject. E-mails received up to an hour before the meeting will be considered public record, read during the meeting where appropriate and will be included in the backup. A time limit may be imposed on the e-mails read for the record.

Online comments can also be submitted via the City's website at www.lasvegasnevada.gov/councilcomment during the City Council meeting. All comments received during the meeting will be considered public record, read where appropriate and included in the backup. Comments received on a Public Hearing item after action has been taken will not be read but will be included in the backup. A time limit may be imposed on the comments read for the record.

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, made possible through underwriting from HOMIE. 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 City 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 City Council Meeting.

CEREMONIAL MATTERS

1. Call to Order
2. Announcement Regarding: Compliance with Open Meeting Law
3. Invocation - Reverend Brad Beckman, First Good Shepherd Lutheran 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 September 16, 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.

ADMINISTRATIVE - CONSENT

8. For possible action to approve an extension of time relative to the conditions contained in the Grant, Bargain, and Sale deed for currently numbered Assessor's Parcels 161-09-801-004 and 161-10-202-001 and commonly known as the Royal Links Golf Course, located at 5995 East Vegas Valley Drive - Clark County

CITY ATTORNEY - CONSENT

9. For possible action to approve settlement of State of Nevada, Commission for Cultural Centers and Historic Preservation v. Eli Mizrahi, et al., Eighth Judicial District Court Case No. A-14-696982-C, including the rehabilitation of the Huntridge Theater, located at 1208 East Charleston Boulevard - Ward 3 (Diaz)

ECONOMIC AND URBAN DEVELOPMENT - CONSENT

10. For possible action to approve the Third Amendment to Disposition and Development Agreement (DDA) between City Parkway V, Inc. and SLC Development LLC (SLC) to substitute a revised Schedule of Performance and revise the Declaration of Special Land Use Restrictions and Option to Purchase (DSLURS) for Parcel D (APN 139-34-110-008) to develop a Class A multifamily housing, office/commercial and amenities project bounded by West Carson Avenue to the north, Promenade Place to the east, Symphony Parkway North to the south and Grand Central Parkway to the west at Symphony Park - Ward 5 (Crear)

11. For possible action to approve a First Amendment to Reinstatement of Exclusive Negotiation Agreement 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

12. For possible action to approve award of Contract No. 210060-JH, Prime Design Services Contract for Jackson Avenue Complete Street Improvements (H Street to C Street) 30% to Final Design - Department of Public Works - Award recommended to: WOOD RODGERS INC. (\$250,853.38 - Road and Flood Capital Projects Fund) - Ward 5 (Crear)
13. For possible action to approve award of Contract No. 210065-SK, Blanket Designated Services Contract for Mechanical, Plumbing and Electrical Consulting Services - Department of Public Works - Award recommended to: TJKROB CONSULTING ENGINEERS DBA TJK CONSULTING ENGINEERS, INC. (Not-to-Exceed \$200,000 - Various Funds) - All Wards
14. For possible action to approve award of Contract No. 210019-PH, Psychological Assessment Services - Department of Human Resources - Award recommended to: HARRISON C. STANTON, PHD, LTD. (Not-to-Exceed \$60,000 Annually/Total Contract Amount Not-to-Exceed \$240,000 - General Fund)
15. For possible action to approve award of Modification No. 1 to Mutual Use Contract 200111-RH, MRO Supplies & Related Services - Various City Departments - Award recommended to: W.W. GRAINGER, INC. (Not-to-Exceed \$550,000 Annually/Total Contract Not-to-Exceed \$2,750,000 - Various Funds)
16. For possible action to approve award of Bid No. 19.70161-SK, FY 18-19 Traffic Signal and ITS Project (Package A), located at Grand Teton Drive at Grand Canyon Drive, Grand Teton Drive at Hualapai Way, Farm Road at Grand Canyon Drive, Deer Springs Way at Grand Canyon Drive, Oso Blanca Road at Grand Montecito Parkway, Farm Road at Oso Blanca Road, and Centennial Parkway at Fort Apache Road, to the lowest responsive and responsible bidder - Department of Public Works - Award recommended to: LAS VEGAS ELECTRIC, INC. (\$3,662,636.50 - Traffic Improvements Capital Projects Fund) - Ward 6 (Fiore)
17. For possible action to approve the ratification of award of Modification No. 3 to Contract No. 210000-JL, Health Services for Respite Care, located at 1581 North Main Street - Office of Community Services - Award recommended to: NURSECORE MANAGEMENT SERVICES LLC DBA NURSECORE LAS VEGAS (\$350,000 - H.U.D. Emergency Shelter Program Special Revenue Fund) - Ward 5 (Crear)
18. For possible action to approve award of Purchase Order for Scott Manufacturing Self-Contained Breathing Apparatus (SCBA) - Fire and Rescue Department - Award recommended to: CHS INCORPORATED (\$2,999,757.54 - Fire Capital Projects Fund) - All Wards
19. For possible action to approve award of Amendment No.1 to Bid No. 18.1762.02-JH, Annual Crack Seal - Department of Operations and Maintenance - Award recommended to: AMERICAN PAVEMENT PRESERVATION, LLC (Not-to-Exceed \$300,000 Annually - Street Maintenance Special Revenue Fund) - All Wards
20. For possible action to approve award of Bid No. 200222-RH-A & C, LED Street Lighting Fixtures, to the lowest responsive and responsible bidder for Bid Lots I and III - Public Works - Award recommended to: MAIN ELECTRIC SUPPLY COMPANY LLC (Not-to-Exceed \$500,000 Annually/Total Contract Not-to-Exceed \$3,000,000 - Traffic Improvements Capital Projects Fund) - All Wards
21. For possible action to approve award of Bid No. 200222-RH-B, LED Street Lighting Fixtures, to the lowest responsive and responsible bidder for Bid Lot II - Department of Public Works - Award recommended to: FERGUSON ENTERPRISES, INCORPORATED (Not-to-Exceed \$500,000 Annually/Total Contract Not-to-Exceed \$3,000,000 - Traffic Improvements Capital Projects Fund) - All Wards

OPERATIONS AND MAINTENANCE - CONSENT

22. For possible action to approve a Grant of Easement to Nevada Power Company, d/b/a, NV Energy, to provide services to the City of Las Vegas Employment Training Facility located at 1001 C Street, APN 139-27-201-005 - Ward 5 (Crear)

PLANNING - BUSINESS LICENSING - CONSENT

23. For possible action to approve a Temporary General On-Sale License AREA 15 LAS VEGAS, LLC dba AREA 15 at 3215 South Rancho Drive - Ward 1 (Knudsen)
24. For possible action to approve a Temporary Alcoholic Beverage Caterer License AREA 15 LAS VEGAS, LLC dba AREA 15 at 3215 South Rancho Drive - Ward 1 (Knudsen)
25. For possible action to approve a Restaurant with Alcohol License GREAT PIES, LLC dba SCUOLA VECCHIA at 420 South Rampart Boulevard, Suite #180 - Ward 2 (Seaman)
26. For possible action to approve a Beer Wine Room License for JAZZMINE AT SUMMERLIN CORP dba NITTAYA'S SECRET KITCHEN at 8427 West Lake Mead Boulevard [Nittaya Parawong, President, Secretary, Treasurer, Director, Shareholder] - Ward 2 (Seaman)

PUBLIC WORKS - CONSENT

27. For possible action to approve Supplemental Interlocal Contract No. 2 - 981b between the City of Las Vegas (CLV) and the Regional Transportation Commission of Southern Nevada (RTC) to increase project funding for the Safe Routes to School: Harris Avenue, Bruce Street to Wardelle Street Project (\$200,000 - Road and Flood Capital Project Fund [CPF]) - Ward 3 (Diaz)
28. For possible action to approve Supplemental Interlocal Contract No. 1 - 1052a between the City of Las Vegas (CLV) and the Regional Transportation Commission of Southern Nevada (RTC) to increase project funding for engineering for the Complete Streets: Jackson Avenue, H Street to C Street Project (\$250,000 - Road and Flood Capital Project Fund [CPF]) - Ward 5 (Crear)
29. For possible action to approve Interlocal Agreement No. 136535-A between the City of Las Vegas (CLV) and the Las Vegas Valley Water District (LVVWD) for the construction of water facilities in the Pinto Lane Streetscape Improvements Phases 1 and 2 Project located in the area of Pinto Lane from Rancho Drive to Martin Luther King Boulevard - Ward 1 (Knudsen)
30. For possible action to approve staff to grant a utility easement to Nevada Energy (NV Energy) for associated utility equipment to be located within the City of Las Vegas (CLV) right-of-way between Summerlin Parkway and Westcliff Drive on APN 138-28-499-008 - Ward 2 (Seaman)
31. For possible action to approve Interlocal Agreement No. 137111-A between the City of Las Vegas (CLV) and the Las Vegas Valley Water District (LVVWD) for water commitment services to be provided for the Harris Marion Park Project located on Harris Avenue, east of Marion Drive (\$103,602 - Parks and Recreation Capital Project Fund [CPF]) - Ward 3 (Diaz)
32. For possible action to approve Interlocal Agreement No. 137110-A between the City of Las Vegas (CLV) and the Las Vegas Valley Water District (LVVWD) for water commitment services in Foremaster Lane, west of Las Vegas Boulevard North for the Corridor of Hope Courtyard Project (\$132,188 - General Capital Project Fund [CPF]) - Ward 5 (Crear)
33. For possible action to approve Interlocal Agreement No. 138464-A between the City of Las Vegas (CLV) and the Las Vegas Valley Water District (LVVWD) for the Pinto Lane Streetscape Improvements Phase 1 Project to provide water commitment services in Pinto Lane east of Shadow Lane (\$31,275) - (Road and Flood Capital Project Fund [CPF]) - Ward 1 (Knudsen)
34. For possible action to approve Interlocal Contract 1231 between the Cities of Las Vegas, North Las Vegas and Henderson, Clark County, and the Regional Transportation Commission of Southern Nevada (RTC) to allow the RTC to fund and coordinate the Advanced Traffic Management Systems Maintenance Project within the entities' jurisdictions - All Wards

35. For possible action to approve Supplemental Interlocal Contract No. 1 - 1113a between the Cities of Las Vegas, North Las Vegas and Henderson, Clark County, and the Regional Transportation Commission of Southern Nevada (RTC) to extend the project completion date to June 30, 2021 for the Las Vegas Freeway and Arterial System of Transportation (FAST) Traffic Signal Maintenance Fiscal Year 2020 Project within the entities' jurisdictions - All Wards
36. For possible action to approve Supplemental Interlocal Contract No. 1 - 1114a between the Cities of Las Vegas, North Las Vegas and Henderson, Clark County, and the Regional Transportation Commission of Southern Nevada (RTC) to extend the project completion date to June 30, 2021 for the Las Vegas Freeway and Arterial System of Transportation (FAST) Program Management Services Fiscal Year 2020 Project within the entities' jurisdictions - All Wards
37. For possible action to approve Supplemental Interlocal Contract No. 1 - 1112a between the Cities of Las Vegas, North Las Vegas and Henderson, Clark County, and the Regional Transportation Commission of Southern Nevada (RTC) to extend the project completion date to December 31, 2020 for the Trail Maintenance Volunteer Coordination Project within the entities' jurisdictions - All Wards
38. For possible action to approve Supplemental Interlocal Contract No. 1 - 1184a between the City of Las Vegas (CLV) and the Regional Transportation Commission of Southern Nevada (RTC) to decrease project funding for engineering for the Utah Avenue, Industrial Road to 3rd Street Project - Ward 3 (Diaz)

RESOLUTIONS - CONSENT

39. R-51-2020 - For possible action to approve a Resolution approving a Reimbursement Agreement between the City of Las Vegas and Area 15 Las Vegas LLC, authorizing the execution of the Reimbursement Agreement per the Nevada Tourism Improvement District (Area 15) approved by Bill No. 2019-37, Ordinance No. 6707 on October 16, 2019, within the area located at the southwest corner of Rancho Road and Sirius Avenue (APN 162-08-418-002) - Ward 1 (Knudsen)

DISCUSSION/ACTION ITEMS

ADMINISTRATIVE - DISCUSSION

40. Discussion for possible action regarding the transfer of up to \$1,800,000 to The Smith Center for the Performing Arts (The Smith Center) from excess car rental fees as defined in the Lease and Operating Agreement (dated February 15, 2012), due to the COVID-19 impacts, subject to concurrence by The Smith Center and the City of Las Vegas Redevelopment Agency (RDA) to the terms of the transfer (Not-to-Exceed \$1,800,000 - Multi-Purpose Special Revenue Fund) - Ward 5 (Crear) [NOTE: This item is related to Redevelopment Agency Item 5]

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.

41. Bill No. 2020-31 - Annexation No. 20-0061-ANX-1 - Property location: on the north side of Darling Road, approximately 160 feet east of Tee Pee Lane; Petitioned by: H&F LLC; Acreage: 0.94 acres; Zoned: R-E (County zoning), R-E (City equivalent). Sponsored by: Councilwoman Michele Fiore
42. Bill No. 2020-32 - Amends LVMC 13.36.030 to generally prohibit the feeding of wildlife, animals, birds, waterfowl and fowl within City parks, recreational facilities and public plazas. 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.

43. Bill No. 2020-33 - Ordinance creating City of Las Vegas Special Improvement District No. 612 (Skye Hills); 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

44. Bill No. 2020-34 - Ordinance concerning City of Las Vegas Special Improvement District No. 612 (Skye Hills); 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
45. Bill No. 2020-35 - Ordinance authorizing the issuance and sale by the City of its Special Improvement District No. 612 (Skye Hills) 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

HEARINGS - DISCUSSION

46. Public hearing and discussion for possible action regarding a request for a Waiver and/or Reduction of Fees for \$21,246.23 in out-of-pocket costs and \$94,725 in civil penalties for a total of \$115,971.23 recorded against property at 1624 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 - 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.

47. 20-0168 - APPLICANT/OWNER: WESTCARE FOUNDATION, INC. - For possible action on the following Land Use Entitlement project on approximately 5.00 acres at the southwest corner of Duncan Drive and Bradley Road (APN 138-12-110-056), R-E (Residence Estates) and C-2 (General Commercial) Zones, Ward 5 (Crear). Staff recommends APPROVAL of the Land Use Entitlement project.
 - 47a. 20-0168-EOT1 - Second Extension of Time of an approved Special Use Permit (SUP-65429) FOR AN 87-UNIT CONVALESCENT CARE FACILITY/NURSING HOME (OCCUPIED BY NO MORE THAN 87 ADULT PATIENTS AND AN AVERAGE OF 87 RELATED MINOR CHILDREN OF NOT MORE THAN NINE YEARS OF AGE). Staff recommends APPROVAL.
 - 47b. 20-0168-EOT2 - Second Extension of Time of an approved Site Development Plan Review (SDR-65430) FOR A PROPOSED SINGLE-STORY, 87-UNIT, 57,999 SQUARE-FOOT CONVALESCENT CARE FACILITY/NURSING HOME. 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.

48. 20-0048-SUP1 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: MICHAEL C. SMITH - OWNER: SUMMERHILL-PINE, LLC - For possible action on a Land Use Entitlement project request for a Special Use Permit FOR A PROPOSED 522 SQUARE-FOOT MASSAGE ESTABLISHMENT USE WITH WAIVERS TO ALLOW A ZERO-FOOT SEPARATION FROM AN INDIVIDUAL CARE CENTER LICENSED FOR MORE THAN 12 CHILDREN, A PARCEL ZONED FOR RESIDENTIAL USE AND 118 FEET FROM A CITY PARK WHERE 400 FEET IS REQUIRED; AND TO ALLOW A ZERO-FOOT SEPARATION FROM AN EXISTING MASSAGE ESTABLISHMENT WHERE 1,000 FEET IS REQUIRED at 7477 West Lake Mead Boulevard, Suite #240 (APN 138-22-316-014), C-1 (Limited Commercial) Zone, Ward 1 (Knudsen). The Planning Commission (7-0 vote) and Staff recommend APPROVAL.

49. 20-0072-SDR1 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT: DUTCH BROTHERS COFFEE - OWNER: STEVEN A. AND RAYNELL PHILLIPS - For possible action on a Land Use Entitlement project request for a Site Development Plan Review FOR A PROPOSED 871 SQUARE-FOOT DRIVE THROUGH COFFEE SHOP WITH A WAIVER OF THE BUILDING ORIENTATION REQUIREMENTS on 0.52 acres at 6651 West Charleston Boulevard (APN 163-02-104-001), C-1 (Limited Commercial) Zone, Ward 1 (Knudsen). The Planning Commission (7-0 vote) and Staff recommend APPROVAL.

PLANNING - DISCUSSION

50. SDR-78443 - ABEYANCE ITEM - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT: LAS VEGAS BILLBOARDS - OWNER: DENNY'S INC., ET AL - For possible action on a request for a Site Development Plan Review FOR THE PROPOSED ADDITION OF DIGITAL (LED) ELECTRONIC MESSAGE BOARD ILLUMINATION TO AN EXISTING NONCONFORMING OFF-PREMISE SIGN on 0.08 acres at 1830 South Las Vegas Boulevard (APN 162-03-302-005), C-2 (General Commercial) Zone, Ward 3 (Diaz) [PRJ-78367]. Staff recommends DENIAL. The Planning Commission (3-2 vote) recommends APPROVAL.
51. 78759 - PUBLIC HEARING - APPLICANT/OWNER: DFA, LLC, ET AL - For possible action on the following Land Use Entitlement project requests on a portion of 20.28 acres at the northeast corner of Bonanza Road and Clarkway Drive and on 10.27 acres on the south side of Bonanza Road, approximately 420 feet west of Martin L King Boulevard (APNs 139-28-302-034, 139-28-401-009 and 139-28-412-001), C-2 (General Commercial) and C-M (Commercial/Industrial) Zones, Ward 5 (Crear). The Planning Commission (7-0 vote) and Staff recommend APPROVAL on the Land Use Entitlement project.
- 51a. 78759-VAR1 - TO ALLOW A ZERO-FOOT SIDE YARD SETBACK WHERE 10 FEET IS REQUIRED. The Planning Commission (7-0 vote) and Staff recommend APPROVAL.
- 51b. 78759-SDR1 - FOR THE PROPOSED DEMOLITION AND RECONFIGURATION OF AN EXISTING HEAVY MACHINERY AND EQUIPMENT (RENTAL, SALES & SERVICE) DEVELOPMENT THAT INCLUDES A NEW 7,056 SQUARE-FOOT SALES AND RENTAL BUILDING, AND A 20,000 SQUARE-FOOT MAINTENANCE BUILDING WITH A WAIVER OF THE PERIMETER LANDSCAPE REQUIREMENTS. The Planning Commission (7-0 vote) and Staff recommend APPROVAL.
52. 20-0036 - PUBLIC HEARING - APPLICANT: TERRIBLE HERBST - OWNER: BELL REAL ESTATE, LLC - For possible action on the following Land Use Entitlement project requests on 0.81 acres at 1601 Industrial Road (APN 162-04-609-002), M (Industrial) Zone, Ward 3 (Diaz). Staff recommends DENIAL on the entire Land Use Entitlement project. The Planning Commission (4-1-2 vote) recommends DENIAL on 20-0036-SUP2 and recommends (5-0-2 vote) APPROVAL on 20-0036-SUP1 and 20-0036-SDR1.
- 52a. 20-0036-SUP1 - FOR A PROPOSED CAR WASH, FULL SERVICE OR AUTO DETAILING USE. Staff recommends DENIAL. The Planning Commission (5-0-2 vote) recommends APPROVAL.
- 52b. 20-0036-SUP2 - FOR A PROPOSED 4,022 SQUARE-FOOT BEER/WINE/COOLER OFF-SALE ESTABLISHMENT USE. The Planning Commission (4-1-2 vote) and Staff recommend DENIAL.
- 52c. 20-0036-SDR1 - FOR A PROPOSED 4,022 SQUARE-FOOT CONVENIENCE STORE AND 1,591 SQUARE-FOOT CAR WASH WITH WAIVERS OF APPENDIX F INTERIM DOWNTOWN LAS VEGAS DEVELOPMENT STANDARDS. Staff recommends DENIAL. The Planning Commission (5-0-2 vote) recommends APPROVAL.
53. 20-0071 - PUBLIC HEARING - APPLICANT: LIVING GRACE FOURSQUARE CHURCH - OWNER: FIRST THAI-LAOTIAN PRESBYTERIAN CHURCH - For possible action on the following Land Use Entitlement project requests on 2.50 acres at 2400 North Michael Way (APN 138-13-403-001), R-E (Residence Estates) Zone, Ward 5 (Crear). Staff recommends DENIAL on the Land Use Entitlement project. The Planning Commission (7-0 vote) recommends APPROVAL on the Land Use Entitlement project.
- 53a. 20-0071-SUP1 - FOR A CHURCH/HOUSE OF WORSHIP USE. Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL.
- 53b. 20-0071-SDR1 - FOR A 16,870 SQUARE-FOOT CHURCH/HOUSE OF WORSHIP. Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL.

54. 20-0084-SUP1 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER: REMINGTON COMMERCIAL VIII, LLC - For possible action on a Land Use Entitlement project request for a Special Use Permit FOR A PROPOSED RESTAURANT WITH DRIVE-THROUGH USE at the northwest corner of Oso Blanco Road and Durango Drive (APN 125-17-314-006), T-C (Town Center) Zone [GC-TC (General Commercial-Town Center) Special Land Use Designation], Ward 6 (Fiore). The Planning Commission (7-0 vote) and Staff recommend APPROVAL.

REPORTS AND PRESENTATIONS

55. Presentation by Heather Korbolic, Executive Director of Nevada Health Link, an online health insurance agency supported by the Silver State Health Insurance Exchange that offers qualified health insurance plans based on income through the Affordable Care Act, regarding eligibility, available resources, plan changes for 2021 and information on the upcoming Open Enrollment period (Requested by Councilman Knudsen, Ward 1)
56. Report by Debbie Brockett, Region Superintendent, Clark County School District (CCSD), regarding an update on the current educational operations in schools within the CCSD in the City of Las Vegas - All Wards
57. Report from Scott D. Adams, City Manager, on Emerging Issues - All Wards
58. Presentation by Michael L. Sherwood, Chief Innovation Officer, on emerging innovation and technology for the City of Las Vegas - All Wards

SET DATE

59. 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

60. 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

61. 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 November 4, 2020 Meeting)

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



City Manager Scott Adams
City Attorney Bryan K. Scott
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.

November 4, 2020

9:00 AM

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

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.

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 meetingcomments@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. E-mails must contain the meeting name, date and item number in the subject. E-mails received up to an hour before the meeting will be considered public record, read during the meeting where appropriate and will be included in the backup. A time limit may be imposed on the e-mails read for the record.

Online comments can also be submitted via the City's website at www.lasvegasnevada.gov/councilcomment during the City Council meeting. All comments received during the meeting will be considered public record, read where appropriate and included in the backup. Comments received on a Public Hearing item after action has been taken will not be read but will be included in the backup. A time limit may be imposed on the comments read for the record.

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, made possible through underwriting from HOMIE. 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 City 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 Jason Adams, Reformation Lutheran 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 October 7, 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 additional funding for Shute, Mihaly & Weinberger LLP to represent the City of Las Vegas in the following actions: 180 Land Company, LLC v. City of Las Vegas, 8JDC Case No. A-17-758528-J, NSC Case Nos. 77771, 78792, USDC Case No. 2:19-cv-1467-KJD-DJA; 180 Land Company, LLC, et al. v. City of Las Vegas, 8JDC Case No. A-18-780184-C, USDC Case No. 2:19-cv-1471-JCM-EJY; Fore Stars, Ltd., et al. v. City of Las Vegas, et al., 8JDC Case No. A-18-773268-C, USDC Case No. 2:19-cv-1469-JAD-NJK; and 180 Land Company, LLC v. City of Las Vegas, 8JDC Case No. A-18-775804-J, USDC Case No. 2:19-cv-1470-RFB-BNW, relating to the development of a portion of the former Badlands Golf Course for an amount not-to-exceed \$100,000 (General Fund) - Ward 2 (Seaman)

CULTURAL AFFAIRS - CONSENT

9. For possible action to approve an Interlocal Agreement between the City of Las Vegas (City) and Clark County for the City to receive \$30,000 in Outside Agency Grant (OAG) funds for the West Las Vegas Arts Center's Performing and Visual Arts Summer Camp for Kids located at 947 West Lake Mead Boulevard - Ward 5 (Crear)

FINANCE - CONSENT

10. For possible action to approve Amendment No. 1 to the Franchise Agreement for the Provision of Non-Emergency Ambulance Services between the City of Las Vegas and MedicWest Ambulance, Inc., which provides for a three-year extension on services - All Wards

FINANCE - PURCHASING AND CONTRACTS - CONSENT

11. For possible action to approve award of Bid No. 19.63780-DD, Sewer Rehab Group J, located within the areas of Bradley Road, Jones Boulevard, Torrey Pines Drive, Rio Vista Street, Elkhorn Road, Ann Road and Craig Road, to the lowest responsive and responsible bidder - Department of Public Works - Award recommended to: LAS VEGAS PAVING CORPORATION (\$2,984,804 - Sanitation Enterprise Fund) - Wards 4 and 6 (Anthony and Fiore)
12. For possible action to approve award of Amendment No. 1 to Contract No. 200096-DD, Prime Design Services Contract for Brent Lane Drainage System - Durango Drive to Skye Canyon Park Drive - Department of Public Works - Award recommended to: JACOBS ENGINEERING GROUP (\$313,746.20 - Road and Flood Capital Projects Fund and Sanitation Enterprise Fund) - Ward 6 (Fiore)
13. For possible action to approve award of Modification No. 2 to Contract No. 200116-JL, Historic Westside Revitalization Consultant, to change the scope of work for the Historic Westside to include the Rafael Rivera Walkable Community and Transportation Mobility Access Areas, extend the contract term through December 31, 2021 and to increase funding by \$100,000 for a total fixed contract amount of \$199,000 - Office of Community Services - Award recommended to: CENTRO, INC. (\$50,000 - General Fund/\$50,000 - Traffic Improvements CPF) - Wards 3 and 5 (Diaz and Crear)

OPERATIONS AND MAINTENANCE - CONSENT

14. For possible action to approve a Residential Purchase Agreement between the City of Las Vegas and Jose Arias Sanchez for the City to sell vacant land located at 5774 West Ann Road, APN 125-25-410-029 - Ward 6 (Fiore)
15. For possible action to approve Las Vegas Valley Water District (LVVWD) Non-Exclusive Easements from the City of Las Vegas to service the Charleston Heights Community Center and Park renovation project located at 2221 Maverick Street, APN 138-23-516-045 - Ward 5 (Crear)

PLANNING - BUSINESS LICENSING - CONSENT

16. For possible action to approve a Temporary Beer/Wine/Cooler On-Sale License for NICHUBA, LLC dba THAI SPOON LAS VEGAS at 6440 North Durango Drive, Suite #130 - Ward 6 (Fiore)
17. For possible action to approve a Restaurant with Alcohol License CHINGLISH RESTAURANT GROUP, LLC dba CHINGLISH CANTONESE WINE BAR at 8704 West Charleston Boulevard, Suite #101 - Ward 2 (Seaman)
18. For possible action to approve an Alcoholic Beverage Caterer License CHINGLISH RESTAURANT GROUP, LLC dba CHINGLISH CANTONESE WINE BAR at 8704 West Charleston Boulevard, Suite #101 - Ward 2 (Seaman)
19. For possible action to approve a Beer/Wine/Cooler On-Sale License CHINGLISH RESTAURANT GROUP, LLC dba KOSHER CHINGLISH at 8704 West Charleston Boulevard, Suite #103 - Ward 2 (Seaman)
20. For possible action to approve a Temporary Massage Establishment License BEYOND THE BARRIER NAILS AND SPA, LLC dba BEYOND THE BARRIER NAILS AND SPA at 1959 North Decatur Boulevard [Jaya Mariah Demmons, Managing Member] - Ward 5 (Crear)

PUBLIC WORKS - CONSENT

21. For possible action to approve a Sewer Over-Sizing Refunding Agreement between the City of Las Vegas (CLV) and Arthaus, LLC (Developer) for an oversized sewer in the alleyway south of Charleston Boulevard between Casino Center Boulevard and Third Street (\$221,353.70 - Sanitation Enterprise Fund [EF]) - Ward 3 (Diaz)
22. For possible action to approve Interlocal Agreement NM370-20-015 between the City of Las Vegas (CLV) and the State of Nevada Department of Transportation (NDOT) to define parties' responsibilities and describe cooperation and participation of the parties during construction of the I-515 Downtown Las Vegas Viaducts Rehabilitation and Auxiliary Lane on I-515 from I-15 to Eastern Avenue Interchange Project - Wards 3 and 5 (Diaz and Crear)

23. For possible action to approve Interlocal Contract 1239 between the City of Las Vegas (CLV) and the Regional Transportation Commission of Southern Nevada (RTC) to fund the Off-Street Shared Use Path Maintenance, Fiscal Year 2021 Project (\$55,000 - Traffic Improvements Capital Project Fund [CPF]) - All Wards
24. For possible action to approve staff to acquire various real property rights for the future Buffalo Drive Intersection Improvements at Charleston Boulevard and at Sahara Avenue Project, multiple APNs (\$965,000 - Congestion Mitigation and Air Quality Improvement [CMAQ] and Regional Transportation Commission [RTC] Funds) - Wards 1 and 2 (Knudsen and Seaman) and Clark County
25. For possible action to approve the application for a permanent Bureau of Land Management (BLM) grant and a right-of-way dedication of a portion of City owned property for the future 215 Beltway Trail - Centennial to Decatur Project, APNs 125-19-401-007, 125-19-701-014 and 126-24-701-018 - Ward 6 (Fiore)
26. For possible action to approve Interlocal Contract 1236 between the City of Las Vegas (CLV) and the Regional Transportation Commission of Southern Nevada (RTC) to fund the Safety Upgrade Program, Fiscal Year 2021 City of Las Vegas (\$1,000,000 - Traffic Improvements Capital Project Fund [CPF]) - All Wards
27. For possible action to approve Interlocal Contract 1235 between the City of Las Vegas (CLV) and the Regional Transportation Commission of Southern Nevada (RTC) to fund the Intersection Improvement Program, Fiscal Year 2021 City of Las Vegas (\$2,000,000 - Traffic Improvements Capital Project Fund [CPF]) - All Wards
28. For possible action to approve Interlocal Contract 1237 between the City of Las Vegas (CLV) and the Regional Transportation Commission of Southern Nevada (RTC) to provide construction funding for the Shadow Lane, Alta Drive to Charleston Boulevard Project (\$6,700,000 - Road and Flood Capital Project Fund [CPF]) - Ward 1 (Knudsen)
29. For possible action to approve Interlocal Contract 1234 between the City of Las Vegas (CLV) and the Regional Transportation Commission of Southern Nevada (RTC) to provide funding for engineering for the Sawtooth Roads, Northwest Area Arterials Project, which includes Durango Drive, Brent Lane, El Capitan Way, and Log Cabin Way as shown in the contract exhibit (\$400,000 - Road and Flood Capital Project Fund [CPF]) - Ward 6 (Fiore)
30. For possible action to approve Supplemental Interlocal Contract No. 1 - 1180a between the City of Las Vegas (CLV), County of Clark (County), and the Regional Transportation Commission of Southern Nevada (RTC) to decrease project funding by \$760,000 for engineering for the Centennial Parkway, Alpine Ridge Way to Durango Drive Project - Ward 6 (Fiore) and County
31. For possible action to approve Interlocal Contract LAS25C20 between the City of Las Vegas and the Clark County Regional Flood Control District (CCRFCD) for design of the Las Vegas Wash - Stewart, Las Vegas Wash to Lamb Boulevard Project (\$1,018,866 - Road and Flood Capital Project Fund [CPF]) - Ward 3 (Diaz)
32. For possible action to approve Supplemental Interlocal Contract No. 2 - 976b between the City of Las Vegas (CLV) and the Regional Transportation Commission of Southern Nevada (RTC) to decrease project funding by \$250,000 for engineering for the City Parkway Improvements: Grand Central Parkway to Bonanza Road Project - Ward 5 (Crear)

DISCUSSION/ACTION ITEMS

ECONOMIC AND URBAN DEVELOPMENT - DISCUSSION

33. Discussion for possible action regarding a Memorandum of Understanding (MOU) between Affordable Housing Programs, Inc. (AHP), a nonprofit subsidiary of the Southern Nevada Regional Housing Authority (SNRHA), and the City of Las Vegas (City) to negotiate the development plan by AHP and the forgiveness of a portion of City liens for APN's 139-28-703-005, -013, -014 and 139-28-711-000, commonly known as the Moulin Rouge site, located at 901 and 1001 West McWilliams Avenue and 840 and 920 West Bonanza Road - Redevelopment Area - Ward 5 (Crear)

PLANNING - BUSINESS LICENSING - DISCUSSION

34. Discussion for possible action regarding a permanent 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)

35. Discussion for possible action regarding a permanent Beer/Wine/Cooler Off-Sale License DOWNTOWN CORNER STORE, LLC dba DOWNTOWN CORNER STORE at 353 East Bonneville Avenue, Suite #105 [Erick Lemons, Managing Member] - Ward 3 (Diaz)

RECOMMENDING COMMITTEE REPORT - DISCUSSION

BILLS ELIGIBLE FOR ADOPTION AT THIS MEETING

36. Bill No. 2020-31 - For possible action - Annexation No. 20-0061-ANX-1 - Property location: on the north side of Darling Road, approximately 160 feet east of Tee Pee Lane; Petitioned by: H&F LLC; Acreage: 0.94 acres; Zoned: R-E (County zoning), R-E (City equivalent). Sponsored by: Councilwoman Michele Fiore
37. Bill No. 2020-32 - For possible action - Amends LVMC 13.36.030 to generally prohibit the feeding of wildlife, animals, birds, waterfowl and fowl within City parks, recreational facilities and public plazas. Sponsored by: Councilman Cedric Crear
38. Bill No. 2020-33 - For possible action - Ordinance creating City of Las Vegas Special Improvement District No. 612 (Skye Hills); 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
39. Bill No. 2020-34 - For possible action - Ordinance concerning City of Las Vegas Special Improvement District No. 612 (Skye Hills); 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
40. Bill No. 2020-35 - For possible action - Ordinance authorizing the issuance and sale by the City of its Special Improvement District No. 612 (Skye Hills) 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

HEARINGS - DISCUSSION

41. Public hearing and discussion for possible action regarding a request for a Waiver and/or Reduction of Fees for \$3,058 in out-of-pocket costs and \$19,500 in civil penalties for a total of \$22,558 recorded against property at 4316 JADESTONE AVENUE - PROPERTY OWNER: M T REAL ESTATE INVESTMENT, INC. - Ward 4 (Anthony)

PLANNING

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

PLANNING - DISCUSSION

42. 20-0216-EOT1 - EXTENSION OF TIME - NONCONFORMING - PUBLIC HEARING - APPLICANT: PJ ENTERPRISES, LLC - OWNER: ARISTOTLE HOLDING, LTD - For possible action on a Land Use Entitlement project request for a fourth Extension of Time FOR A NONCONFORMING USE (TAVERN) at 1531 South Las Vegas Boulevard (APNs 162-03-202-005 and 162-03-210-090), C-2 (General Commercial) Zone, Ward 3 (Diaz). Staff recommends APPROVAL.
43. 20-0193 - PUBLIC HEARING - APPLICANT: TERRIBLE HERBST, INC. - OWNER: CS 4015, LLC - For possible action on the following Land Use Entitlement project requests on 2.00 acres at 10591 West Lone Mountain Road (APN 137-01-101-030), Ward 4 (Anthony). Staff recommends DENIAL.
- 43a. 20-0193-ROC1 - REVIEW OF CONDITION NUMBER ONE (1) OF SPECIAL USE PERMIT (SUP-68413) TO ALLOW THREE MPD FUEL DISPENSERS AND SIX FUELING NOZZLES WHERE TWO MPD FUEL DISPENSERS AND FOUR FUELING NOZZLES WHERE ALLOWED. Staff recommends DENIAL.
- 43b. 20-0193-ROC2 - REVIEW OF CONDITION NUMBER TWO (2) OF SITE DEVELOPMENT PLAN REVIEW (SDR-68410) TO ALLOW THE HOURS OF OPERATION TO BE 24 HOURS WHERE THE HOURS WERE LIMITED TO 5AM TO 11PM. Staff recommends DENIAL.

REPORTS AND PRESENTATIONS

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

SET DATE

- 45. 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

- 46. 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

- 47. Council Member Recognition: Comments made by individual City Council Members during this portion of the agenda will not be acted upon by the City Council unless that subject is on the agenda and scheduled for action.

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

EXHIBIT C

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

AFFIDAVIT OF PUBLICATION

STATE OF NEVADA)
COUNTY OF CLARK) SS:

RECEIVED
CITY CLERK

2020 OCT 26 P 12:07

LV CITY CLERK
495 S MAIN ST
LAS VEGAS NV 89101

Account # 22515
Ad Number 0001122914

Eileen Gallagher, 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 10/22/2020 to 10/22/2020, on the following days:

10 / 22 / 20

BILL NO. 2020-34
AN ORDINANCE CONCERNING THE CITY OF LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 612 (SKYE HILLS); AND ASSESSING THE COST OF LOCAL IMPROVEMENTS AGAINST THE ASSESSABLE PROPERTY BENEFITED BY THE LOCAL IMPROVEMENTS; AND PROVIDING OTHER MATTERS RELATED THERETO.
PUBLIC NOTICE IS HEREBY GIVEN that an adequate number of typewritten copies of the above-numbered and entitled proposed Ordinance are available for public inspection and distribution at the office of the City Clerk of the City of Las Vegas, at City Hall, 495 S. Main Street, Las Vegas, Nevada, Las Vegas, Nevada, and that such Ordinance was proposed October 21, 2020, and will be considered for adoption at the regular meeting of the City Council of the City of Las Vegas to be held on November 4, 2020.
/s/ LUANN D. HOLMES, MMC,
City Clerk
PUB: October 22, 2020
LV Review-Journal

Eileen Gallagher
IS/ _____
LEGAL ADVERTISEMENT REPRESENTATIVE

Subscribed and sworn to before me on this 23rd day of October, 2020

Notary *Mary Lee*



EXHIBIT D

(Attach Affidavit of Publication of Adoption of Ordinance)

AFFIDAVIT OF PUBLICATION

STATE OF NEVADA)
COUNTY OF CLARK) SS:

RECEIVED
CITY CLERK

2020 NOV 16 P 12: 12

LV CITY CLERK
495 S MAIN ST
LAS VEGAS NV 89101

Account # 22515
Ad Number 0001124897

Eileen Gallagher, 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 11/07/2020 to 11/07/2020, on the following days:

11 / 07 / 20

**BILL NO. 2020-34
ORDINANCE NO. 6757**

AN ORDINANCE CONCERNING THE CITY OF LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 612 (SKYE HILLS); AND ASSESSING THE COST OF LOCAL IMPROVEMENTS AGAINST THE ASSESSABLE PROPERTY BENEFITED BY THE LOCAL IMPROVEMENTS; AND PROVIDING OTHER MATTERS RELATED THERETO.

PUBLIC NOTICE IS HEREBY GIVEN that such Ordinance was proposed on October 21, 2020, and was passed at the meeting held on November 4, 2020, by the following vote of the City Council:

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

Those Voting Nay: None

Those Absent: None

Did Not Vote: Cedric Crear

This Ordinance shall be in full force and effect from and after November 8, 2020, i.e., the day after the publication of such Ordinance by its title only.

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

DATED this November 4, 2020.

/s/CAROLYN G. GOODMAN
Mayor

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

PUB: Nov. 7, 2020
LV Review-Journal

ISI Eileen Gallagher
LEGAL ADVERTISEMENT REPRESENTATIVE

Subscribed and sworn to before me on this 9th day of November, 2020

Notary Mary Lee

